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MOLDOVA

The year 2011, like 2010, was extremely political. In fact, politics overshadowed all other aspects of life in the Republic of Moldova. In 2011 the country was led by an interim president, and the first attempt by parliament to elect a president was made at the end of the calendar year, one year after the latest parliamentary elections. Parliament has failed to elect a president for the last two years, as it consists of four political parties without any holding a majority.

In 2011, local elections were held, the results of which in large part reflected the current parliamentary configuration. At the central level, three of the four parties formed the Alliance for European Integration-2 (AEI-2), which succeeded AEI-1 after the elections of November 2010; the Our Moldova Alliance was left out of this alliance. At the local level, however, elected officials united on the basis of other arrangements, according to their interests and not the AEI-2 partnership.

AEI-2, in which many citizens placed their confidence, has been gradually eroding from the inside because of disagreements, revenge, vanity and personal and party interests. Nevertheless, AEI-2 selected and advanced a candidate for the presidential elections who ultimately failed to receive the necessary votes. The Constitutional Court (CC) nullified a second-round vote based on a complaint from the Communist Party that voting violated secret ballot provisions. AEI-2 decided to nominate an apolitical candidate to the presidential position, as requested by the Communist Party, but the alliance could not agree on a joint candidate. The parties are still negotiating ferociously for an apolitical candidate for president.

The situation of the media in Moldova improved slightly since last year, but it only briefly enjoyed the authorities' attention, particularly the attention of the government that had promised reforms. Harmonizing the legal framework regulating the media with European norms and standards, including adopting a new broadcasting code, reforming and modernizing public broadcaster Teleradio-Moldova (TRM), and encouraging investment in the local market were some of the items on the government agenda for 2011; however, nothing has been accomplished so far.

Public confidence in the media is still strong, though distrust appears to be growing, perhaps because of the close relations between media and politics. People are losing their trust in politicians and consequently distrust the media. In 2011 the media benefited from the changes that occurred in 2010 and from better operating conditions. New media outlets continued to appear, and competition increased which resulted in diversification and higher quality journalism. Nevertheless, the Media Sustainability Index (MSI) in Moldova increased only by a small amount. So while progress continued in 2011, the media's health is too dependent on the country's politics to be considered sustainable.

# MOLDOVA AT A GLANCE

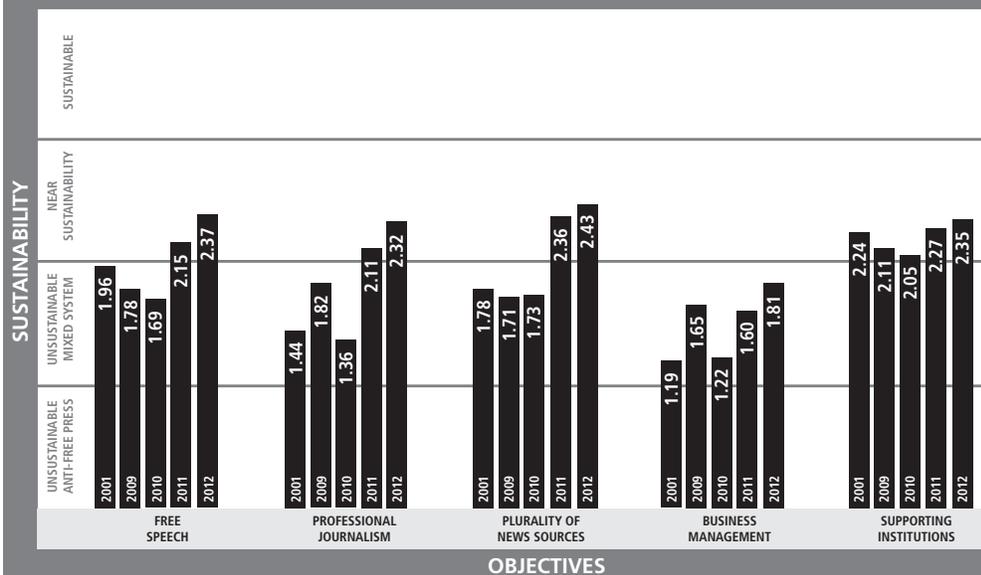
## GENERAL

- > **Population:** 3,656,843 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Chişinău
- > **Ethnic groups (% of population):** Moldovan/Romanian 78.2%, Ukrainian 8.4%, Russian 5.8%, Gagauz 4.4%, Bulgarian 1.9%, other 1.3% (2004 census *CIA World Factbook*)
- > **Religion (% of population):** Eastern Orthodox 98%, Jewish 1.5%, Baptist and other 0.5% (2000 est., *CIA World Factbook*)
- > **Languages (% of population):** Moldovan (official, virtually the same as the Romanian language), Russian, Gagauz (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$6.456 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$3,340 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 99.1% (male: 99.7%, female: 98.6%) (2005 est., *CIA World Factbook*)
- > **President or top authority:** Acting President Marian Lupu (since December 30, 2010)

## MEDIA-SPECIFIC

- > **Number of print outlets, radio stations, television stations:** 207 newspapers, 57 television stations, and 56 radio stations (Moldova National Bureau of Statistics, 2011; Broadcasting Coordinating Council, 2011)
- > **Newspaper circulation statistics (total circulation and largest paper):** N/A
- > **Broadcast ratings:** TV Moldova 1 and Radio Moldova, both state-owned, are the highest rated broadcasters.
- > **Annual advertising revenue in the media sector:** Television: €16 million; Newspapers: about €5 million; Magazines: €1 million; Radio: €1.5 million (National Agency for Competition Protection)
- > **News agencies:** Infotag, Basa-press, Moldpres (state-owned), Info-prim Neo, InfoMarket, Deca-press, Novosti-Moldova, Monitor Media
- > **Internet usage:** 1.333 million (2009 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: MOLDOVA



Scores for all years may be found online at [http://www.irex.org/system/files/EE\\_mscores.xls](http://www.irex.org/system/files/EE_mscores.xls)

### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Moldova Objective Score: 2.37

The progress achieved by Moldova in this objective in 2010 was significant and it was justly awarded a higher score by the panel. In 2011, however, this score did not increase quite as dramatically because, as the indicator scoring definition for a 2.00 suggests, "Country has begun to meet many aspects of the indicator, but progress may be too recent to judge or still dependent on current government or political forces." The majority of the panel agreed that the improvement was insignificant and could not be qualified as progress.

Moldovan society, including the panelists, was impressed by the adoption in 2010 of the Law on the Freedom of Expression. This law promised so many changes to the system for protecting the freedom of expression and freedom of the press that former Communist authorities perceived it as a threat. The new political groups that gained power in 2009 were quick to put it on the legislative agenda in their very first year in office, and the law was adopted in the summer of 2010. By October 2011, it had been in force for more than a year.

Some panelists believe that the law cannot possibly function properly because of the extremely corrupt judiciary in the country. Others believe that the law does function and

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing or registration of media protects a public interest and is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against media professionals, citizen reporters, and media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > The law protects the editorial independence of state of public media.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily available; right of access to information is equally enforced for all media, journalists, and citizens.
- > Media outlets' access to and use of local and international news and news sources is not restricted by law.
- > Entry into the journalism profession is free and government imposes no licensing, restrictions, or special rights for journalists.

allowed them to successfully fend off defamation suits filed against them. Veaceslav Perunov, director of the weekly *SP* in Bălți, said, "For example, this year due to this law, we won a suit filed against us for defamation, and we have another case before the court that we are also certain to win on the basis of this law. Maybe not all journalists or editors know the law, but the law at least untied our editorial board, and we were grateful for it in 2011." Petru Macovei, executive director of the Independent Press Association, supported this opinion and added that, "Due to this law, another suit has recently been won that was filed against a number of NGOs by several politicians for publishing a brochure on candidates for parliament that they said libeled them."

A number of panelists insisted that even if the freedom of expression is legally protected in Moldova, it is not a social value. Ludmila Andronic, president of the Press Council (a self-regulatory body created in 2009), justified her low score for this indicator by the fact that the public is not outraged when this right is violated, and Ion Bunduchi, director of the Electronic Press Association (APEL), believes that people are not aware of the value of free speech. The perception of freedom of speech differs in rural and urban areas and also depends on backgrounds and levels of education. Tatiana Ețco observed from her experience as reporter and investigative journalist for the weekly *Ziarul de Garda* that "Sources in rural communities, especially if the community is small and everybody knows everybody, believe that it is not quite appropriate or nice to share information or opinions, especially about delicate matters such as corruption, violations of rights, or abuse of authority. It is much more important for them to feel that they are safe if they are silent than to exercise the right of freedom of expression and risk facing the consequences."

Panelists Dionis Cenușă, journalist, blogger, and coordinator of the *europa.md* portal, and Vitalie Dogaru, producer of programs on *Publika TV*, noted that some groups for various reasons hinder the enforcement of laws and do not tolerate criticism. "Among them one can name certain elements of the Orthodox Church, local and central authorities, extremist parties and some NGOs," Dogaru maintained.

The indicator regarding conditions for granting operating licenses for media outlets improved somewhat in 2011. However, that was not due to more objective, apolitical, or fair conditions for licensing, at least not for broadcasting licenses. According to the panelists, the reason for this increase was the ease with which print media could obtain official registration, simply because the relevant state authorities have become more efficient, and the fact that online media are free to operate without registering or obtaining a certificate from the authorities. Cenușă believes,

however, that because the online sphere is not regulated, “Bloggers abuse free speech and produce reports that attack fundamental freedoms and rights (incitement to hatred, defamation, etc.).”

Regarding the ease in registering a newspaper, Macovei mentioned the example of a newspaper that obtained official registration in two days. “I personally know the experience of *Curierul de Sud*, whose first issue appeared in August 2011. When talking with the newspaper’s owners at the initial stage of registration, I warned them that it would take some time before they obtained it, but two days later they announced that the newspaper had already been registered.” Alexandru Burdeinii, editor-in-chief of the business news agency InfoMarket, argued in favor of the high score he awarded to this indicator by pointing out that newspapers and online media have no difficulty in entering the market, regardless of the situation for broadcast media. “Anyone can establish a newspaper,” he emphasized.

As for broadcasting licenses, as far back as 2006 when the Broadcast Coordinating Council (BCC) was established in accordance with the Broadcasting Code adopted the same year, MSI panelists have criticized the manner in which this institution has operated, especially in granting frequencies. Over the years, the BCC has demonstrated that it is subject to pressure from authorities, politicians, magnates and other influential groups in the country. The procedure for choosing BCC members has also been criticized because it encourages selection according to political criteria, which promotes subservience and limits options. The panelists noted that BCC members are still selected according to the same criteria and the procedure for distributing frequencies is equally political and biased. As Ludmila Andronic put it, “Only the players are different,” referring to the three new members of the BCC appointed in 2011. “The regulating authority in the industry is still politically influenced. The three new members of the BCC were appointed according to political criteria. This fact affects the BCC’s capacity to fulfill its responsibilities,” said Bunduchi. Raisa Lozinschi-Hadei, currently a member of the Supervisory Board (SB) of TRM, noted that on November 18, 2011 Prime Minister Vlad Filat stated, *inter alia*, that BCC membership had been politically shared among members of the governing alliance.

To support his allegation that the BCC is incapable of fulfilling its responsibilities because of political influence, Bunduchi gave the example of the Strategy for Covering the National Territory with Broadcasting Services (2011–2015) adopted by the BCC in June 2011. According to him, “The strategy is of extremely bad quality and was developed virtually by a single employee of the institution.” Traditionally, APEL, headed by

Bunduchi, reviews and assesses the quality of BBC documents, but they were not consulted on this strategy.

Panelists also recalled the inability of the BCC and of the state in general to solve the problem of licensing broadcasters in the Autonomous Territorial Unit Gagauz-Yeri (UTAG). The UTAG Executive Committee, contrary to national and regional broadcasting legislation, grants retransmission licenses to cable broadcasters in the region. This problem had been discussed intensely in all forums, including at the highest levels, but it persists.

Market entry for media in Moldova is free, non-discriminatory and generally easy. As the panelists mentioned, anyone can register a newspaper in print or online, and anyone can apply to the BCC for a broadcasting license. Periodical publications are registered either at the Ministry of Justice, according to the Law on the Press, or at the State Registration Chamber, according to the legislation on entrepreneurship. Electronic media, however, in addition to officially registering as a commercial enterprise, are licensed by the BCC. Online media outlets need only to be organized legal entities and are not obliged to obtain any other certificates. Media enterprises are therefore subject to the same tax regime and fiscal rules as other enterprises are.

According to current legislation, newspapers whose advertising does not exceed 30 percent of the contents do not pay advertising value-added tax (VAT), while those that do exceed this figure are considered commercial publications and are taxed at 20 percent. A modification to the legislation made in 2011 and noted by panelists was that the profit threshold for a business to pay VAT was raised from MDL 300,000 to MDL 600,000. This applied to the media too. The media generally comply with this rule, monitored by the Fiscal State Service.

Although market entry is easy and accessible, the participants believe that the tax regime for media should be different from the one applicable to other legal businesses, or at least that media outlets should receive state support. According to the panelists representing the print media, at present, survival in the media market is challenging for newspapers, and business development is out of the question. Advertising, whether social, political, or commercial, is not distributed according to the rules for market competition as certain outlets absorb most of it. For this reason, many can survive only with the help of grants and donations. According to Rodica Mahu, editor-in-chief of the newspaper *Jurnal de Chişinău*, radio outlet Vocea Basarabiei complained of excessive operating fees. “Installing an antenna on a tower of the state enterprise Radiocomunications now costs MDL 100,000 [\$8,300] per month; price increases are ongoing and unexplainable,” she declared.

Tudor Iașenco, director of the newspaper *Cuvântul* in Rezina, noted that in March 2011 parliament adopted a modification to Article 291 of the fiscal code that had a positive impact on the media. Previously, media, like other business entities, had to pay an additional local tax of 5 percent for placing and/or broadcasting advertising. Following a number of campaigns organized by NGOs and media outlets, television, Internet, radio, periodicals, and publishing houses were exempted from this tax. "Of course, this tax exemption is important, but a big problem remains: the state's failure to provide real support to independent media outlets," Perunov noted.

In 2011 no crimes were recorded against media professionals, or even against citizen reporters or bloggers though, as in 2010, there were several cases of harassment of journalists and photographers. The unhappy subjects of news stories generally committed such acts of violence.

Following up on cases discussed in last year's MSI, there was some progress in Ernest Vardanyan's and Victor Ciobanu's cases. Vardanyan was sentenced to 15 years in prison for treason, but eventually was pardoned by the head of the self-proclaimed Transnistrian Republic and released. He and his family now live in Chișinău.

In Victor Ciobanu's case, the police officer that assaulted the journalist was found guilty of having committed a misdemeanor and obliged to pay a small fine. A civil suit against him is pending in court where the journalist is claiming damages.

In December, a team of journalists from Publika TV was attacked by a lawyer representing the Metropolitan of the Orthodox Church of Moldova while they were making a report about a church in the town of Călărași, which passed from the jurisdiction of the Metropolitan of Moldova to the jurisdiction of the Metropolitan of Bessarabia and was obliged by the court to return the assets to the Metropolitan of Moldova. No charges were filed and the lawyer was not held accountable. The journalists did not sustain any serious injuries.

Another recent case is the one of a journalist detained in Transnistria. Although the Republic of Moldova does not have *de facto* control of Transnistria, Moldovan authorities are obliged to ensure the security of its citizens. Nevertheless, on December 11, 2011, election day in Transnistria, Valentina Ursu, a journalist from the Chișinău desk of Radio Free Europe, was detained in Tiraspol for three hours by the local militia on the grounds that she took photographs at a polling station.

The panelists noted that neither the public nor the journalists' guild protests when such cases occur as they are usually considered to be journalistic "mischief." Politicians have often expressed the same opinion. The only public reaction comes from NGOs.

*The perception of freedom of speech differs in rural and urban areas and also depends on backgrounds and levels of education.*

"In UTAG there were also no attacks against journalists except instances when dissatisfied public officials sometimes threatened journalists with revenge over the telephone," said Valentina Ceban, a correspondent from public radio station Radio Gagauzia. During discussions she remembered that she herself had faced such a situation when reporting on the lack of verification scales at the central market, which proved to be owned by MP Petru Vlah. She was called by the MP himself, who asked her to abandon the investigation. She did not abandon her story, but she did not refer to the MP in the story.

Some panelists also remembered that in Moldova other types of pressure are brought to bear on media professionals. When discussing groups that sometimes prevent the media from enjoying the rights guaranteed by law, Vitalie Dogaru said that they put pressure on the media and attempt to dictate the tone of some articles, and they succeed because journalists are not always strict about maintaining balance. "With the change in techniques for communication with the press, today more and more often we see indirect methods for influencing journalists such as invitations to coffee and restaurants, material and monetary bonuses," he noted.

*Ziarul de Garda*, which is one of the few investigative newspapers, has experienced reactions to some of its articles. Tatiana Ețco wrote about corruption in the railway sector in Moldova, and as a result, both she and the editorial office were threatened with revenge. "Despite the complaint that we filed with the police, I received no information about whether or not anyone had been identified or if it turned out to be a joke, or anything else," she added.

The panelists identified the recent judgment against *Ziarul de Garda* in a lawsuit filed by two prosecutors as pressure. In August, the Central Court ordered the newspaper to pay MDL 500,000 (\$41,300) in moral damages to prosecutors from Glodeni who were investigated for corruption and subsequently acquitted.

At the very start of discussions, the participants noted that 2011 saw the entry into force of the Law on Divestiture of Public Periodical Publications. This law obliges public authorities that started newspapers to dissociate themselves using one of three methods: dissolution, privatization, or transformation into an official monitor publishing only the official acts of the public authority. Within six months

after this law passed, the government was to present a list of the publications subject to it, but that did not happen. According to the panelists, there are over 40 publications that should undergo the procedure of divestiture. Enforcement will ensure local competition, and public funds will not be automatically “pumped” to public newspapers but will be distributed according to regulations on public procurement. So far, none of the public papers have been divested.

One more problem remains. In 2008, the Independent Journalism Center (IJC) conducted a study that showed that space for “state advertising” (announcements by public authorities) is purchased, regardless of the cost, in violation of the Law on Public Procurement. The panelists believe that NGOs must exert pressure on the authorities to modify this law.

Existing laws protect the editorial independence of media outlets, but there are pressures on them from political parties, authorities, businesses, and other stakeholders. It is especially true in the case of the public broadcasters. Each newly elected administration is interested in placing “its people” in their management ranks. Significant financial dependence on the government makes the independence and institutional autonomy of these outlets fragile.

“For example, a decision on September 28, 2011 of the TRM SB on changing the airtime of the main news broadcast on the public television station Moldova 1 caused a political uproar. Moving up the Romanian newscast necessitated moving the Russian news bulletin, which the Russian minority took as a slight, and indicative of the TRM’s anti-Russian posture. Along with this, TRM lowered the number of Russian news bulletins to be broadcast per day. Due to pressure from the BCC and the politicians, TRM announced in January that the SB would review its decision. Although Article 52 of the Broadcasting Code provides for the exclusive right of TRM governing bodies to modify the program schedule, a member of the BCC and several politicians were troubled by it. Some politicians threatened to request independent management for the company though it receives about 70 percent of its funding from the state budget. The Communist Party [PCRM] even proposed a draft law in parliament to modify the Broadcasting Code to allow the dismissal of SB members at any time,” said SB member Raisa Lozinschi-Hadei.

There are, however, a number of institutions and persons interested in reforming TRM. The administration has developed three plans for reorganizing the public stations—slow-paced, progressive, and comprehensive—that were debated in public. There are signs that tensions at TRM in connection with the first reorganization steps are running high. Recently, Angela Sîrbu, director of Moldova 1, announced her resignation, although less than a week later

she changed her mind after, according to her, she was assured by the company’s management that reforms will be realized in as short a time as possible.

The situation at Teleradio-Gagauzia (TRG) is as bad as it was last year. Valentina Ceban, who also participated in the MSI panel last year, reiterated that the regional broadcaster is still totally dependent on the authorities, both financially and institutionally. “I say with all conviction that the TRG leadership is appointed according to political criteria. Independence is totally lacking. The public television station will never broadcast a single item against the Communists,” Ceban said.

A new chapter on the issue of libel opened in 2010 when the Law on the Freedom of Expression was adopted. This law repositioned the parties in a civil libel suit balancing the responsibilities of each one—so that defendants and plaintiffs now share the burden of proof. The IJC has recently published a commentary on this law written by a lawyer, a jurist, and a judge. Although at first glance the law leaves no room for maneuvering for unbiased judges, they might happen not to apply the law, or to interpret it “in a personal manner” when there is interest, or lack of it, towards the media. For example, the judge in the case of the Glodeni prosecutors against *Ziarul de Garda* issued a judgment that made no reference to the Law on the Freedom of Expression, although that law came into force the year before, citing instead an explanatory decision of the Supreme Court of Justice. The newspaper filed a complaint with the Superior Council of Magistrates (SCM) in connection with this fact and requested sanctions against the judge. SCM found that the judge in question had not followed the procedure prescribed by the Civil Code in what concerns the state tax that the plaintiffs should have paid. SCM ordered an administrative sanction against the judge. Despite this negative example about the quality of justice in Moldova, there are, nevertheless, positive examples.

While access to information laws are generally observed, the legislation makes no reference to bloggers and does not provide them the same unconditional right to information that journalists in traditional media enjoy. For over a year, the State Registration Chamber has been providing information about business entities in a simple electronic message free of charge as it did before. “Some government websites publish more and more information about the activities of institutions, but most often we journalists find that the most salient information stays hidden from the public eye,” said Raisa Lozinschi-Hadei who previously worked as a reporter at *Jurnal de Chişinău*. Moreover, public employees still fear their superiors; many officials are unwilling to speak to the media without the approval of “those in charge.”

Rodica Mahu told how *Jurnal de Chişinău* filed a suit against Apa-Canal JSC last March following the refusal of the company's director, Constantin Becciev, to provide information in the public interest. The newspaper requested a set of documents including the decision of the company's administrative board of December 30, 2010 to purchase a generator worth MDL 25 million (\$2 million) and a copy of a 2007 contract allowing the installation of the generator. Apa Canal refused to provide this information on the grounds that the company, "...is not a central or local public authority, the information is a trade secret," and that "Jurnal de Chişinău LLC (the founder of the newspaper with the same name) is allegedly not covered by the Law on Access to Information." The suit is pending before the court; under the Freedom of Information Law, everyone has the right to seek information.

The experience of *Ziarul de Garda* also showed that practically all state institutions require the approval of superiors when they receive requests for public information. According to Tatiana Eţco, "There are cases when they fail to even reply to the request. For example, this year we requested information about the use of some funds (money distributed for repairs of various buildings), about organizing calls for tenders, and about winning companies from the Ministry of Internal Affairs, but we received no reply, and everyone in the ministry claimed that they knew nothing about our request," she noted. "Also, we requested information about a case of corruption in which the suspects were police officers from the Center for Combating Economic Crimes and Corruption. After multiple delays because the request was 'lost' or because it was not known who was responsible for such matters, we were told that the information was a secret part of the investigation," she added.

The panelists agreed that media access to international news and sources of information, including via the Internet, is not restricted. Nevertheless, participants in the discussions claimed that subscription prices for these foreign sources of information are too high for the "pockets" of editorial offices in Moldova, especially newspapers, though cable broadcasters in Moldova offer subscribers quite a varied package of programs rebroadcast from other countries.

The journalism profession is open to anyone, and when new media outlets appear in the Moldovan market, good journalists are in great demand. While journalists working for media companies have somewhat unfettered access to state institutions, officials do not yet perceive freelance journalists and bloggers as "press." Journalists need special accreditation to cover parliament sessions and government meetings, even if they hold press IDs.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Moldova Objective Score: 2.32

Modest progress was made in this objective in 2011; the score rose 0.21 compared with last year. The quality of journalism practiced in the Republic of Moldova remained at approximately the same level while maintaining the good tendencies registered last year. That investigative journalism is very scarce in Moldovan media; that politics overshadows all other information of public interest; and that the programs broadcast by TRM are of better quality and meet ethical standards are just some of the conclusions the participants reached after debating this topic.

Media outlets in Moldova can be divided into two categories: those that observe journalistic ethics and those whose editorial policies are unethical. Television channels, newspapers, news agencies, news portals—all media outlets in the country can be easily placed into one of these two categories as the politics of their editorial policies are clear. Each outlet does, however, have a somewhat unique editorial policy that makes it distinct from other outlets in the same category. In some the policy varies depending on the government or the owner's interest while in others the policy is consistent but the quality of journalism is arguable. There are several outlets that appeared recently whose editorial policies comply with professional standards but they have not yet proved their consistency.

In addition to the above, there are media outlets in Moldova that practice hostile, unprofessional, virulent, provocative journalism, all of which have a partisan editorial policy

### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

#### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well-sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption and retain qualified personnel within the media profession.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exist (investigative, economics/business, local, political).

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*“In the race for sensationalism, they disregard the presumption of innocence and disclose the identity of children and of victims,” Tatiana Ețco added.*

favoring the PCRM (Party of Communists of the Republic of Moldova). Monitoring projects have revealed their disregard for ethical norms. The television station NIT is among the outlets in this category and has frequencies that cover the entire country, but the BCC is helpless to stop the grave violations of the law committed by this broadcaster.

“Many news articles are like bush fires. Journalists ignite, write, and forget. Generally the subject is abandoned, it is not researched and the issue is not followed to the end nor do journalists dig deeper, which causes them to be regarded as superficial and not taken seriously,” said Lozinschi-Hadei. The example she offered in support of this opinion was the public announcement of Prime Minister Vlad Filat that the amount of scrap metal arriving at the metallurgical plant in Rîbnița was several times greater than the amount declared at customs. “What did the journalists of most media outlets do? They wrote news items, faithfully repeating the data made public by the prime minister and no investigation followed, especially as it is known that important state officials were involved,” she added.

Lulia Buzenco, a producer at Radio Moldova, believes that radio and television programs supply the public’s need for information, but that some outlets are constantly in search of sensational material that lacks content and contains grave violations of ethics. “In the race for sensationalism, they disregard the presumption of innocence and disclose the identity of children and of victims,” Tatiana Ețco added.

Scores for the indicator measuring media outlets’ adherence to an ethics code went up. In 2011 media organizations approved the amended Code of Journalist Ethics (presented by media NGOs and developed by the Independent Press Association). For the first time, 88 media outlets and organizations signed their approval. At the same time, the self-regulatory Press Council began active operations examining complaints from media consumers and promoting high-quality, responsible journalism.

Macovei disagreed with this indicator’s increased score in 2011. He believes that the professionalism of the public broadcasters increased by as much as the professionalism of commercial (private) broadcasters, especially of Jurnal TV, decreased. “Judging by the complaints filed by consumers to the Press Council, cases involving Jurnal TV are the most

numerous. I can give examples. In Glodeni, when a girl and her mother were violated by the latter’s common-law husband, Jurnal TV gave out all the details including the minor’s identity. Another case of an ethics violation by this TV station occurred yesterday when Jurnal TV broadcast, in a sensationalist manner, news about an alleged rape committed by an 18-year-old boy against a woman with a hearing disability. Unfortunately, such substandard quality is imposed by the station’s editors who force reporters to obtain as many details about crimes as possible,” Macovei added.

The panelists believe that one of the more serious problems in our country is the press’s role in violating the presumption of innocence. Macovei revealed that the Press Council was apprised many times about this problem. “The case of the daughter of the Ocnita Raion president is symptomatic. Prosecutor Diacov from Chișinău claimed that the husband had killed her, and the media took the information as it was, without observing the presumption of innocence. The worst thing is that the media fails to return to these cases later, because suspects are often acquitted.”

Diana Răilean, a reporter at the Chișinău desk of Radio Free Europe, believes that some responsibility for the fact that journalists disregard ethical norms lies with the departments of journalism that provide insufficient instruction on this subject and with editors who do not wish to train their reporters.

The situation is more difficult during elections when journalists are exposed to political pressure. As for “buying” journalists, Cenușă believes that this practice is widespread among renowned journalists whose articles have an impact on the public. “I came to this opinion after informal discussions I had with representatives of civil society and from personal observations in analyzing material published during elections, and between them.”

Last July, the IJC published a report on monitoring the ethics of some television stations and newspapers. It revealed that since the previous monitoring period in June 2010 “Moldova 1, TV Gagauzia, Radio Moldova, Radio Gagauzia, Prime FM, and Vocea Basarabiei had registered progress in observing professional standards, most of all in observing the principle of impartiality. NIT and PMR TV, however, still fall behind in this regard” as they do with regard to “balancing sources in controversial items.” The report noted the positive fact that the majority of stations had improved the language they used.

As for print media, the IJC report concluded that none of the newspapers monitored (*Timpul de dimineata, Nezaavisimaia Moldova, Observatorul de Nord, Express/Aiin Aciik, Pridnestrovie*) showed significant progress in observing the ethical principles of unbiased presentation of information, of

balancing sources and of identifying opinions, especially in items on controversial topics.

As for plagiarism, the panelists were shocked by the frequency of this phenomenon. Despite the new law on copyrights, journalists rarely go to court to protect their interests. During the year there were mutual accusations of plagiarism (Publika TV v. Unimedia, Unimedia v. Jurnal TV). According to Cenușă, “Bloggers act regardless of journalistic ethics, including rules on plagiarism.” “The zone of ‘virtual reality’ exempts them from any responsibility for disseminating libel without providing evidence and from bearing consequences. Generally, the ‘journalism’ practiced by bloggers is most often irresponsible,” Rodica Mahu declared.

The phenomenon of self-censorship is still present in some editorial offices as it is sometimes caused by the partisan policies of the media outlet. The panelists believe that reporters working for public broadcasters are the most self-censored since they are used to writing only what they are asked to. Valentina Ceban said that reporters at Radio Gagauzia do not practice self-censorship, but those at the public television station need to conform to directions from the administration. “It once happened that there was no television reporter available to attend a certain event, so I was asked to make a report for radio and television. Meanwhile, I was called by the president of GRT herself and told whom I should talk to and whom I should interview,” she added.

Perunov was asked if he, as Director of *SP*, censors his employees; he stated that at *SP* only self-censorship is practiced; every reporter has certain subjects he or she does not wish to write about. “I, for instance, practice self-censorship when facing the issue of religion, of unification with Romania, and other topics I don’t want to write about so as to not bear certain consequences. If I, for example, were to write what I feel about unification with Romania, I would be chased out of the city,” he said.

Rodica Mahu is of the opinion that in Moldova, both journalists and editors practice self-censorship. According to her, “The phenomenon is not general and all pervasive, but it more or less touches all fields of mass media and all media outlets, so that I don’t think there is even one entity that hasn’t committed this sin at least once, more so as some social subjects bind the journalist morally to protect his or her subjects—minors, persons with disabilities, etc.”

According to the report on covering topics of public interest published by the IJC in July 2011, only five broadcasting outlets of the 10 monitored covered all six topics identified (economic crisis, poverty, unemployment, corruption, European integration, and settlement of the Transnistrian conflict). As for print media, topics of public interest were

*“The zone of ‘virtual reality’ exempts them from any responsibility for disseminating libel without providing evidence and from bearing consequences. Generally, the ‘journalism’ practiced by bloggers is most often irresponsible,” Rodica Mahu declared.*

not covered sufficiently or uniformly by the newspapers monitored. “Only two of the five newspapers published, with varying frequencies, items on all six topics monitored. The economic crisis, corruption, and unemployment are topics of public interest that do not get coverage that matches their importance.” (Report no. 4). This report also revealed that the local/regional newspapers monitored did not offer enough coverage of topics of interest to the local community. The panelists believed that this tendency was characteristic of much of the local media.

According to Cenușă, “In many cases, topics of national interest (dialogue with the EU, international meetings of Moldovan officials) are covered to a lesser extent because of a lack of information from official organizations. Often, because of this lack of information, instead of issues of national and international security the media cover domestic policy, scandals, and political conflicts,” he said. Diana Răileanu considered this problem to be conditioned by the fact that the media outlets in the country do not make their own agendas: these are instead made by business people and politicians. Ion Bunduchi believes that some events are not worth the excessive coverage provided by the media.

The participants in the MSI discussions agreed that salaries are still low. “As they gain experience, journalists cannot support themselves, so they migrate into other, better-paid sectors, most often in communication,” said Dogaru. The salaries of professionals in public and private media outlets are different and are most often better in the private sector, especially television. “The salaries of beginning reporters are definitely smaller than those of reporters with experience, and this fact makes them vulnerable to certain external challenges,” he added, “especially since their experience is still very limited.” According to some panelists, the salaries of journalists are comparable with those of civil servants and of small business persons.

The lowest salary for journalists is still, however, at the level of an average salary in the public sector, and the job market

offers good opportunities to all journalists. The appearance of a number of new print media outlets has led to increased pay for reporters from managers who wish to attract them or from those who want to keep them. Nevertheless, some panelists claimed that many professional journalists must still work for several outlets across various mediums to get by. Raisa Lozinschi-Hadei said that recently there have been attempts to improve the salary situation at TRM. According to her, TRM will increase salaries, but job descriptions will reflect a corresponding increase in effort and efficiency.

Cenușă believes that at current pay levels journalists are vulnerable to corruption. "Bloggers are freelancers. They don't usually receive salaries for their work, but there are rumors that some bloggers intentionally and in an organized way promote certain topics, though there is no plausible evidence confirming the fact that they are paid to do so," he said. "Recently a blogger at the office [of *Ziarul de Garda*] said that in the ongoing political struggle in the country, politicians are competing for bloggers as well," revealed Ețco implying that politicians who can afford to will pay various amounts for positive articles/text written by bloggers.

If the situation with journalists' pay is somewhat satisfactory in the capital, regional salaries are very low. When describing the situation at GRT, Valentina Ceban said that her salary and the salaries of her colleagues are not only low, they are not even sufficient to pay for utilities. "For eight hours of work a journalist at GRT receives only MDL 1,000 [\$82]. In the past four years about 30 journalists left GRT for a different career in search of a decent salary, and the majority of them left the country."

After an explosion of informative programs in 2010, today there is a tendency to return to entertainment programs. Competition forced some outlets that were launched as news stations, such as Jurnal TV, to change the general concept of their programming and switch to entertainment.

Lozinschi-Hadei believes that entertainment programs definitely do not outnumber informative programs, especially after the appearance on the market of niche television stations and news portals offering real-time information. "You can count entertainment programs in Moldova on the fingers of one hand; they mainly occupy morning prime time while news programs are broadcast at almost every hour on almost all radio and TV stations," she added.

The equipment of private media outlets is more advanced than that of public broadcasters. "For example, in 2010 at TRM, more than half of its approximately 500 computers were outdated as was its radio and TV equipment. Through outside funding, the administration obtained modern equipment and improved the situation; they

completely renovated studio number 2 and the radio and TV newsrooms, and reporters in the field were even equipped with laptops," Lozinschi-Hadei said.

Diana Răileanu assesses the equipment of journalists by observing the gear they bring to press conferences. "I see them all with voice recorders; recently, one in three journalists or even one in two has been coming to work with a laptop." As she did last year, Valentina Ceban complained about the outdated and insufficient technical equipment at GRT.

According to panelists, investigative journalism is a problem for Moldovan media. Investigations are very few and the majority of them are published in print media. "Extremely rare are investigations that cause commotion such as the one in *Adevarul* about the request of Vice-President Vlad Plahotniuc to change his name in his Romanian passport, and recently the one in *Ziarul de Garda* about the house General Prosecutor Valeriu Zubco was to move into," said Lozinschi-Hadei. There are no investigations on radio and television. Issues that could have benefited from an investigative approach include the raider attack on four Moldovan banks in September 2011, or a similar attack on the Franzeluta bakery company. According to the panelists, some of the main reasons are limited access to information held by government institutions; high costs; poor professional training of journalists; and the lack of divisions specializing in investigative journalism. Ludmila Andronic noted that in 2011 the number of items on economic topics grew.

The general tendency in Moldovan media is to practice universal journalism. "Most media outlets cannot afford specialized journalists. Efforts were made to give greater visibility to local topics by creating local media networks like Aici TV, canalregional.md and stirilocale.md," said Bunduchi.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Moldova Objective Score: 2.43

The overall situation for this objective did not change in 2011. Some progress was achieved, but it still depends on certain forces. This year the subject that received the lowest score from panelists was still the transparency of media ownership, which scored almost a whole point lower than the objective.

According to the data published on the BCC website, at present 56 television stations and 57 radio stations operate in Moldova, and according to data from the National Bureau of Statistics, 207 newspapers are published in the country. In addition, 20 news portals operate online, and there are eight functioning news agencies.

With the intensive development of new media technologies and because of the general tendency to make virtual space a place in which the freedom of expression is unrestricted, there was a spectacular increase in the activity of bloggers. According to the panelists, bloggers either won or were given quite an important place among sources of information, but it was unjustified. "Some media exaggerate even when they quote the nonsense and gossip proliferated by some bloggers," declared Macovei. According to the data published on blogosfera.md, which claims to be the heart of the Moldovan blogger community, it is estimated that the number of blogs in Moldova amounts to 2,000. Before December 2011, 1,763 blogs were registered at blogosfera.md. Another blogging platform is VoxReport, which is a Unimedia product including blogs of some renowned persons in Moldova such as journalists Stela Popa, Nata Albot or NGO activist Antonita Fonari. Publika also manages a page dedicated to the blogging community—VoxPublika—that accommodates 60 blogs. Also, a number of politicians, journalists, and representatives of civil society have created blogs and update them regularly.

Just as active are the social networks Facebook, Odniklassniki, and to a lesser degree, Twitter. According to Facebook statistics, its penetration in Moldova in relation to the population is 5.13 percent, and in relation to the number of Internet users it is 17.09 percent. The total number of Facebook users in Moldova is 221,300, and in the past 6 months their number increased by 22,260. Moldova occupies

117th place for registered Facebook users in the world. Most Facebook users are aged 18-24.

Overall, the media market in Moldova offers a sufficient diversity of sources of information. There are politically affiliated media and independent media. The problem identified by the panelists was not that there are politically affiliated media but that citizens are not told exactly who they serve. Diana Răileanu declared that she is not disturbed by the existence of party media, but she wants to know to whom these media support. Raisa Lozinschi-Hadei stated, "Yes, the existing media cover different viewpoints, their form of ownership differs, and they provide citizens with the possibility to form a reasoned opinion if they follow an event using several sources of information."

In contrast to the media in Romania, which was affected by the financial crisis, in Moldova the media do not seem to be affected by either the financial or the political crisis. In 2011, new media outlets appeared in the market including newspapers (*Curierul de Sud*), local and Internet television stations (Sindicat TV), and radio stations (Radio Chişinău).

In Transnistria, however, the situation regarding diversity of sources of information is extremely gloomy. The Tiraspol regime holds absolute control over the majority of sources either directly as the owner or indirectly. Only 10 to 15 percent of the media distributed or broadcast in the region is not government sponsored.

Media outlets in Transnistria include one television station (Pervyi Respublikanskii), one radio station (Radio PMR), and three periodicals (*Adevarul Nistrean* in Moldovan, *Pridnestroviie* in Russian, and *Gomin* in Ukrainian). Opposition media include the publications *Dobryi Den'* in Rabnita and *Chelovek i ego prava*, radio stations Radio Volna and Radio Jelannoe, and Dnestr TV available on the Internet. The opposition newspaper *Novaya Gazeta* ceased publication in December 2010, but it still appears online. *Profsoiuznye Vesti* is an independent publication that does not, however, cover the activities of the opposition and does not publish items of a political character. The administration controls all printing houses in the region. TSV is the only commercial television station, and its owner is the local sheriff who has a monopoly in the telecommunications market (including landline and mobile telephony, Internet access, and cable television).

According to Ceban, from UTAG, "The number of sources of information in the region is too small for people to compare them. Various television stations seem to provide different viewpoints on events, but in essence they express the same position. Newspapers in Gagauzia are very few and nearly all are state owned and have an editorial policy favoring their funder. We have two radio stations—Radio Gagauzia

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE, OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > Plurality of public and private news sources (e.g., print, broadcast, Internet, mobile) exist and offer multiple viewpoints.
- > Citizens' access to domestic or international media is not restricted by law, economics, or other means.
- > State or public media reflect the views of the political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for media outlets.
- > Private media produce their own news.
- > Transparency of media ownership allows consumers to judge the objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources
- > The media provide news coverage and information about local, national, and international issues.

*Access to Chişinău press in Transnistria is very limited and controlled, including customs tariffs running as high as 100 percent. Some Chişinău television stations can be received in some localities of the region.*

and Pro100—but we are pleased that the number of online news portals has grown lately and citizens have the possibility to choose.”

Access to domestic and international media is not directly restricted by law or by any other means. Indirectly, however, by tolerating the monopoly of Posta Moldovei, the only distributor of the press and a state-owned enterprise, access to domestic and international print media is difficult. Moreover, this distributor deliberately facilitates access to some media to the detriment of others. “For instance, the Posta Moldovei catalogue of newspapers and magazines for 2012 offers citizens periodicals from the Russian Federation, Ukraine, and Belarus only and no publications from Romania or other EU countries. The employees of Posta Moldovei interviewed by *Jurnal de Chişinău* said the list of periodicals from Romania arrives every year with some delay and is offered to subscribers later on; Posta Moldovei has no contracts with other EU countries. Periodical publications from the EU and Romania are brought into the republic by two Moldovan business entities,” Lozinschi-Hadei declared.

Access to Chişinău press in Transnistria is very limited and controlled, including customs tariffs running as high as 100 percent. Some Chişinău television stations can be received in some localities of the region.

The panelists noted that people in villages have access to less diverse broadcast media than people in cities, and the economic situation does not allow most of them to subscribe to newspapers or to purchase a computer with an Internet connection.

State-owned print media in Moldova is about to be dissolved following the entry into force in early 2011 of the Law on Divestiture of Public Periodical Publications. As mentioned previously, publications founded by public authorities will be privatized, dissolved, or transformed into official monitors. Although the law is nearly a year old, the authorities have not hurried to obey it. Tudor Iaşenco shared the experience of Raion Rezina in applying this law. “In April the raion council adopted a decision to initiate the dissolution of the joint-venture periodical publication *Farul Nistrean*. In June,

however, the newly elected Raion council (Democratic Party, PCRM, and Liberal Party), nullified the April decision and allocated MDL 262,000 [\$21,600] from the public budget to further support the newspaper. Subsequently, after examining the notification from the Orhei State Chancellery, the Rezina court ruled that the decision of the new administration was illegitimate, but no one is in any hurry to fulfill the court judgment,” he explained.

Ion Bunduchi was asked for his opinion of the programming of TRM and GRT, since he directs the public association monitoring them. He said that, “TRM programs comply with professional standards while GRT programs are biased on TV and somewhat better on Radio Gagauzia.”

Lozinschi-Hadei, the member of the TRM SB present at the panel discussion, declared that informative programs on Radio Moldova and Moldova 1 cover events in the Republic in a balanced manner. “Other programs on TRM were monitored as well, and findings showed that the public broadcasting service covers problems ignored by private broadcasters—culture, ethnicity, education, etc.,” she added.

Despite these positive tendencies at TRM, the panelists had reservations about the whether they would last, especially considering some signals coming from within the company, such as the recent resignation, and reversal of that decision, by Moldova 1 director Angela Sirbu.

Today fewer than ten news agencies operate in Moldova. Many of them are politically independent, something that is less true for Moldpres, which is state owned and therefore vulnerable to political pressure. Subscription prices at these agencies are rather high for many editorial offices in the country, especially for local ones whose representatives claimed that they cannot afford to subscribe. When media outlets use agency sources, in most cases they provide proper credit for the source. Several news portals serve as news agencies and can be accessed easily at no cost. In most cases, news agencies use original sources of information, i.e., state institutions. Finally, new technologies are crowding out the services offered by news agencies.

Ion Bunduchi, who was involved in creating a network of regional broadcasters, declared that original news programming produced by private media has progressed. “The absolute majority of broadcast media, including local/regional broadcasters, produce news. For example, the network established by the Soros Foundation in Moldova includes 17 television stations and 11 radio stations. All of them without exception produce and broadcast news of local/regional interest.” Still, Bunduchi does not consider that the situation is stable since these media are supported, financially and otherwise, by various foreign donors and, without

support, news programs could disappear. The conclusions of Bunduchi are also absolutely valid for Aici TV, a network of eight regional television stations.

According to the panelists, the majority of outlets produce their own programs though frequently local media obtain news from national outlets. "For example, TRG obtains some material from TRM contractually," Lozinschi-Hadei explained. In Gagauzia private media produce their own news programs, but Valentina Ceban believes that they differ only in that each outlet reflects its own position; there is no difference in quality. "It is all poorly made and boring," she said.

Although many media outlets are owned by trusts, the positive aspect is that these trusts are numerous and have different orientations, interests, and principles. Trusts formed by concentrating several media under a single unit of management started to be evident only in 2009. As a rule, in countries with democratic governments trusts exist and are accepted, while in societies governed by authoritarian regimes, which was the case in Moldova until 2009, governments control and/or own the most influential media for the purposes of propaganda and manipulation. The difference between the two contexts is crucial—more trusts mean more different editorial policies, which leads to a plurality of sources for citizens to choose from.

Before 2009, only assumptions could be made about the existence of media trusts belonging to one politician or another. Now, reviewing data provided by the BCC, one can conclude that there are several media conglomerates: Jurnal Trust Media and the PRIME, PUBLIKA, and Aquarelle trusts among others.

Trusts in Moldova still "enjoy" a bad reputation; the very idea of a trust provokes distrust, suspicion, and negative perceptions. This attitude is, however, justified, since the financial and organizational transparency of these trusts is minimal and in some cases even nonexistent. Trust owners are unknown; one usually knows only the name of a business entity. The annual profits of these trusts are unknown. Although this information is submitted to responsible institutions, it is not available to the public. In contrast, in Romania such information is published on the website of the Ministry of Finance. The accessibility of information about the sources of funding for these trusts is very limited.

The transparency of media ownership is a sore point in the Moldovan media market. It is very important that readers know who owns a newspaper, but it is crucial that viewers know the name of the one who, to quote Răilean, "pays" and "conducts the music" at a television outlet. The current Broadcasting Code contains a single article on this issue—Article 66—that lists individuals and legal entities who cannot

establish broadcast outlets (public authorities on every level, public legal institutions financed from the state budget, political parties and groups, enterprises and institutions specialized in telecommunications), and that restricts media concentration in territorial units and, finally, that limits the number of broadcast media that can belong to a single person to two broadcasters of different types. The obligation to inform the public covers only the name and head office, the name of the producers, the frequency signals of radio stations, and the logos of television stations.

The lack of transparency in media ownership has become a concern for politicians as well, although it is known that many of them have interests and direct affiliations with some outlets. Whether their concerns are genuine will be tested when the new draft of the Broadcasting Code comes to their tables for examination. This draft prepared by APEL dedicates a whole chapter to the concentration of media and is quite insistent about transparency of media ownership. The panelists believe that the adoption of this draft law in the near future is quite unlikely.

Petru Macovei believes that, "The lack of information about the real owners of companies in the media business undermines media credibility and creates conditions for manipulating information."

According to Diana Răilean, who produces reports on various topics at Radio Free Europe, Moldovan media outlets do not pay enough attention to social issues such as gender equality, ethnicity, social conventions, religion, and sexual orientation. The reason in her opinion is that reports on these topics do not attract audiences, "...so they don't bring in money."

Programs dedicated to national minorities have an overall cultural character. The Russian minority has access to a lot of Russian-language media and to programs in Russian broadcast by some television stations. "The problems of minorities are covered rarely and only at events organized by interest groups—associations, state or public institutions," Vitalie Dogaru said. "Their diversity is better represented in the blogs of human rights activists than in the media," he added. He believes that one of the reasons the problems of minorities are poorly covered is that the media consider them less important than the social and economic problems of the majority, which affect the entire society, including minorities. The panelists noted that the presence of women in the media has been growing lately, and they feel that a noticeable uptick in coverage of social issues is related.

The panelists agreed that international information and news are adequately covered in the national media. First, cable operators rebroadcast several television stations from the Russian Federation and Romania, and the main news

programs of broadcasters have at least one international news item. Diana Răilean sees a different problem though. “Moldovan media are focused on what happens in Chișinău, on politicians, on business, so that they forget to speak to people about the problems that they are worried about.” According to Ion Bunduchi, broadcasters with national reach leave about 80–90 percent of airtime for topics “from the capital city.” Local/regional problems are covered insufficiently. “As a rule, national broadcasters, with the exception of the public broadcasting company, have no news offices outside the capital,” he said.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Moldova Objective Score: 1.81

In 2011 the score given by the panelists to this objective increased noticeably. The MSI panel noted that in past years the media market forced participants to improve their management. One cannot, however, speak of media as a business in Moldova, especially with regard to newspapers, which would not survive in the market without the financial support of donors.

Over the past two years, the number of media outlets has grown significantly and has diversified. The change in the government liberalized access to the market, and competition gave headaches to media managers. The foundations of some media businesses can already be seen, but as the score given by panelists shows, they depend on too many circumstances. The fact that media managers had to rethink their

#### MEDIA ARE WELL-MANAGED ENTERPRISES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets operate as efficient and self-sustaining enterprises.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards.
- > Government subsidies and advertising are distributed fairly, governed by law, and neither subvert editorial independence nor distort the market.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor the product to the needs and interests of the audience.
- > Broadcast ratings, circulation figures, and Internet statistics are reliably and independently produced.

development strategies is evident in some events that took place—mergers, changing programming concepts, rethinking the format of outlets, etc. However, as Denis Cenușă said, “Marketing and human resources remain unassimilated by media outlets and are still based on traditional post-Soviet practices. Instead of intelligent policies on human resources, they appeal to primitive means of obtaining professionals on the basis of high salaries.” Bunduchi spotted another problem. “There is no department or division in the country that specifically prepares media managers. A lot of managers in the field, especially at the local/regional levels, are professionally trained in fields that are not related to the media business.”

According to print media journalists who attended the panel discussion, newspapers have a hard time from an economic point of view. Tatiana Ețco, who represents a national newspaper, said that poverty prevents people from subscribing. “Many people prefer the online version of our newspaper, even if sometimes the information is not complete. Taking into consideration the enormous costs of printing and distribution, the outlet sometimes happens to be in arrears with newspaper subscriptions and sales only for revenue,” she added.

Discussions about media revenue centered mainly on the situation facing the national public broadcasting company and the print media. Lozinschi-Hadei spoke about a well-known issue that is widely discussed by civil society—financial dependence on the government. “The amount of money allocated to TRM (70 percent of the budget) makes it somewhat dependent on political decisions. It is known that the advertising market is controlled by the owners of competing TV stations and is not exactly generous, which means there is not enough revenue for the company to develop normally. The introduction of a subscription tax has not yet been seriously discussed,” she said. Ion Bunduchi, who regularly monitors public broadcasters, added that Moldova 1 nevertheless finds other sources of revenue, which is a certain guarantee of independence. He said, “In September, Moldova 1 broadcast advertising from dozens of providers, which guarantees that it cannot be clearly influenced by any of them.”

Regarding sources of revenue of print media, Tatiana Ețco confessed that if *Ziarul de Garda* did not obtain financial resources from various projects, especially those on the fight against corruption and on human rights, the administration would have to choose between political dependence and bankruptcy.

“About 75 percent of the advertising market is supported by large companies (mobile telephony, banks, foreign brands), which usually announce a budget for promotions and employ

agents to deal with them. It is known that the monopoly (about 60 percent) in Moldova in the advertising market is held by one agency (Casa Media), which is close to current officials and operates as a kind of intermediary between advertising agencies and TV and radio stations. It rents airtime from stations and places advertising on the basis of commercial relations, ratings, etc. Cases are known when this agency managed to convince large companies to refuse to advertise on a certain TV station," Lozinschi-Hadei said.

Local media are at the other end of the problem. According to Tudor Iașenco, the amount of advertising that reaches local media is decreasing. "Advertising agencies almost don't work with local media." At the same time, Petru Macovei spoke about pricing that discriminates against media outlets and is imposed by affiliated companies, including advertising agencies, printing houses and distribution enterprises.

When asked about the experience of the outlets they represent regarding "percentage of advertising revenue," all panelists noted the discrepancy between advertising revenues of electronic and print media. "The percentage in the advertising market of every type of media is disproportionate. We have abnormal ratios of TV vs. print media; I believe that the 4 to 5 percent taken by the print media is one of the lowest indicators in Europe, since a normal figure would be 16 to 17 percent," Ludmila Andronic declared.

Some panelists addressed the subject of the legal limit on the amount of advertising. According to the Broadcasting Code, advertisements on television and radio cannot exceed 12 minutes per hour and 15 percent of total airtime, and the legislation on print media limits the amount of advertising in noncommercial newspapers to 30 percent of the total space. Despite these restrictions, Rodica Mahu said that *Jurnal de Chișinău* manages to use only 9 percent of the 30 percent of allowed amount of advertising, and at Jurnal TV the amount of advertising barely reaches 5 percent.

In comparison, according to an APEL study in September 2011, Radio Moldova uses only 9 percent of airtime for advertising, and Moldova 1 uses 33 percent of the maximum allowed amount of advertising. The reason for these low percentages, according to Raisa Lozinschi-Hadei, is that advertising offers are insufficient.

In Moldova, the government does not grant subsidies to private media, and the public media, which will soon be reorganized, are funded from public budgets. The panelists noted the lack of a policy to stimulate the development of independent media. "Fiscal benefits and direct or indirect subsidies for these purposes are not granted (exceptions are media for children, which are partially funded, public broadcasters and public newspapers that are to be phased

out), and attempts to promote European subsidizing practices are blocked by the government with the excuse of insufficient public budgets," declared Petru Macovei, who presented the authorities with a draft law on state support for the media.

As for market research, the situation has not changed since last year. Few media outlets can afford to contract companies to do it.

The panelists spoke about alternatives to costly market research: research done by the IJC as part of a project, the Public Opinion Barometer (survey) which provides some useful information for eventual media strategies and surveys and research conducted by media outlets themselves. Many media outlets have their own websites with sections to solicit users' reactions.

In Moldova AGB is the only specialized agency that conducts audience research, but its services are expensive and some media outlets have repeatedly criticized them. Rodica Mahu mentioned that in July 2011 Jurnal TV refused the services of this company, which, "...provided erroneous data, including that the audience of a political talk show included persons aged four to six, and the audience of some TV stations was bigger when they announced service breaks."

Ion Bunduchi admitted that television audience research could be easily influenced and that advertising agencies are not always guided by data on TV audiences. "How otherwise could the greater amount of advertising on television stations with smaller audiences than the amount on channels with greater audiences be explained?" he wondered.

The panelists also spoke about the timid attempts of the Moldova Audit Bureau of Circulation and Internet (BATI) to audit the print press: only 14 publications cooperate.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Moldova Objective Score: 2.35

Overall progress on this objective was unchanged; the score remained relatively stable. Several members of the MSI panel declared that they knew nothing about the existence of any functional media trade associations.

Although the registers of the Ministry of Justice indicate the existence of several guild associations, they are not active. Denis Cenușă believes that even in the absence of such associations, the owners of various media outlets establish communication channels and certain corporate agreements. "In any case, trusts belong to rival political circles, so consolidating their efforts is unlikely," Cenușă said.

The only association that unites several newspapers, most of them local, is the Independent Press Association, a functional body that helps editorial offices by accessing funding for technical equipment, distributing advertising, and organizing training for media editors, managers, journalists, etc.

The journalists on the panel emphasized the fact that it is difficult to distinguish between professional associations and NGOs protecting free speech since in Moldova the latter are virtually substitutes for professional associations. The only professional associations that exist are trade unions in public broadcasting outlets. Iulia Buzenco and Valentina Ceban, who work for public broadcasters, were asked to share their opinions about the trade unions. Buzenco said that the TRM trade union is active only around holidays, when it collects money for presents, "...and several journalists who are displeased with its activities wanted to withdraw from it, but said that withdrawal is very difficult." Valentina Ceban also did not have a positive opinion about the trade union at TRG: "I got married this year and requested help from the union, but although I had been told that they would give me a certain small amount, so far I haven't received anything." Participants did not have many good words to say about the Union of Journalists of Moldova (UJM). According to them, the UJM is an institution from Soviet times, both outdated and undistinguished.

Several NGOs advocate for freedom of speech and the rights of journalists: IJC, Independent Press Association, APEL, the Acces-Info Center, Committee for Press Freedom, the Young Journalists' Center, and the Center for Journalist Investigations.

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of media owners and managers and provide member services.
- > Professional associations work to protect journalists' rights and promote quality journalism.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs exist providing substantial practical experience.
- > Short-term training and in-service training institutions and programs allow journalists to upgrade skills or acquire new skills.
- > Sources of media equipment, newsprint, and printing facilities are apolitical, not monopolized, and not restricted.
- > Channels of media distribution (kiosks, transmitters, cable, Internet, mobile) are apolitical, not monopolized, and not restricted.
- > Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

The most active in providing support for journalists are the IJC, Independent Press Association, and APEL, which offer training, lobbying, and legal and professional consultancies. For example, Ion Bunduchi said that APEL is very active in providing assistance with compiling the files of broadcasters that intend to participate in the tender for frequencies and with compiling editorial policy statements for electoral campaigns. "These NGOs promote quality journalism, ethical journalism, civic journalism, and, lately, citizen journalism," added Bunduchi. Also, the panelists noted that these NGOs play an important role in efforts to reform TRM.

The system for protecting journalists is largely the result of the efforts of some of the aforementioned NGOs. The Law on Access to Information, the Broadcasting Code, the Law on the Freedom of Expression, and the Law on Divestiture of Public Periodical Publications were developed and promoted in parliament by NGOs. A number of drafts of legislative acts were also developed by NGOs and at present are the objects of advocacy campaigns.

Among the participants on the MSI panel were several journalists who also work as professors at public universities and trainers in various programs for journalists. Vitalie Dogaru is a professor in the Journalism Department of Moldova State University, a trainer at the School of Advanced Journalism, and very often a trainer for journalists in various programs implemented by NGOs. His opinion about journalism training in state universities is that it provides programs centered mainly on theory. "Departments try to keep pace with the latest modern techniques, but they do not always manage because of the poor equipment available for courses," he added.

As for training and seminars for professional development, Dogaru believes that they have been discredited because some organizations had media-related projects but had nothing in common with journalism. "They did not always meet the expectations of journalists, a fact which questions the need for training prepared in a hurry and lacking impact," he said. Dogaru, like the other panelists, believes that the only institution that takes professional standards into consideration for preparing future journalists is the School of Advanced Journalism run by the IJC. "During the ten months of training, students combine practical exercises with the experience of renowned national and international journalists, which resulted in all graduates finding employment after the last session."

Ion Bunduchi is also a professor in the state university's journalism department, and said that applications have exceeded the university's capacity. "In 2011, the department had 12 applicants for each place," he explained.

In Chişinău there are two printing houses, one state-owned (Universul) and one private (Prag 3). There are several local printing houses, but all are outdated and do not provide quality services to newspapers. The private press generally does not endure pressure from the state or politicians. Lozinschi-Hadei explained that newspapers in Moldova are usually edited in black and white because printing houses do not have the capacity to provide professional color services. "Also, newspapers cannot choose a format different from the existing ones (A2 and A3), since others aren't possible," she said.

There are several means for media distribution. Print media is distributed in the capital city and in several other cities by the private company Moldpresa, and in the country by Posta Moldovei, a state enterprise. Moldpresa distributes the press via the 200 Moldpresa kiosks located in Chişinău, Bălţi, Orhei, Cahul, and Hancesti. As happened last year, all participants criticized Posta Moldovei because it holds a monopoly in distribution services, because it sets prices arbitrarily depending on the number of pages, and because the quality of services is unsatisfactory. Some panelists claimed that there have been cases when the state-run distributor refused to distribute certain papers or set conditions for distribution. "This situation first of all affects the independent press, and to a lesser degree the party press and the press funded from the public budget," Macovei added.

Another issue related to media distribution is the inclusion of local television stations in cable television packages. Cable television is regulated by law so that the providers must include domestic television stations in their offers and ensure a diversity of information sources. A number of electronic media outlets including TRM use the services of the state enterprise Radiocomunicatii, a national operator distributing radio and television programs that also has a monopoly on the market. According to Bunduchi, "TRM has repeatedly pointed out the poor quality of services, but no solutions have been found to redress the situation." Cenuşă believes that, "Online space is the most liberal and accessible where information circulates without obstacles."

The participants' opinions about the quality of the information and communication technology infrastructure differed. Bunduchi believes that the infrastructure currently existing meets the needs of the media industry. "Sometimes it is even more developed than the media's capacity for using it," he said. On the other hand, from the perspective of online media, Cenuşă said that the infrastructure is defective and vulnerable, and for this reason many media sources used foreign hosting services.

## List of Panel Participants

**Ion Bunduchi**, executive director, Electronic Press Association, Chişinău

**Petru Macovei**, executive director, Independent Press Association, Chişinău

**Rodica Mahu**, editor-in-chief, *Jurnal de Chişinău*, Chişinău

**Iulia Buzenco**, producer, Radio Moldova, Chişinău

**Turdor Iaşcenco**, founder, *Cuvântul*, Rezina

**Veaceslav Perunov**, founder, *SP* newspaper, Bălţi

**Valentina Ceban**, program author/reporter/editor, Teleradio Gagauzia, Comrat, Autonomous Territorial County Gaguz-Yeri

**Dionis Cenuşă**, journalist, blogger, coordinator, [www.europa.md](http://www.europa.md), Chişinău

**Vitalie Dogaru**, lecturer; program producer at Publika TV, Chişinău

**Diana Răilean**, reporter, Radio Free Europe, Moldova desk, Chişinău

**Tatiana Eţco**, reporter, *Ziarul de Gardă*, Chişinău

**Alexandru Burdeinii**, editor-in-chief, [Infomarket.md](http://Infomarket.md), Chişinău

**Raisa Lozinschi-Hadei**, journalist, member of the Supervisory Board of Teleradio-Moldova, Chişinău

**Ludmila Andronic**, lecturer; chair, Press Council of Moldova, Chişinău

## Moderator and Author

**Doina Costin**, media law coordinator, Independent Journalism Center, Chişinău

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