

*This year's panelists did point to some improvements, but many of the same doubts persist.*



# MOLDOVA

Early 2013 marked the beginning of a new political crisis in Moldova. On December 23, 2012, a number of high-level officials, including the general prosecutor and judges, and several managers of private and state companies—about 40 people overall—took part in a hunting expedition in the nature reserve Pădurea Domnească (Royal Forest). The hunt ended with the serious wounding of one of the participants, who later died. The death of the man was kept secret until January 6, 2013, when the leader of the Antimafie (Anti-mafia) political movement announced that the general prosecutor mortally wounded a man on an illegal hunt.

The parliamentary commission created to investigate the case pointed to a cover-up by law enforcement institutions. The revelation of the man's death in the company of high-level state officials set off a number of events that launched a political crisis in the Alliance for European Integration (AEI). AEI, which consists of three parties and had been governing the country since 2011, was on the brink of collapse when Vlad Filat, its leader and prime minister, dissolved the AEI. In February 2013, the Communist Party (CPRM) brought a motion of no confidence that the Democratic Party (DP), an AEI member, supported; it resulted in the government's resignation. A new government was formed only in May after lengthy political negotiations. Experts from the Chișinău press club declared that the way in which the Moldovan media covered the Pădurea Domnească case showed that political actors control the press, and they use it primarily to manipulate public opinion.

Also in 2013 Moldova signed the Association Agreement and the Free Trade Agreement with the European Union. The agreement provides the necessary support to implement some basic economic and governance reforms and will support the liberalization of trade with the EU. Another historic event soon followed: the Constitutional Court acknowledged the Romanian language as the state's official language, as stated in the Declaration of Independence—not Moldovan, as stated in the constitution. While Moldovan media outlets covered the signing of the Association Agreement in a similar fashion, the decision to designate Romanian as the state language divided the press, and the entire society, into two camps. Finally, as 2013 was a pre-election year, political forces reconsidered and renewed their alliances and commitments.

Meanwhile, in the media sector, despite civil society efforts to increase the transparency of media ownership, lack of progress on that issue continues to concern the media community. Last year's MSI underscored improvements in the way that civil society supports media freedom but noted that it remains to be seen whether the gains can be sustained and begin to carry over into other aspects of the media. This year's panelists did point to some improvements, but many of the same doubts persist. Overall, Moldova's MSI score remained largely unchanged, with individual objective scores showing negligible to small changes.

# MOLDOVA at a glance

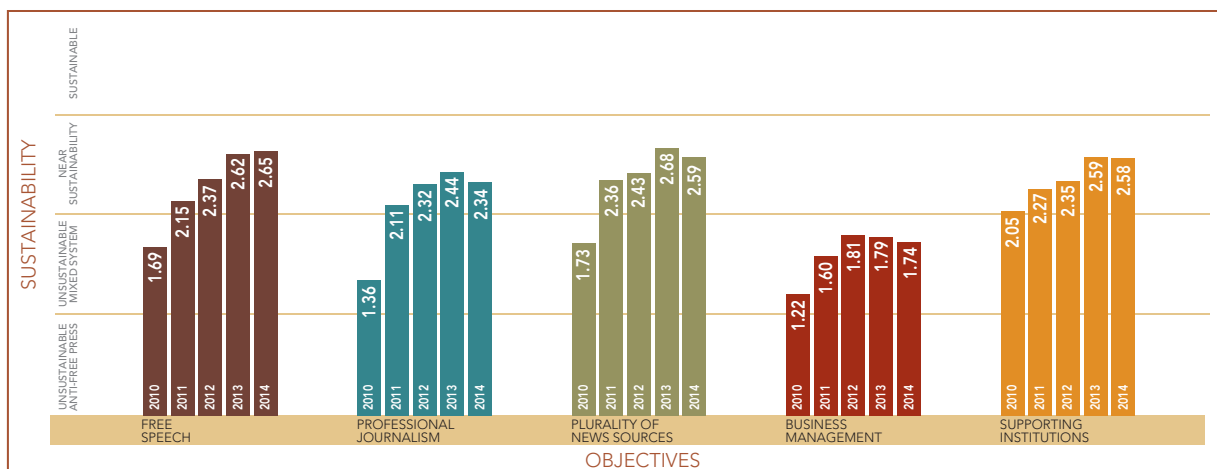
## GENERAL

- > Population: 3,583,288 (July 2014 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)
- > Religions (% of population): Eastern Orthodox 98%, Jewish 1.5%, Baptist and Other 0.5% (2000 *CIA World Factbook*)
- > Languages: Moldovan, Russian, Gagauz
- > GNI (2012-Atlas): \$7.375 billion (World Bank Development Indicators, 2013)
- > GNI per capita (2012-PPP): \$3,630 (World Bank Development Indicators, 2013)
- > Literacy rate: 99%; male 99.5%, female 98.5% (2011 est., *CIA World Factbook*)
- > President or top authority: President, Nicolae Timofti (since March 23, 2012)

## MEDIA-SPECIFIC

- > Number of active print outlets, radio stations, television stations, Internet news portals: Print: 184 newspapers, 227 magazines (National Bureau of Statistics, 2012); Radio Stations: 57 (Broadcasting Council, 2013); Television Stations: 64 (Broadcasting Council, 2013). Internet News Portals: top six: protv.md, unimedia.md, noi.md, inprofuzime.md, kp.md, kommersant.md (Gemius, 2013)
- > Newspaper circulation statistics: *Komsomolskaia Pravda* (48,108), *Makler* (19,584), *Argumenti I Facti* (16,439), *Antenna* (15,794), *Unghiul* (10,885), *Adevarul Moldova* (9,738), *Timpul de dimineată* (8,942), *Panorama* (8,010) (BATI, 2013)
- > Broadcast ratings: Competing surveys produce dissimilar results. According to IMAS-INC (2012): Top two television: Prime TV (private) and Moldova 1 (public); ProTV has highest rated newscast. Top three radio: Radio Noroc (private), Radio Moldova (public), Russkoe Radio (private). According to AGB Moldova (2012): Top three television: Prime TV, Moldova 1 and 2-Plus; top three radio: Hit FM, Russkoe Radio, and Radio Noroc.
- > News agencies: Info-Prim Neo, Moldpres (state-owned), Infotag, Info-Market, Monitor Media, Basa-press, Deca-press, Novosti-Moldova
- > Annual advertising revenue in media sector: Television: €15.1 million; Radio: €1.2 million; Internet: €1.25 million; Print: €3.57 million (AAPM, 2012)
- > Internet usage: 1.333 million (2009 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: MOLDOVA



## MEDIA SUSTAINABILITY INDEX 2014: OVERALL AVERAGE SCORES



### CHANGE SINCE 2013

▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

**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.

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

## OBJECTIVE 1: FREEDOM OF SPEECH

Moldova Objective Score: 2.65

Of all five MSI objectives, this year the panelists gave the highest scores to the legal infrastructure supporting the freedom of speech. Although the objective score improved just slightly from last year, it reflects some improvements that the panelists highlighted, including the parliament's adoption of legal provisions aimed at creating adequate conditions for journalists' work. In March 2013, the parliament complemented the Criminal Code with two articles that rendered censorship and the deliberate obstruction of media activity or intimidation for criticism illegal. So far, Moldovan journalists have not tested these new articles with law enforcement bodies.

From a regulatory point of view, freedom of expression is widely acknowledged and protected. The Law on the Freedom of Expression offers a rich glossary of specific terms and rules that a democratic society follows. Related laws, such as the Broadcasting Code, the Election Code, the Criminal Code, and the Law on the Access to Information, among others, stipulate the media's fundamental right to express themselves and to raise awareness.

And yet, on the other side of the coin are legal provisions that are used to restrict journalists' work, even though that is not their original intent. Even today, two years after the

### 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.

adoption of the Law on the Freedom of Expression—the law applicable in all cases of defamation in the press—plaintiffs in national lawsuits oscillate between accusing the media of insult/calumny (stipulated in the Administrative Code), injury to honor, dignity, and professional reputation (stipulated in the Civil Code), or defamation under the Law on the Freedom of Expression. In this regard, the panelists noted the lack of awareness and erroneous enforcement of the legislation, both by participants in legal proceedings and judges, in addition to corruption and political or circumstantial dependence.

Olivia Pîrțac, a lawyer with the Ministry of Justice involved in coordinating and monitoring an EU project to support judicial reforms, confirmed that the awareness of this law's provisions is insufficient and that the existing deficiencies are caused first and foremost by problems in the judiciary, where the necessary reforms have not yet been implemented.

Petru Macovei, executive director of the Association of Independent Press (AIP), recalled the case of the Civic Initiative for a Clean Parliament. In 2009, a group of NGOs published a brochure with a black list of candidates from parties competing for the parliamentary elections, and the CPRM, one of the candidates of the Moldova Noastră Alliance, and the DP replied with a lawsuit. "The danger faced by the Civic Initiative for a Clean Parliament in the three-year trial concerning the freedom of expression stemmed from the refusal of the Moldovan courts to apply the Law on the Freedom of Expression. Although the eventual ruling issued by the Supreme Court of Justice was favorable, the fact that the court of first instance groundlessly prohibited the dissemination of the brochure restricted the rights of these NGOs to the freedom of expression and information; this meant that the brochure could not be disseminated at the right time—and therefore, it lost its topicality and relevance," he said. The panelists agreed that Moldovan courts cannot be considered independent in cases related to the freedom of expression.

The panelists listed a number of deficiencies in licensing media institutions. First of all, the authority that regulates broadcast media—the Coordinating Council of Audiovisual (CCA)—has not won civil society's trust. Pîrțac noted that although the current CCA members are no longer in the middle of scandals and complaints regarding preferential treatment, they have not managed to reverse the historic mistrust of this institution. Ion Bunduchi, chief of the Radio Moldova programming department, said that the results of contests for terrestrial frequencies are still unpredictable; however, the panelists feel that the influence of politics seems notably reduced. In the view of Angela Zaharov, a producer at Elita TV station in Rezina, this is not, however,

determined by the CCA's increased independence but rather because "the big battle has already taken place, because all the frequencies have been distributed and the political sector intends to buy the existing broadcast licenses, and, implicitly, because the audience will be able to enter the first digital multiplex after the transition to digital broadcasting in 2015."

The panelists' opinions of the CCA in terms of independence and professionalism were divided. Some noted that the CCA has become a less opaque authority, by reacting to cases of violations of journalists' rights and honoring the invitations of civil society to their events. On the other hand, some panelists think the CCA is still under political influence.

Entrance into Moldova's media market is not restricted; by law, almost anyone can establish a media institution. Regarding the entrance of naturalized foreigners living legally in Moldova, the legislation stipulates they are limited to holding no more than a 49 percent share of a periodical publication's capital. The Broadcast Code also forbids public authorities at any level, public institutions funded by the state budget, political parties and associations, telecommunications companies, and institutions from obtaining broadcast licenses. However, the panelists criticized the media taxation regime, which is identical to that in other economic areas. They also mentioned a lack of public policies to stimulate independent media's development.

In broad terms, it is safe to pursue the journalism profession in Moldova. The new provisions in the Criminal Code that outlaw restricting a journalist's activities and censorship were appreciated by panelists. There have been fewer instances of aggression against journalists, but investigative journalists, in particular, sometimes experience intimidation. Blogger Vlada Ciobanu added, "Bloggers writing on political subjects sometimes receive anonymous text messages with threats." In 2013, a number of high-level officials threatened journalists. For example, a member of the parliament (MP) from the Communist faction threatened a female journalist from Publika TV. In another instance, the chair of the Supreme Court of Justice, along with an MP of the Liberal Party (LP), threatened that they would "do everything to promote the re-criminalization of defamation." These cases were widely publicized; media NGOs, and occasionally the broadcast regulatory authority, expressed their positions on them.

The panelists criticized the appointments to the administrative authority of the national and regional public broadcaster. In 2013, six membership mandates on the Council of Observers (CO) of Teleradio-Moldova (TRM)

expired. In December, the CCA selected 12 candidates for the free seats, and a parliamentary commission had to choose the six new members. Bunduchi noted that the selection of candidates for the CCA and CO has always been, and is still, based on political criteria. The panelists also complained about the slow pace of reforms at TRM due to conflicting interests among the members of the administrative authority. The regional public broadcaster, Teleradio-Găgăuzia (TRG), suffers more from direct political influence, according to the panelists. For more than one year, the Popular Assembly did not select the nine members of the CO and dismissed the TRG chair, Ecaterina Jecova, two days after their selection. However, the courts ruled that their decision was illegal, as it is the CO's prerogative to decide on the appointment. In July 2013, the CO dismissed Jecova and appointed Ana Harlamenco, former chair of the government of Găgăuzia Autonomous Region, chair of the regional public broadcaster.

Moldova's treatment of libel drew a rather strong score. Libel has been decriminalized and is now on par with administrative violations, but no journalists were penalized in court for libel this year. The Law on the Freedom of Expression offers sufficient democratic guarantees for journalists accused of defamation, although there have been deficiencies regarding the independence of justice.

At the national level, access to information has improved considerably in recent years, but journalists still face serious problems locally. Veaceslav Perunov, journalist and manager of *SP*, a Bălți weekly, criticized local authorities for restricting journalists' access to information. Perunov said that *SP* has been wrestling in court for a year with several institutions that refused to release public information, hiding behind claims that the Law on the Access to Information does not apply. In some public institutions in Bălți, the administration has prohibited employees from making statements to the press. Zaharova described a similar situation in Rezina. The panelists also declared that employees of public authority press services have weak professional backgrounds and resist providing information to journalists.

The panelists gave the highest scores to the last two indicators of this objective, because Moldovan media's access to national and international sources of information is not limited by law and entrance into the journalism profession is free. However, journalists who want to cover the activities of local authorities in the Găgăuzia Autonomous Region are required to receive accreditation.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Moldova Objective Score: 2.34

In 2013, several events tested the Moldovan media's professionalism. On September 4, the government decided to grant the state company Aeroportul Internațional Chișinău (Chișinău International Airport) and the adjacent land to a company from the Russian Federation. Chișinău's mayor declared that Chișinău Airport would be run by a controversial businessman. In the end, the Constitutional Court suspended the government's decision until the case is resolved in court.

Another event involved Banca de Economii S.A., the only bank with a majority of state capital, which was the target of a "raider attack." As a result, the state started to lose control of the bank, to the detriment of minority shareholders. In addition, the press wrote about forceful takeovers of two other major banks in Moldova: Moldova-Agroindbank S.A. and Victoriabank S.A. The panelists agreed that the manner of reporting these issues varied from one media institution to another, subject to the editorial policy and influences. To the panelists, the results clearly indicated that control was exercised over the coverage of some issues. "For instance, some major media players did not publicize certain subjects as much as they should have, because they received very clear orders on how much, how, and to what extent they were allowed to discuss those issues. In some cases, the news was broadcast before the events even happened," one panelist said.

### 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).

The scores for fairness, objectivity, and good documentation of press subjects varied significantly, and the lowest scores came from panelists who are not journalists. "The fact that anyone anywhere can practice journalism has led to the emergence of numerous poorly documented and biased articles, along with more balanced and well-documented journalism," Pîrțac said. The panelists highlighted a number of poor practices, including, in the view of Raisa Lozinschi, editor-in-chief of *Ziarul Național*, a rush to file breaking or shocking news and pressure on journalists to sit on information. Ciobanu said that the situation is worse in the online world, because in this journalistic space printing the news first seems to be more important than getting a story right. In addition, she believes that bloggers are not true journalists, because they usually present only opinions that are often not documented. "The situation in television is also poor, in terms of broadcasting controversial subjects, while the print press and the radio are more objective," Macovei said.

Overall, journalists respect ethics, and competition in the media market has improved journalists' skills. Still, some significant gaps remain in this respect. The panelists confirmed that there are journalists, analysts, and even bloggers in the country who get paid by political stakeholders. Also, the Press Council—a self-regulatory body—has declared several times that journalists do not respect the rights of children, victims, or minorities and often show morbid images. In addition, the panelists said that journalists from Găgăuzia sometimes compromise their ethics in their coverage of the local authorities.

Plagiarism is widely practiced, the panelists agreed. Ciobanu added that journalists even take information from blogs without verifying it and quoting the source. "Most journalists in Moldova lack a fundamental commitment to avoid plagiarism. They plagiarize without indicating the source, pick up the same human-interest stories (that are sometimes repeated several times a year), and practice copy-and-pasting journalism," she added. In this context, the Press Council recently recommended that media agencies use extreme caution when taking information from blogs and check the sources.

In the panelists' view, self-censorship remains a sensitive subject. They noticed a "migration" of journalists from one media institution to another, driven mostly by the editorial policy imposed by the owners behind the scenes. Looking at this from another perspective, Bunduchi said that migration can also be a positive phenomenon, a sign of journalists' resistance to imposed conditions. In the context of the parliamentary elections to be held in 2014, the experts expect this phenomenon to intensify in public audiovisual institutions as well. The last Press Freedom Index published

by the Center for Independent Journalism (IJC), as part of the Monitoring the Freedom of the Press in the Eastern Partnership Countries Project, gave Moldova its minimum score for self-censorship, indicating that self-censorship exists in almost all of the country's media institutions.

The Moldovan press covers most events and conflicts, and intimidation of journalists seldom happens—though Pavel Păduraru, a journalist at *Timpul*, said that he had been intimidated by the subjects of a journalistic investigation he is working on. Documents and objects were taken from his house, and unknown people call his relatives day and night. Investigative journalists who cover socially significant topics seem to be especially targeted with these intimidation tactics. Media owners' interests seem to dictate whether their outlets cover controversial subjects; they also choose their audiences and type of media for certain pieces. The panelists also said that the general public remains in the dark regarding the owners of media institutions, and that as long as the legislation in this field is inadequate, media consumers will be unable to critically evaluate the information disseminated by the press.

The problem noted for one of the above indicators—the migration of journalists among media institutions—is largely related to their wages. The panelists confirmed that journalists' pay has generally improved in the past three years. Victor Gotișan, a media researcher at the International Journalism Center (IJC), believes this development can be traced mainly to the new entrants, including international, to Moldova's media market, but the experts were more reserved about the wages of beginning journalists. The salary issue is also more sensitive for journalists working outside the capital city. Both Zaharova and Perunov confirmed that the wages of journalists in the provinces are extremely low, because of the country's economic crisis, unfair competition, and deficient management. "From discussions with colleagues, I learned that especially in certain regions of the country, there are journalists working without an employment contract who do not receive official wages; they work overtime, including on Saturdays and Sundays," Zaharova added.

In terms of the balance of entertainment and news programs, the panelists said that this indicator remained unchanged for several years. They pointed out the differences between public and private media outlets. There is balance at TRM and TRG, they said, while the private media tend to allocate more time to entertainment programs, to the detriment of news programs. The panelists noted that entertainment sells better than the news, pointing to Jurnal TV as a case in point. After obtaining an audiovisual license for 100 percent news content in 2010, it recast itself two years later as a general television station.

The downside is that entertainment on private media is largely rebroadcast from foreign stations. In 2013, the CCA tried to compel national broadcasters to ensure that their own programming made up 30 percent of their overall volume, but their effort was blocked in court at the request of several broadcasters.

As for the quality and professionalism of the equipment journalists work with, the experts agreed that it is satisfactory, noting the assistance provided to media institutions via projects, grants, and donations.

The panelists confirmed that investigative journalism is practiced in Moldova, and that many investigations are carried out with the support of foreign donors—but they questioned the impact of these investigations. In addition to the fact that authorities rarely take action as a result of journalistic investigations, journalists are often forced to reveal their sources and to deliver their evidence before law enforcement bodies carry out their investigations. In August 2013, *Ziarul de Gardă* wrote that the National Anti-corruption Center had requested interviews with the journalists, including the photographer and cameraman, who investigated the forestry mafia in Moldova—and all the raw materials—before it could start the criminal prosecution proceedings. Zaharova shared her experience, which is rather common among journalists: "The last investigation I made stirred no reaction, although it concerned officials at the highest level." Lozinschi added, "There are no civil servants dismissed for corruption, no judges recognizing what money officials used to build their palaces." She noted, however, that press articles, including those about politicians, draw more reactions than in the past. Even if they limit themselves to publicly condemning the facts raised by the press, it is still better than nothing.

### OBJECTIVE 3: PLURALITY OF NEWS

Moldova Objective Score: 2.59

According to Reporters sans Frontières, Moldova's mass media enjoy broad pluralism and a low level of state censorship, but they still face important challenges concerning independence. The panelists agreed with this general conclusion. Overall, the situation under this objective has not changed compared to last year, as the score demonstrates, but the biggest problems the panelists raised—transparency of media ownership and editorial independence—only grew in 2013 in the context of the transition to digital broadcasting.

Starting on June 17, 2015, analog terrestrial transmission must stop, according to the National Program of Transition

to Digital Terrestrial Television in the Republic of Moldova. The program proposes building three multiplexes with national coverage and up to 21 regional multiplexes. The first national multiplex will be built with funding from the state budget, while private broadcasters will construct the other two. According to media experts, the big “battle” will be for access to the first multiplex, which will comprise 15 channels, because national broadcasters do not have the financial capacity to build another multiplex. So far, there is no legislative framework on the transition; the procedure and conditions for broadcasters to access multiplexes remain unknown. The only criterion experts have announced is audience size. This is why the major media outlets are focusing their efforts on growing their audiences.

The panelists mentioned that Publika TV had achieved national coverage after buying the frequencies held by other broadcasters. Publika TV was launched in 2010 for satellite transmission but then received a license for terrestrial broadcasting. This television station’s ownership structure includes an offshore company. Zaharova noted that the managers of some regional television stations reportedly received offers to sell their frequencies in the past year.

Canal 3, which started broadcasting in August 2012 to a small audience, received the exclusive rights to broadcast the Champions League in Moldova for three years. Discussions that started at the civil society level, and in parliament, claimed afterward that there were shady schemes behind this deal, leading the public broadcaster TRM to lose this right. Canal 3 has 63 percent coverage of the country. The situation is more obscure with regard to the station’s

owners. Canal 3 is part of the Prime Trust, allegedly owned by the controversial politician and businessman Vladimir Plahotniuc (the vice leader of the Democrat Party), who controls the offshore company that owns the station. According to investigations carried out by the NGO Apollo, the same oligarch owns five other stations with national and quasi-national coverage: Prime TV, Maestro FM, Publika TV, Publika FM, and 2 Plus. Prime TV has the largest audience share, and, according to the Public Opinion Barometer of November 2013, is Moldovans’ top source of information. Its share of the television advertising market is proportionate.

The media market’s liberalization has led to growth in press pluralism and the number of information sources on multiple technological platforms in Moldova. The panelists believe that this expansion has helped citizens ultimately receive more information and hear more perspectives on conditions in Moldova and abroad.

The situation in the audiovisual market is transitional, since it will fundamentally change in 2015, and the terrestrial frequencies have already been distributed. Moldovan print press will probably go through a similar transition, but this reality is not only typical of the Moldovan press but also represents a global tendency. Instead, blogs are becoming more and more popular. According to the panelists, the impact of blogs has grown to about 15 percent, compared with 2 percent two years ago.

People’s access to international media is guaranteed in Moldova. Gotișan said that the degree of Internet penetration in rural areas has increased. Data for 2013 provided by the Ministry of Information Technology and Communication (MITC) show that about 53 percent of the country has Internet access. The Public Opinion Barometer shows that the Internet as a source of information has climbed on the list of preferences, second after television for “confidence.” On the other hand, the panelists said that rural residents have limited access to television stations in the capital, “because not everyone can afford to pay a monthly television subscription. For example, in some regions there is only one operator offering cable television services for a monthly fee of about \$20, which is burdensome for rural people,” Zaharova declared.

According to the monitoring reports published by the Electronic Press Association (APEL), the national public broadcaster TRM generally respects the principle of balanced and unbiased news broadcasts, providing a plurality of opinions to the general public. And yet, the panelists criticized the pace of reform at TRM, noting that the regional radio broadcaster TRG—though sometimes criticized for political bias—reflects a diverse range of opinions. “In Găgăuzia there is not a single power but

#### 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.



a number of them. Therefore, TRG shows the position of everyone,” Macovei declared. Although the Law on Privatization of Periodic Publications entered into force in 2011, about 44 periodic publications are still funded by the state budget and implicitly represent the state’s interests.

The situation of Moldovan press agencies has not changed, compared with the previous year, with some panelists disputing their independence. In general, they produce their own news, and as a result, the popularity of press agencies is declining. Macovei mentioned that this is a global tendency, given the online sector’s rapid development.

After reformatting Jurnal TV from a thematic station into a general one, there is only one news station left in the country—Publika TV—but most media with general content, including local outlets, produce their own news. Certainly, there is a difference in terms of the technical quality of the news produced by central private and public media outlets.

Transparency of ownership continues to be a major concern regarding the country’s media, tangled with persistent allegations of editorial influence. Moldova’s former prime minister once declared that the Moldovan economy is one of the few that hosts more offshore than resident companies—including some of the most important broadcasters. And yet, Moldova did not regulate these offshore companies until October 2012, when the government decided to assess offshore companies’ impact on the economy. In 2013, the parliament adopted legal provisions forbidding offshore companies to directly or indirectly hold shares in banking institutions in Moldova. They also discussed the possibility of forbidding offshore participation in the ownership structure of media companies, following Georgia’s example. In the end, based on a majority opinion, they decided to simply amend the legislation with a view to imposing some obligations for transparency. In 2013, IJC sent a draft law to the parliament aimed at identifying media owners; the draft law was to be presented to the parliamentary plenum in early 2014.

Concerning whether a broad spectrum of interests are reflected in the media, the news bulletins produced by the three national television stations also target Russian minorities: TRM, Publika TV, and Prime TV. TRM traditionally broadcasts news and other programs for ethnic minorities as well, but not for religious or sexual minorities. In the panelists’ view, the Russian ethnic group is well represented in the media space proportionate to its share of the population. Găgăuzia has audiovisual, print, and online press that exclusively address this segment of the population.

The panelists concluded that the media excessively cover subjects related to the domestic political situation and, in general, events in the capital. “Although the population of Chișinău constitutes only about 20 percent of the

country, there are many news items about what happens in Chișinău. The events from other regions of the country are underrepresented. In the provinces, the central press is interested only in news about scandals and sensations,” Perunov said.

## OBJECTIVE 4: BUSINESS MANAGEMENT

Moldova Objective Score: 1.74

In keeping with the past four years, this objective again received the lowest score from the panelists. The same causes and problems keep the press in the category of an unprofitable business: unfavorable economic conditions, deficient management, lack of professionals with business knowledge on the team, lack of supporting policies, lack of investments, and political dependence, among others. Obviously, the score reflects this general tendency, especially regionally, but there are some media institutions that are profitable, support a sufficient number of employees, and turn out high-quality products.

Moldova contains examples of both efficiently administered media institutions that contribute to a higher degree of editorial independence and a press that does not necessarily have high-quality management but nevertheless persists in the market—perhaps due to additional funding provided by domestic or foreign foundations. In addition, there are media outlets directly funded by political parties that are used for political lobbying; their sustainability depends directly on election results.

### 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.

Considering whether media institutions are well-administered and self-sustainable companies, the panelists concluded that it varies for every type of press: print, online, television, and radio. Although in their opinion the print press is in the worst situation, the experts agreed that even in this category there are examples of successful management, such as *Ekonomiceskoe Obozrenie*, *Aquarelle*, and *Business Class*. “Yes, it is true that these magazines are profitable because their managers have found a way to make money—for example, from street advertising,” said Dumitru Ciorici, the editorial manager and cofounder of the news portal Unimedia.

In contrast to these examples of successful print media in the capital city, Perunov said that he finds it difficult to maintain a newspaper at a high level. Macovei quoted the example of the newspaper of Singerei, a region in the north of Moldova. “You can be the best manager, but in a dearth of advertising, you have few options for survival. This is why the media institutions that are permanently fighting for life do not necessarily lack professional management; instead, a lot depends on the economic infrastructure, and the environment they operate in.” Zaharova put it slightly differently. In her view, even if the regional media outlets had well-developed business plans, they could not be healthy businesses in Moldova. “For example, Elita TV has a staged development project for eight years with the participation of international experts that has been implemented only partially in terms of coverage extension, extension of programs, and staff because of the lack of funds and professionals at the local level,” she noted.

As for the online press, it has started living well—even too well, in Macovei’s view. Regarding the broadcast media, the panelists declared that some television stations persevere even though they have lost millions of euros. “There are television projects that accumulated over €20 million in financial losses in several years of operation but continue to exist with outside funding, plus the support of an owner who is not necessarily visible,” they commented.

Ciobanu classified bloggers in three categories: those who take money in envelopes to write on specific subjects, brazen bloggers who demand iPads, and bloggers who write for pleasure as a hobby, not a source of income. “It happens that there are postings whose authors indicate that they are paid, but they are rare at the moment,” she added.

The public broadcasters depend heavily on subsidies from the state budget, which represent their main source of funding. In 2013, the budget subsidy allocated to TRM constituted 80 percent of the total budget, which, in the panelists’ view, proves that the broadcaster is not self-sustainable and is vulnerable to state and government

influences. Further, the national broadcaster’s financial condition cannot improve because of the current wage system. According to APEL, this system is outdated, but “the implementation of the new model is dragging along due to management errors and deficiencies, as well as, in part, to employees who resist change.”

According to the panelists, the advertising agencies and affiliated companies that assess audience size generally do not support the economic development of the press, because they often operate on client-determined criteria and without a solid methodological basis. They criticized the nepotism that pervades this field. Ciorici said that Unimedia has problems with advertising from an important client, only because the latter has personal relations with representatives of another news portal.

According to Zaharova, advertising agencies are not present in the provinces. “We targeted Orange; with a lot of perseverance we managed to obtain advertising directly from this client without having personal relations with representatives of this company,” she said.

Again this year, the panelists criticized the advertising market and the monopoly of Casa Media, which holds 37.4 percent of the sales volume (Advertising Agents’ Agency 2012) and belongs to the same owner of Prime Trust. What is even worse, according to the panelists, is that advertising is distributed irrespective of the media audience share. The December 2012 issue of *Mass-Media in Moldova* raises the same problem: “The Moldovan market is very monopolized and subjected to rigorous control in terms of the distribution of programs and advertising. Out of €16 million, which is the market estimate, 50 percent goes to one television station.” According to the same source, only 15.5 percent of the advertising volume is sold via the sales departments of television stations.<sup>1</sup>

Newspapers in Moldova cannot depend only on subscriptions; some of them, especially the investigative ones, are forced to access funds and grants to stay afloat. In addition, they cannot contain more than 30 percent advertising, or they would be required to pay the same taxes as commercial publications.

As for state subsidies, the two public broadcasters and about 44 publications that have not been liquidated or privatized in line with the Law on Privatization of Periodical Publications still receive such supplements. Although the state does not have policies that directly or indirectly support the media, these approaches are included in the government’s political agenda.

<sup>1</sup> *Mass Media in Moldova*. Independent Journalism Center, December 2012. Available at: <http://www.ijc.md/bulmm/2012%20decembrie/Mass%20Media%20December%202012.pdf> (Accessed March 2014)

Under this objective, the panelists' discussions focused primarily on the issue of market studies. They concluded that the market for audience studies is not regulated like the EU or Romanian model, and it will not be as long as the current parliamentary configuration exists. In this sense, Moldova lags about 15 years behind Romania and by much longer behind the European markets, according to the panelists. The Moldovan television market cannot afford a good audience study, which costs between €500,000 and €1 million per year. According to the experts, such a study should have about 500–600 People Meters. Currently, the only measurements with People Meters are those undertaken by AGB Moldova, allegedly connected to Casa Media agency and Prime Trust, and involve 300 devices, thus containing margins of error so high that rankings between the third and tenth places are not relevant. Moreover, the advertising agencies are not interested at all in the quality of measurements, only in selling advertising space and earning commissions.

There are no longer measurements for the radio sector, because the broadcasters have lost the will to work cooperatively and order a study they will have to pay for proportionately. As for the online market, the panelists believe that the situation is better, although Ciorici said that even for these measurements, not all subjects agree with the data. Many decline to participate in the study because they do not want to pay for the audience data every month. According to him, only 70 percent of the big sites participate in audience studies. The independence of the Audit Bureau of Circulations (ABC) has not been contested, but according to the panelists, the ABC studies do not influence the advertising market. "Advertising providers do not understand the data delivered by the ABC; we communicated them to our audience, but in the provinces they are totally illiterate," Perunov concluded.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

Moldova Objective Score: 2.58

The score for this final objective changed negligibly. The weak link in this objective is still the fact that there are almost no media associations in Moldova. There are two associations of regional broadcasters: Rețeaua AICI TV, created with support from USAID, and Meridian, created with support from Soros Moldova. According to Zaharov, these two associations have taken competitive positions from the very beginning. When the USAID project that funded Rețeaua AICI TV finished, its operations froze. "Nationally, an association of employers was established, but it has always been a subordinate association," said Bunduchi.

In terms of the print media, the only organization serving them is the AIP, which Macovei characterized as a hybrid association. It advocates intensively in the interest of its members by fostering legislative and regulatory measures to exclude unfair competition, to provide adequate conditions for print media distribution, and to promote advantageous conditions for renting offices in public buildings, but it also carries out activities that are typical of an NGO. The AIP membership includes 17 print publications.

In terms of professional associations, the panelists mentioned the Journalists' Union, which exists only on paper; it no longer carries out any activities. They also mentioned the trade union active within TRM, which they said is stronger than ever. "For example, TRM created a commission to decide on the dismissal of an employee, but because the trade union disagreed, the journalist was later reinstated in the position by the court," said Lozinschi, a former member of the TRM CO.

Media NGOs and NGOs that protect the freedom of expression are quite active in defending the freedom of speech and journalists, and have managed to influence, to some extent, public policies in the field. They react publicly when journalists' rights are violated or when journalists violate journalistic ethics. Both the IJC and the IAP have lawyers who provide free legal assistance to journalists. In addition, the two organizations collaborate on reforming and promoting legislation on the media. In the view of Pîrțac, the future of these NGOs is less certain, especially given that foreign donors are losing interest in funding any more media projects.

### 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.

In Moldova, there are several faculties of journalism that are extremely popular. Moreover, there is the Chişinău School of Advanced Journalism (CSAJ), which offers a 10-month training course in journalism. Currently, the CSAJ offers the most efficient and sophisticated journalism training program, according to the panelists. “Graduates of the CSAJ and other faculties who go to work for *Ziarul Național* are quite well prepared professionally,” Lozinschi said. The panelists mentioned that in addition to the education provided by these institutions, self-education is important for journalists, as well as their overall intellectual background.

Media NGOs provide different short-term courses that help build journalists’ skills. In Zaharova’s experience, “Journalists coming to Elita TV for their internships from NGOs, training workshops, and those who have volunteer experience are better prepared than those who come after graduation from a journalism faculty.”

The market for printing agencies is diverse, and according to the panelists, it has liberalized. The panelists said that in terms of the quality of printing, the situation improved in 2012, with the establishment of the printing house EditTiparGroup, and in 2013, when technology for color printing newspapers and magazines was introduced at Universul. In the regions, however, the situation has worsened; printing houses have started to close down. “Paper will vanish anyway; it is normal that the printing houses close down,” Perunov said. Lozinschi noted that although there are several printing houses in Chişinău, they are technically outdated, compared with those of neighboring countries, and therefore “the press does not have many chances to look good no matter how much they improve their designs.” She added that the online distribution of the press is expensive because the payment for a domain constitutes MDL 510 (about \$40) per year—the highest cost in the region—while in Russia, for example, this fee is half that price.

In terms of press distribution, Poşta Moldovei, a state company, maintains an absolute monopoly in the market, despite AEI’s intent to liberalize this sector. The situation with Moldpresa has not changed either; it continues to maintain a monopoly over press distribution in Chişinău and in a few other large cities. The state company Radiocomunicații, which is the national operator in radio and television programming, maintains a monopoly on the broadcasting sector.

Discussions about the transition to digital broadcasting continue to step up. As mentioned above, Moldova will stop analog terrestrial transmission in June 2015, but there is no legislation on digitalization so far. While the new television

and radio stations have modern equipment and can handle digitalization, the situation at TRM is worrying. According to Lozinschi, “The digitalization process is not even halfway complete (50 percent at Radio Moldova and 35 percent at Moldova 1). The TRM administration cites the lack of funding as the main reason.”

Development in the mobile phones and devices sector has grown. MITC statistics show that the penetration of mobile telephones per 100 inhabitants was 119 percent in 2012, while the penetration of Internet per 100 households was 53 percent.

## List of Panel Participants

**Victor Gotișan**, media researcher, Independent Journalism Center, Chişinău

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

**Dumitru Ciorici**, editorial manager and co-founder, Unimedia, Chişinău

**Angela Zaharov**, producer, Elita TV, Rezina

**Valentina Ursu**, journalist, Radio Free Europe, Chişinău

**Vlada Ciobanu**, blogger, vladaciobanu.com, Chişinău

**Olivia Pîrțac**, lawyer, media expert, Ministry of Justice, Chişinău

**Raisa Lozinschi**, editor-in-chief, *Ziarul Național*, Chişinău

**Veaceslav Perunov**, journalist and manager, SP, Bălți

**Maia Sadovici**, journalist, Radio Gagauzia, Autonomous Unit Gagauz-Yeri

**Georgeta Stepanov**, dean, Faculty of Journalism, Moldova State University, Chişinău

**Doru Petruți**, director, Marketing and Polls Institute, Chişinău

*The following panelist submitted a questionnaire but was unable to attend the panel discussion:*

**Ion Bunduchi**, head of the program department, Radio Moldova, Chişinău

## Moderator and Author

**Doina Costin**, freelance media lawyer, Chişinău

*The Moldova study was coordinated by, and conducted in partnership with, the Independent Journalism Center, Chişinău. The panel discussion was convened on December 7, 2013*