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# ROMANIA

With local elections in May and general elections in December, 2016 proved complicated for Romania. The Social Democrat Party (PSD) won both elections, bringing it back to power after its departure—under the pressure of street protests—in November 2015. At that time, people blamed PSD for fostering and covering up the corruption that allegedly led to the Colectiv nightclub fire that killed 64 young people.

The government that came to power in December 2015 was formed of “technocrats,” experts with no political affiliation. Dacian Cioloș, the former European Commission Agriculture Commissioner, assumed the head of the government as prime minister. Their mandate was limited in time to 11 months, and in scope, to the general running of the country and preparing the two rounds of elections. Still, the Cioloș cabinet initiated a comprehensive move toward openness and transparency, which may prove to be its most important legacy.

For the mass media in Romania, it was yet another year of stagnation. Despite the two electoral campaigns, the media atmosphere was rather dull, with no real debates. Most of the electoral competition played out in social media, not only by candidates, but also by staff and “*postaci*”—people paid to comment under false names.

Two media owners made headlines for their criminal activity. In May, Dan Adamescu, the publisher of *România Liberă*, was convicted and sentenced to four years and four months in prison for bribing the judiciary. He died in January 2017, in a private hospital, while serving his sentence.

In December 2016, just days before losing his parliamentary immunity (he failed to be re-elected as a member of parliament), Sebastian Ghiță, the *de facto* owner of România TV, went missing after being placed under criminal investigation for money laundering. He is currently on Europol’s, the European branch of Interpol, most wanted list.

Several journalists left the corporate media and joined smaller operations, or decided to continue working as freelancers. Those leaving the field often cite the failure of their former newsrooms to consistently follow ethical norms.

On a more positive note, 2016 also saw a revival of investigative reporting, with the publication of several in-depth reports dealing with corruption, money laundering, plagiarism, and collusion. Notably, they were mostly generated by independent journalists or media projects.

# ROMANIA at a glance

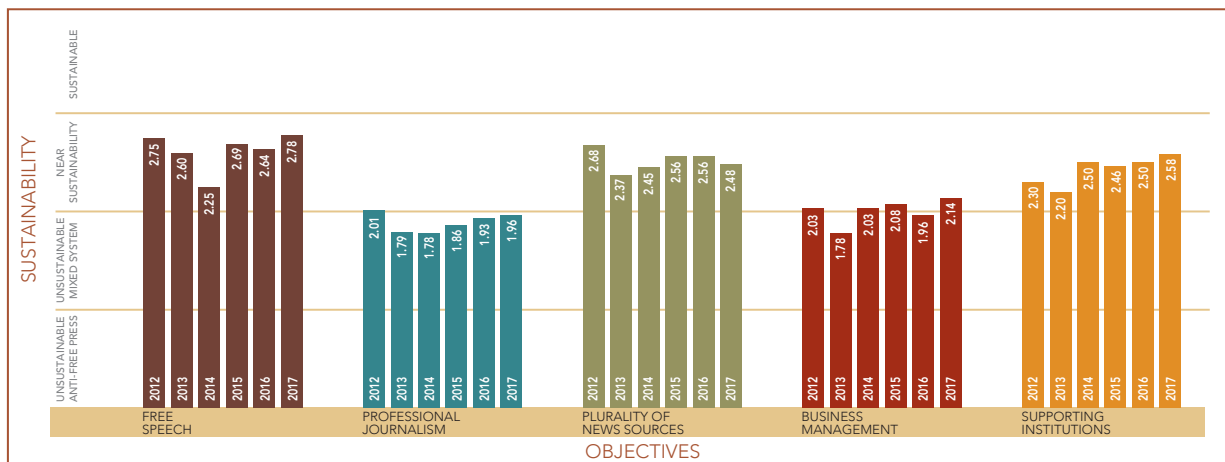
## GENERAL

- > **Population:** 21,599,736 (July 2016 est., CIA World Factbook)
- > **Capital city:** Bucharest
- > **Ethnic groups (% of population):** Romanian (official) 85.4%, Hungarian 6.3%, Romany (Gypsy) 1.2%, other 1%, unspecified 6.1% (2011 est., CIA World Factbook)
- > **Religions (% of population):** Eastern Orthodox (including all sub-denominations) 81.9%, Protestant (various denominations including Reformed and Pentecostal) 6.4%, Roman Catholic 4.3%, other (includes Muslim) 0.9%, none or atheist 0.2%, unspecified 6.3% (2011 est., CIA World Factbook)
- > **Languages (% of population):** Romanian (official) 85.4%, Hungarian 6.3%, Romany (Gypsy) 1.2%, other 1%, unspecified 6.1% (2011 est., CIA World Factbook)
- > **GNI (2015-Atlas):** \$188.4 billion (World Bank Development Indicators, 2017)
- > **GNI per capita (2015-PPP):** \$20,900 (World Bank Development Indicators, 2017)
- > **Literacy rate:** 98.8% (male 99.1%, female 98.5%) (2015 est., CIA World Factbook)
- > **President or top authority:** President Klaus Iohannis (since December 21, 2014)

## MEDIA-SPECIFIC

- > **Number of active media outlets:** Print: number unknown, 95 publications audited by BRAT; Radio Stations: 573 licenses for terrestrial broadcasting, 23 satellite broadcasting, 1 cable broadcasting; TV stations: 312 licenses for cable broadcasting and 95 for satellite (CNA Report 2016); Internet news portals: number unknown, 219 websites audited by SATI, out of which 93 are news or current affairs sites
- > **Newspaper circulation statistics:** Top three by circulation: Click (circulation 79,678, daily private tabloid), Sibiu 100% (circulation 70,000, regional weekly private newspaper, free), Libertatea (circulation 46,410, daily private tabloid)
- > **Broadcast ratings:** Top three television stations: PRO TV (8%, national), Kanal D (6%, national) Antena 1 (5.7%, national), (paginamedia.ro, January 2017)
- > **Main news website traffic:** Top three by unique visitors/day: www.libertatea.ro (607,538), www.adevarul.ro (565,378), www.stirileprotv.ro (492,479).
- > **News agencies:** Agerpres (state-owned), Mediafax (private), News.ro (private).
- > **Annual advertising revenue in media sector:** estimated €366 million (€14 million print, €240 million TV, €20 million radio, €64 million digital, €28 million out-of-home) (Media Fact Book 2016)
- > **Internet Usage:** 12.1 million (July 2015 est., CIA World Factbook)

## MEDIA SUSTAINABILITY INDEX: ROMANIA



## MEDIA SUSTAINABILITY INDEX 2017: OVERALL AVERAGE SCORES



### CHANGE SINCE 2016

▲ (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 <https://www.irex.org/msi>

## OBJECTIVE 1: FREEDOM OF SPEECH

Romania Objective Score: 2.78

The Romanian Constitution guarantees the freedom of expression, which is also protected by the civil code and other laws that apply to mass media. The few freedom of speech restrictions are meant to protect some legitimate aims—such as national security, defamation, privacy, and the right to one’s own image—enshrined in the constitution and detailed in dedicated laws. The constitution explicitly prohibits defamation of the nation, incitement to war of aggression, incitement to discrimination, territorial secession or public violence, obscene conduct, and hatred based on nationality, race, social class, or religion. But although it is mentioned in the constitution, the defamation of the country is not punishable under any law in force. The senate tacitly adopted a draft law incriminating the offense in April 2016; it is now pending debate in the Chamber of Deputies.

Media analyst and panelist Iulian Comănescu notes that the Romanian legislation is, in general, in line with European laws. But Alexandru Giboi, panelist and director of the public news agency, Agerpres, draws a distinction between the guaranteed freedom of the press as a legal principle, and the obstacles—financial or social—faced by journalists attempting to exercise of this right. These can be imposed from outside, by an employer or through societal pressure, or self-imposed, such as self-censorship.

### 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 of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > 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 accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

The panelists highlighted several attempts to pass restrictive legislation in 2016. For example, Răzvan Martin from the NGO ActiveWatch points out several bills affecting the privacy of citizens, like the cyber security law.

Public media financing stood out as one of the most important changes in legislation, with the potential to affect public media’s independence in the medium and long-term. Since their creation, the public broadcast services have been funded mostly via household fees tied to radio or television set ownership. A law introduced just days before the December elections scrapped this fee, along with 101 other taxes. Under the law, eventually adopted in January 2017 (after the president asked the Constitutional Court to check its legality), the two institutions will be fully and directly state-funded. The panelists agreed that marks the end of their financial independence, and potentially compromises their editorial independence as well.

Regarding court decisions, Martin noted that these are generally favorable to journalists. The highest amount offered as compensation for damages inflicted by media is €10,000, an amount that was not disproportionate with the offense. However, some court decisions could set a dangerous precedent; for example, when courts force media outlets or journalists to publish the court decisions (which are sometimes 18 pages long) in up to three newspapers, at their own expense, or to delete already-published materials from their websites, or to write public apologies. Yet Cristi Godinac, MediaSind’s president, reinforced the idea that court decisions typically protect freedom of expression: “Last year, we did not lose a single case in court and we also managed to win a big case in which the president and general director of Romanian Public Radio accused the unions of defamation, asking for €60,000 as compensation.”

The only regulator for Romania’s audiovisual sector, the National Audiovisual Council of Romania (CNA), is an autonomous body—formally under parliamentary control—that oversees broadcast licensing and enforces the legal obligations of broadcasters. According to CNA officials, its role is to “ensure that Romania’s television and radio stations operate in an environment of free speech, responsibility, and competitiveness.” The government appoints its 11 members with staggered mandates, so that their terms do not coincide with the general elections. But despite the legal guarantees for autonomy, all the panelists agree that the CNA is still heavily politicized, which erodes its credibility with the media sector and the public. Some of its members vote according to the interest of the parties or entities that nominated them, rather than a consistent philosophy respectful of the public interest. Journalist and panelist Teodor Tiță feels that corruption taints the licensing process—an opinion backed by all the panelists.

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The CNA discussions hit a nerve with all the panelists. Ioana Avădani, panelist and executive director of the Center for Independent Journalism (CIJ), labels CNA one of the most dysfunctional institutions in Romania. Martin reinforces this view, noting that the influence of the political actors is not new, but up until 2016 the CNA at least reacted minimally. "CNA still exists, but it does not really function. In 2016, almost half of the regular CNA meetings could not be held due to lack of quorum. It is an institution sabotaged by its own people. There were cases in which Council members left the room at the moment of the vote, making it impossible to reach a quorum..." Martin said. Last year, it discarded more than 1,600 public complaints, as they could not be addressed within the legal term of six months, Avădani said. The situation became acute during the electoral campaign for general elections, when the Council met only four times, allowing violations to continue unsanctioned, she added.

In 2014, CNA Chair Laura Georgescu fell under criminal investigation, accused of taking bribes to favor a television station belonging to a political actor. In response, Parliament passed an amendment of the Audiovisual Law in 2015, allowing it to sack the Council's chair if the annual activity report is rejected. Previously, the law protected Council members from any parliamentary intervention, for the duration of their mandates. Many in the media community viewed the amendment as a step back and a further politicization of the institution. As bad as it was, the new law did not deliver any practical results: the Parliament did not discuss the 2014 and 2015 CNA activity reports, and Georgescu still chairs the Council, although she delegated some of her duties to other members.

The panelists agreed that there are no special market entry conditions for media companies in Romania. The VAT for the media sector stayed at 20 percent, the typical level applied in Romania (down to 19 percent as per January 2017). Only the VAT for print media distribution was reduced to nine percent. Unlike commercial companies, public media institutions cannot reclaim their VAT, resulting in significantly higher operating costs.

Public perception of the journalism profession, and support for the media, wore thinner in 2016. Martin believes that the media's behavior justifies this erosion of trust, but Tiță said this trend should be viewed in an international context, as this occurred in all markets, not just in Romania.

Journalist and panelist Cătălin Striblea said that in Romania, however, physical threats against journalists are not a serious problem. Instead, he decried the feeling that "you live, as a professional, in a post-atomic landscape," adding that he knows a lot of formerly professional people who now work in all sorts of shady media outlets, feeling they have no alternative. Generally, crimes against journalists are rare, but when they do happen, they do not generate public outcry or reactions from state institutions. Instead, many Romanian media outlets

participate actively in smear campaigns and character lynching of other journalists, as well as CSO leaders and politicians.

Laws of the public radio SRR, public television TVR, and the state news agency AGERPRES protect the editorial independence of the public media. While the politically appointed board members maintain control over these institutions, the effect on the content is not necessarily very visible. As mentioned before, if the parliament rejects their annual reports, the boards can be dismissed. This provision turned into a very efficient instrument of political control. In the case of TVR, over the last 27 years, only one board finished its four-year mandate.

Parliament discussed and rejected the 2014 annual report in September 2015, and the board and its president were subsequently sacked. It took until March 2016 to validate a new board. The newly appointed board elected a president from among the members, as per the law, but the Parliament voted against the candidate. After rejecting another proposal, in April 2016, the Parliament finally agreed to validate Irina Radu as president and director-general of TVR in May 2016. In was the first time that Parliament disregarded a public television board decision, according to Comănescu.

All the panelists agree that direct funding from the state budget would prove disastrous for public media. "This change essentially transforms public media into a foot rug for politicians," said Maria Țoghină, panelist, vice-president of Clubul Român de Presă, and a public radio board member. She added, "Over the years there have been a lot of initiatives to change the law, but what we witnessed last year was a total disappearance of public dialogue on these initiatives. In the past, there were consultations with stakeholders: organizations, individuals, even the public institutions were consulted; now we read in the media about changes taken overnight." Avădani said it is also important to mention the declaration of Liviu Dragnea, president of the Social Democratic Party (the initiator of the law scrapping 102 taxes), who bluntly dismissed criticism regarding state influence over the public media: "Let's be serious, the public television was never independent... We all knew that politicians don't see public television as an independent body, but it was the first time that a politician admitted that so candidly," Avădani said.

Libel is no longer a criminal offence in Romania, and human dignity is protected under the civil code. Both civil and criminal laws protect privacy. In defamation cases, plaintiffs are exempt from taxes required with other types of reparations. Avădani said that, judging by the public statements and legal initiatives submitted in the Parliament, she feels there is an obvious intention to further limit the freedom of expression. Attempts to regulate social defamation (beyond the existing anti-discrimination laws), re-incrimination insult and calumny, the existence of state-controlled gatekeepers, and persistent



verbal attacks against media are proof of that intent to limit freedom of expression, she said. On the other hand, Cătălin Moraru, panelist and editor-in-chief of *Monitorul de Botosani*, said that even if there is political interest in restraining the freedom of expression, it is much diminished from previous years or it can be stopped very fast. He believes it is very important to also discuss abuses by journalists, and to educate the people to take court actions when they occur.

Access to public information is governed by Law 544/2001, which grants access to information produced or held by public institutions. Journalists enjoy special treatment, as their questions must be answered on the spot or within 24 hours. The new government as of November 2015 made transparency and access to information a priority. Prime Minister Dacian Cioloș created a new Ministry for Public Consultation and Civic Dialogue, appointing long-time NGO leader and transparency advocate Violeta Alexandru as its chief. Although the panelists appreciate the government's transparency, especially on access of public information, they agree that this era of openness will likely remain an isolated episode in the history of the relationship between media and public authorities in Romania.

Another point all the panelists agree upon is that there are discrepancies between the law and practice, and there are obvious differences between the *modus operandi* of the local and central authorities. During 2016, the ministries promoted more transparency and offered, sometimes proactively, critical public interest information (such as the expenses of the Health Ministry, information about public procurement contracts, and the biggest beneficiaries of the Ministry of European Funds). At the same time, Martin underscored the fact that the openness of the public institutions is directly related to the type of information one is asking for. More 'sensitive' requests do not receive immediate responses. For example, investigative journalist Emilia Șercan had to sue several institutions to receive information about the PhD theses of important politicians—even though all PhD theses are in the public domain in Romania.

In some cases, good practices were followed at the local level. Hannelore Petrovai, panelist and editor-in-chief of *Hunedoaramea.ro*, said that at least in her county, the freedom of information law is being enforced to a higher degree. "The authorities began to understand that public information does not belong to them, but to citizens, mainly because they lost a lot of court cases," she said.

But the situation is not so strong everywhere. Moraru explained, "As a journalist, I was impressed by the transparency of the Cioloș government. But, at the local level, it is almost impossible to obtain information. We need to extract it, to threaten the authorities that we will write about it and that we will sue and, if, in the end, they relent, there is a big possibility that it will be incomplete or will come too late for meaningful reporting."

Journalist and panelist Silvia Vrînceanu Nichita, editor of the local *Ziarul de Vrancea*, agreed and said that in her county, there are shady deals between some media and local authorities regarding access to certain information of public interest provided only to certain media. Basically, if you write critical materials about the leadership of the county, the city council or the mayor, you will not receive the information you requested, or at least you will not receive it in time. "Although the law guarantees access to public information, in reality, access is limited... It is very bureaucratic. I once received a denial of access to information signed by seven people," continues Vrînceanu Nichita.

Anca Spănu, panelist and deputy editor-in-chief of the local *Viața Liberă* in Galați county, said that, in most cases, spokespeople block the information, rather than facilitate access. In addition, countless times, instead of responding to the request for information from a particular publication, they organize a press conference and provide the requested information to all the journalists. This is not done for the sake of transparency, but to kill the editorial edge of the independent media. Another problem is that the communicators change with the new administration: basically a communicator's competency matters far less than political affiliation, family connections, etc. In many cases, the searches for such jobs have pre-established winners. For example, one search specified that applicants should have no more or less than six years and six months of experience in the field, to automatically exclude all other candidates willing to apply for the job, Spănu added.

Natalia Milewski, panelist and associate professor at the Journalism Faculty of the University of Bucharest (FJSC), said that now, by law, public universities must make all information about the institution publicly available, including activity and financial reports, which books they hold the copyrights for, etc. Now, they have to post all this information on the website, she said.

Comănescu said it is very important to also mention open data and Romania's progress in that direction. "It's something that will be hard to stop even if the new government wants to," he believes. Romania joined the Open Data Partnership in 2011. On the official site, [data.gov.ro](http://data.gov.ro), 50 entities (ministries, agencies, state-owned companies, etc.) placed over 900 sets of open data, free for anybody interested to use and transform. The data are machine-readable files that can be processed, transformed, or combined into applications, but they are not immediately understandable or ready-to-use for the regular reader. Despite the number of data sets available, their conversion into applications or solid investigative reports is limited. Few people are aware of the open data process, and those who tried to use the available data found it lacking in quality or relevance.

Access to information from foreign sources is in no way restricted; the restrictions are mostly economic, as foreign news

agencies services are quite expensive. Most of the time, media companies quote the television stations that quote Reuters, for example. Copyright infringement is still a norm and almost nobody discusses plagiarism in journalism, according to Milewski.

There are no legislative or political restrictions related to access to the media market or to the journalism profession. On the contrary, Milewski explained, affirmative action exists for minorities, as all schools have separate places for Roma young people. But the panelists agree that as an independent journalist it can be harder to obtain information because, in some cases, the authorities or the institutions do not recognize the status of freelance journalist.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

Romania Objective Score: 1.96

The panelists agreed that even if the general situation continues to worsen, and public interest journalism and mainstream media encounter problems due to economic strain or political interference, there are pockets of quality journalism that continue to grow, creating a healthy space in the Romanian media landscape. For example, *Gazeta Sporturilor*, led by Cătălin Tolontan, published a long series of articles investigating the weak sanitation in Romanian hospitals, a story that broke after several people injured in the Colectiv Club fire in October 2015 died of nosocomial infections. It revealed a deeply rooted network involving private companies and state institutions, rigged auctions, over-priced public procurement, and alleged money laundering. “In 2016, we had some big investigations done by Tolontan and his team and, from that point on, more people started to follow—especially given the reactions to Tolontan’s materials. An investigation published today was followed the next day by an investigation on the part of the authorities, a new investigation, a new reaction from the authorities. I really believe it is important to highlight this evolution,” said Petrișor Obae, a panelist, Pagina de Media blogger, and media analyst.

Martin agreed that the relevance of the quality content grew and had a massive impact on the public agenda, but he thought it was important to also mention the electoral campaign, marked by near-daily editorial misconduct. “This year, the stakes of the elections were very high and because of that, the pressure on editorial independence was also very high. Those who watched only certain television channels or followed only certain news outlets had no idea what was really going on,” said Ina Voinea, panelist and editor-in-chief of the local *Gazeta de Sud*. Moraru added, “In Botoșani, there were 32 news websites during the election campaign. Some disappeared immediately after. The mayor had a website, the president of the county

council had a website, every major local political figure had, or still has, a news website. The stakes were so important, that the fight was without gloves.” Obae disagreed, saying, “At least in Bucharest, what happened in this campaign was much softer than what happened four years ago. It was a dull campaign, nothing sensational happened.”

Țiță said, “more or less, we have all the information, but it is complicated for the regular reader to find it and to choose from among all the sources of information.” Striblea agreed and said that he is not sure how many people in the general public are really able to find quality materials and relevant investigations among all this multitude of sources.

The panelists feel that the situation did not improve compared to 2015, with much biased and one-sided reporting. Some journalists continue to publish unverified, or even invented news, failing to check the information against several sources, and often the “experts” that are invited to talk about a topic are not experts at all in that field. Artists or astrologers are still given a platform to talk about earthquakes and vaccinations, for example. A large part of the media does check the information they publish, but there are a lot of newspapers, websites, and even television stations that publish false news on a regular basis. For example, in December 2016, România TV broadcast a tape claiming to present a hacker from the group Anonymous saying that the Colectiv Club fire in Bucharest, which killed more than 60 young people and injured over 100 others on October 30, 2015, was intentionally set and that George Soros was one of the masterminds. Anonymous denied that they released the video. Still, several online newspapers known for publishing fake news reposted the story. “Fake, or exaggerated, news is really a problem for us, because it is read and believed, often more so than the work of honest journalists, who write with a contained,

## 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.
- > 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 exists (investigative, economics/business, local, political).

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sometimes boring tone. So, we're in unfair competition with the 'trumpets,'" Spănu said.

But there is hope in this somber landscape. The journalists who could not bear the pressures or the lack of ethical standards in their newsrooms left to create their own alternative media. The panelists agree that 2016 brought an increased number of public interest materials, especially investigations, most generated independently.

When it comes to professional standards, all the panelists agree that although ethical codes do exist and are harmonized with international standards, neither journalists, nor editors observe them consistently. Petrovai said that few journalists practice their profession correctly and obey ethical norms. Moreover, the journalists who do not perform their job ethically promote themselves as being ethical, using this concept to gain image capital and, thus, power, but also polluting the very idea of ethics.

Vrînceanu Nichita said that without financial independence, one cannot talk seriously about freedom of expression. She added that ethical standards are being eroded every day, especially in the local media. Another panelist said that lately, they need to close their eyes at the unethical conduct of some journalists from the newsroom, because it becomes harder and harder to create internal opposition. Journalists are leaving their jobs and it is impossible to find new good journalists, and the pressure on journalists has also increased tremendously. "Advertising clients have become very sensitive; if they do not like material written about them, or if you are critical, they will immediately withdraw their advertising," the panelist added.

All the panelists agreed that the practice of failing to properly signal advertorials exists, and that this is also becoming the norm in the blogging business. "Advertisers are pressuring us not to mark the advertising as such," said Obae. Moraru agreed and said that during every electoral campaign they must find new ways to show readers that material is paid for without mentioning the word "advertising." "For example, we are saying, 'this material represents the point of view of X' or 'this material was paid by Y.' The marketing department doesn't talk to us anymore. They say we are chasing away the advertising clients," Moraru added. Clearly and unequivocally signaling ads and paid-for content is a legal obligation under the Romanian Advertising law.

Plagiarism also stands out as a strong concern for the panelists. There are media outlets, especially online, that re-run stories published by others without mentioning the source. Many young people seem to think that if it is on the Internet it is free to use. The panelists believe that even if the journalists do not respect the rules against plagiarism, they know them all too well and that the practice persists because there is no sanction against it. Milewski added that it is a matter of concern in

journalism schools, but no serious discussion has yet occurred on the topic.

The panelists also believe that self-censorship is common. Striblea believes that this is the biggest problem currently in the newsrooms. "This new generation of journalists set this self-censorship as a rule. It is shocking. The first question they ask themselves is what happens if they cover a story. This is the culture at this moment," said Striblea. Martin agreed. "The older generations had different DNA. They were fighting more for their materials, they weren't so afraid to upset their bosses," he said. Moreover, the editors were much more engaged in protecting the journalists. "They told us to present honestly all the facts because they would protect us from the owners," added Petrovai. "The honest journalists are scared they will lose their jobs; over the years, they witnessed a lot of discretionary decisions and they have learned that it is better to ask beforehand in order to avoid having problems later on," said Striblea.

Comănescu said, and the rest of the panelists agree, that in some situations journalists internalize the agenda of their medium and start to defend the interests of the owner as their own. "Some people who keep working for media that have a clear agenda really believe they own the truth. They don't differentiate anymore between the political discourse and the facts," concludes Comănescu.

The panelists agree that no story could be hidden from the public agenda, and there are not any taboo subjects. What really makes a difference is the way the journalists select and report stories for their outlet. The public needs critical thinking capabilities, not only to read news and absorb information, but also to think about who transmits information with a certain angle and why, said Vasile Hotea Fernezan, a panelist and journalist with the Cluj branch of the public TVR.

Obae said, "For us (media professionals), it is easier to ignore the garbage, because we are not the general public, we know how to separate the facts from opinions and to distinguish the manipulation. But the regular reader doesn't follow many media outlets, has one or two preferred outlets and those are his or her main, or only, sources of information...a press conference of the president will be covered by most of the television stations, except for România TV, for example. Or, if they cover it, they broadcast only the question their reporter asked," he added.

Comănescu believes that it is in times of crises when the most important problems faced by the media surface, because in days like these a lot of the reporters don't get out of the newsrooms due to the lack of resources. "I am old enough to remember the times when the reporter ventured out to find the news, as opposed to today's situation, when the news finds the reporter. Most of the news is produced from press releases, so it's not about the public's agenda but the one of the public institutions,



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private companies, or political parties... A big part of what we see the media churning out are official statements packaged as news. If you take away this layer of opinion pieces, you will find a very narrow public agenda. Most of the news is about institutions," he concludes.

Discussing the study "Media and corruption,"<sup>1</sup> which she participated in, Milewski shares the same conclusion: "Most of the news contains only official sources, and there were not many investigations about corruption in the mainstream media." The lack of resources is one obvious reason. Media institutions with sufficient budgets are either enslaved or irrelevant to the public interest, focusing more on entertainment or tabloid stories. The media that are interested in covering relevant public interest topics are struggling financially and cannot afford a lot of journalists, decent salaries, or up-to-date technologies.

The panelists agree that journalists remain underpaid.

Confirming that salary levels are low for all journalists, Giboi said that nonetheless, "There are big differences between national and local media, where we can talk about 'subsistence journalism.' There are also major differences between the salaries of journalists from public and private outlets." As a rule, salaries in the capital city are higher than those in the provinces, and television salaries are higher than in print. The online media is hardly economically sustainable, and apart from some 'stars,' bloggers cannot live off of the proceedings of their blogs. The salaries of journalists do not appear to be lower than last year; they stayed around the national medium wage (\$450-500 in Bucharest). In many situations, in the local media, even the minimum salary is a relatively large at around \$250, said Petrovai. In mainstream media, the salaries may be reasonable, but they are often paid after long delays of around two to three months. Because media salaries are lower and less secure than those of public servants, many journalists decided to migrate to other fields. Sometimes they become spokespeople for the local authorities; others find jobs in public relations, advertising, or as political consultants. Some of them complement their media revenue with other activities on the side, which sometimes lead to conflicts of interest.

According to Tiță, "Some salaries grow higher and higher every year (for one percent of the staff), and then there are the salaries of the reporters, which shrink smaller and smaller. What is missing is the middle class in the newsrooms. The reporters are more and more burned out; they work as field reporters only for three to four years, in most cases. After that, they become bosses or they leave the profession. They don't have time to learn, to grow," concludes Tiță.

Moraru said that the departure of journalists from the newsroom brings another problem: "You don't have anyone to replace them. Good people don't enter the profession, especially

<sup>1</sup> "Media and corruption." AntiCorrp. [http://anticorpp.eu/work\\_packages/wp6/](http://anticorpp.eu/work_packages/wp6/)

in the local media...there is a lack of models in the newsrooms. Basically, the young reporters do not really have anyone to learn from, as the professionals are migrating, in massive numbers, to other areas. In this context, the beginners lack knowledge of standard practices; they often bring unrealistic ideas about the profession from school and they are insufficiently prepared, even sometimes incorrectly trained. It is hard, in these conditions, to bring them to up to standard. And after you teach them, there is a big chance you will lose them to the competition, which may pay better," Moraru explained.

Comănescu also said that the biased media and entertainment media pay more. If you want to pursue another type of journalism, you need a fellowship or you do it without being paid. But Milewski said that journalists are not paid less than other professions, noting that some experienced teachers earn around \$400 a month.

Reporting on minorities has not improved since last year; such topics are still marginalized and reports are marred with stereotypes. The Roma minority is still depicted in mostly negative terms, while the LGBT community is almost absent from the public discourse. Moreover, even when the topics are addressed in a balanced and fair manner in online media, the public comments are dripping with derogatory terms, hate speech, and instigation to violence.

Although entertainment programming has a very important role, the news still represents a big part of the Romanian broadcasting market, the panelists believe. There are several all-news television stations, and all the general television stations produce at least one main news journal. But the panelists agree that many of these news programs follow a tabloid format, with serious ethical and professional violations. Tiță considers the quantity of news satisfactory, but questions the quality. Comănescu said that compared to entertainment programs, the impact of news is lower, if one looks at copies of newspapers sold or at ratings. But the panelists agree this situation is not unique to Romania.

In Romania, access to technology is easy, but it does not come cheap, and most newsrooms cannot afford to keep up. Modern technology is available in some of the larger newsrooms, but the rest are struggling too much to invest in new technologies, software, or skilled technical staff. All the panelists agree that there is a big difference between the national and the local media, where a lot of the newsrooms do not have even money for gas, and reporters go out to the field with their own cars or use public transportation and their personal mobile phones.

Niche articles and specialized programs do exist in Romania. Some reporters who left traditional newsrooms launched their own media outlets, and their numbers are growing. In 2016, the best news stories came from investigative journalism, which has strengthened its presence. All the panelists say that more major

investigations were published in 2016 than in the last few years combined, and that their efforts have become more visible and more relevant—albeit less so in local media than mainstream and alternative outlets. Moraru explained the challenges from a local media perspective: “The investigations are too expensive, I can’t afford to have a journalist who does only investigations. Second, the public is not that interested in this, for example Tolontan from *Gazeta Sporturilor* published some of the best investigations from last year, but saw no increase in the number of copies sold. Yes, he went viral on Facebook, his brand grew, but not the revenues. Third, advertisers are not very willing to give money to investigative media. They don’t want problems with the authorities,” Moraru concluded.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Romania Objective Score: 2.48

The Romanian media market has numerous outlets, but this does not guarantee a plurality of news. The media outlets that really impact the public agenda actually number three or four, according to Tiță. Comănescu said, “There is a pluralism of points of view, but these are not the views of the public, but of different politicians or political spin-doctors.” Moraru said, jokingly, that the Romanian media’s biggest problem is that they are independent. “Most of the media play the game of their owners, but they claim independence. They present different political orientations as facts. We can discover the truth, if we want and know how, but this isn’t something that comes naturally for the general public,” he explained. Martin agreed, and said that for most media, editorial policies do not allow for the presentation of different viewpoints.

Petrovai said, “Locally, where I know the situation best, the news is well covered, but the angle varies from newspaper to newspaper or television to television, depending on the media owner. The public already knows who owns what, especially in small communities, so they have almost completely lost their confidence in the independence of the media. They have less information about media owners from Bucharest, so they follow the national media, whose points of view they share.”

Țoghină believes that the pluralism of opinions in Romanian media is rather formal. The national minorities have, for example, programs in their national languages, but whether many people follow them or not is not well known.

Vrînceanu said that, in Romania, the production of hard news is problematic due to the problems we encounter in the society: financial crises, lack of education, etc. Giboi thinks that improving media education of consumers is vitally important.

In Romania, social media, especially Facebook, are powerful channels. At the end of 2016, Facebook had 9.6 million users in

Romania, 8.7 million of which are over 18 years old. According to a 2016 ISense Solutions<sup>2</sup> study, most people online use Facebook as their main source of information, 89 percent, followed by news websites at 64 percent.

Although the law does not limit access to national and international media, all the panelists agreed that it is limited by economic status. For example, the minimum service package of the cable providers does not include enough programs to expose people to sufficiently diverse programming. Also, aside from access to television, people in rural areas or small communities are isolated in terms of information access. The distribution of print media is almost dead; in most cases newspapers do not reach people from villages or remote areas.

Some restrictions stem from the lack of access to technology, for example in rural areas where Internet penetration is lower. But, in recent years, Internet penetration is growing. According to the 2014 CIA World Factbook estimate, 11.2 million people use the internet in Romania. On the other hand, around 99,000 households still lack electricity, according to the government of Romania’s press release approving the 2012-2016 National Electrification Program, leaving their inhabitants (one percent of the population) with very limited access to information.

Scheduled for June 17, 2015, infrastructural shortcomings severely delayed the transition to digital terrestrial television broadcast, posing an operational threat to the 170 television stations with analog licenses. The National Audiovisual Council (CNA) agreed to amend the licenses in order to allow the television stations to operate via cable or satellite. Thus, the television stations became dependent on other platforms, such as cable and Internet providers or satellite operators. Moreover, while the analog license was free, they must now pay these operators to carry their programs—an additional economic burden for the local televisions.

Thus, cable operators became key players in the access to information for a major part of the population. Telecommunication operator RCS&RDS dominates the Internet and cable market, operating a network of all-news television stations across the country, three sports channels, one pay-per-view movie channel, three documentary channels, and a music channel, as well as four radio stations and is a mobile phone service provider. In 2016, RCS&RDS extended its presence on the energy market. It provides energy to key players such as the public television, the interior and defense ministries, the National Bank and the telecom regulator.

Public radio and television services exist in Romania, functioning under the same law, but with rather different economic results. The public television station, TVR, reported major financial problems in the 2015 Activity Report, accumulating debts of

<sup>2</sup> “Trends in Market Research Today,” ISense Solutions. December 2016. <http://www.isensesolutions.ro/category/communicate-isense-solutions/>.

over \$153 million. The public radio, SRR, is in better shape, with a financial surplus of some \$2 million.

Public television's heavy debt has affected its operations. In April 2016, TVR became the first member ever expelled from the European Broadcast Union (EBU) for unpaid dues. The transmission of the 2016 Olympic games in Brazil was also threatened as the public television station complained repeatedly of under-funding. Moreover, TVR cannot reclaim the 20 percent VAT, unlike commercial operations. The 2017 state budget law provided approximately, \$235 million for TVR, thus doubling the 2016 budget. At the same time, the public radio, SRR, received an approximately \$95 million budget, \$5 million lower than the previous year.

Public television has often been accused of serving the interests of power. Thus, they cannot always offer objective and impartial information. Obae considers that an important problem with journalists working for public media is that they do not see themselves as fighters for the public interest, but workers in a state institution. On the contrary, Comănescu said he feels that the public television station is more balanced than the private media companies.

Avădani underlined the different reputations of the public radio and television. "Public radio is loved by its public, no doubt about it. But I rarely meet a person who loves public television," she said. Tiță, who had worked previously with the public television, said, in terms of public reputation, "the radio pays for the sins of television."

The situation of the news agencies in Romania is deteriorating every year. "It is a business model crisis; the environment is very volatile," said Comănescu. Mediafax, formerly the most important private news agency in Romania, continued to suffer economic distress in 2016. A new agency, news.ro, founded by the former editorial team of Mediafax, emerged in 2016, but its situation is also complicated. "From my point of view, there is only one functional news agency and that is news.ro. It is an expensive service and not many newsrooms can afford it. I think that in Bucharest, there aren't more than 10 newsrooms that subscribe to news.ro. The rest can't afford it. The newsrooms are poor; they take the information from television. They watch the news journals and live feeds and, for example, if the president says something, they write notes and make news," said Tiță. The new news agency has a smaller team and can't produce the same amount of information that Mediafax was producing in the old days. In 2016, Mediafax was insolvent, without enough people to cover all the stories.

The state-owned news agency AGERPRES is continuing its comeback, modernizing and diversifying its services. It has the unbeatable advantage of rich historical archives of stories and photos that it can monetize. It also has the most extensive network of local correspondents across Romania and can

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

### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge 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.

provide, via partnerships with other national news agencies, global news. AGERPRES's general director is appointed by parliament and its employees have public servant status. The panelists agree upon the evolution of the state-owned media agency and say that AGERPRES is not independent from the political parties—yet having so much power in terms of people (correspondents in every county in Romania), with more power than TVR or SRR, they should strive to be more relevant and visible.

The managers on the panel added that declining content quality is one of the reasons they stopped paying for news agency subscriptions.

Broadcasters produce their own news, but newscast quality varies greatly from company to company, and from the national to local level. Obae said, "The broadcasters produce their own news, but with information obtained by others. For example, newspapers or alternative media started all the big investigations from last year. To produce news involves more than reproducing what some other journalist discovered. News production involves added value."

Avădani said, "This is particularly relevant when you talk about local radio stations which, in most cases, read as yesterday's stories published by the newspapers as today's news. For me, this is a denial of the nature of the radio."

The law mandates transparency of media ownership of broadcasters, and the CNA regularly publishes a list of the shareholders in any media company owning a license. There is no similar provision for print media, but most newspapers declare their publishers. The situation is more difficult for online publications and blogs, where anonymity is the rule. "For television stations, the information is in the public space, but I see little interest from the public to access the information.

There are also people who do not have Internet access or are not aware that you can find online information about the owners of the television stations,” said Avădani.

The public is not very interested in ownership transparency though, and does not sanction the media outlets. Following to arrests of certain television station owners, the station ratings did not drop a bit. “You can’t change their perception. We took opinion polls and the answers were clear: ‘yes, they stole, but this doesn’t mean that what they say on television is not correct,’ was the usual answer,” Moraru said.

Knowing the owners may not be enough in some cases, because other people exerting control over the media might be hiding behind the owners that appear in the papers. “We know, for example, that Sebastian Ghiță is the *de facto* owner of România TV, but on paper the media institution is owned by another person,” he added. Ghiță, a former MP and former head of the parliamentary committee for the civil control of the Romanian Intelligence Service, is under criminal investigation for alleged money laundering. He failed the terms of his parole in December 2016 and has been missing, and on Europol’s, the European branch of Interpol, most wanted list ever since.

One of the panelists, who requested anonymity for this quote, said that in local media the involvement of public actors is also done in various creative ways. “In my county, an officer who works for National Authority for Fiscal Administration (ANAF) launched his own newspaper and asked for advertising.” You can’t say that’s bribery exactly, but it certainly gives the impression.

Politicians own most local and national media, directly or through intermediaries, have total control through economic levers and don’t appreciate or stimulate professionalism and editorial independence of journalists. “They don’t want to have professional journalists. They want people who obey their orders,” said Voinea.

Țoșchină decried this situation: “I wish it were clearer for everybody what interests hide behind the media. Too often, behind the weakening of the public media one can find a hidden business interest. It should be visible to what extent the legal initiative of an MP is related to his or her local media interest.”

Silviu Ispas, panelist and president of the Romanian Transmedia Audit Bureau (BRAT), concludes on a grim note: “There is widespread trans-party political control, even control of the criminal milieu over the media companies, implicitly on the agenda of the most important news television channels. Convicted felons or people under criminal investigation for serious crimes own or control the media with the highest audience rates.”

The national minorities have, by law, media outlets in their national languages, supported by the state budget, through the Ministry of Culture. Still, the funds are insufficient and the publications are very low profile. The Hungarian community has the most outlets (print, radio, television, and online), functioning as commercial or community operations, followed by the German community. The Hungarian government finances some of the Hungarian publications, according to Martin. Accusations of censorship in favor of the Orban government have been voiced in the Hungarian-speaking media community, but they have not made it to the mainstream media. The Roma community does not have a sustainable outlet in their language, as all the attempts at that died very soon after launching due to a lack of funds. It is also true that such a publication would face huge difficulties reaching its intended audience, as Roma people do not live in concentrated communities, nor do all of them speak Romani.

The media generally reports on social issues, but the reporting is opportunistic and sensationalistic. The biggest social issue—poverty—is rarely and shallowly covered. The media equally ignores other important social topics, such as gender equality, said Martin.

The community media is undeveloped and to the extent that such initiatives exist, they come mostly from the local authorities. In general, the national media allocate very little space to information from rural areas, although 43.6 percent of Romanians live in rural areas, according to the 2015 Romanian National Institute for Statistics. “The local news runs more toward entertainment or human interest stories; it is not about real and important issues,” said Obae. “We learn about the performance of a local authority, if the problem is already a big issue, but, in general, there are counties from where we almost never see news,” said Tiță. On the other hand, with some notable exceptions, the international events are equally rare and unprofessionally reflected in the Romanian media. “In a lot of the cases, the international news are videos with animals from YouTube,” said Avădani. Also, Vrînceanu Nichita noted that another relevant aspect is the lack of European issues in Romanian media, even if many of the public policies in the country are based on EU decisions.

## OBJECTIVE 4: BUSINESS MANAGEMENT

Romania Objective Score: 2.14

A majority of Romanian media companies are not self-sustainable, and turning a profit is the exception in the media business. The string of insolvencies continued in 2016. When it comes to the management of the media business, all the panelists had the same conclusion, similar to previous years: the media organizations are poorly managed. This,

combined with the social and disruptive context in which the industry functions, leads to layoffs, shrinking newsrooms, lack of investments, and drops in circulations.

Petrovai feels that most local media managers do not understand the media business because they are there only to obey the agenda of their politically-driven owners. She added that, usually, the sources of funding are public or European Union project budgets or companies that “owe” something to the political leaders of the counties. The media that receive advertising money from municipalities and county councils budgets are fully subordinated to the will of those who secure the budget, because they know that at the first critical article, the money will stop. “The bottom line is that a business that is functioning like this can’t be profitable,” said Petrovai. Moraru agreed and said that you can count on your fingers the media outlets with professional managers, especially in the local media. The situation is not much different for the national media.

The local media hasn’t recovered from the fall of revenues triggered by the economic crisis back in 2009, which forced them to downsize—50 to 60 percent, in some cases. The national media fared slightly better; they have access to a bigger audience, and thus more money from the advertising companies. “The entertainment side of the media lives well off of advertising money. Also, some media survive because the owners bring a lot of money into the business. They don’t care about advertising revenues, so they list dumping prices. This also affects the market,” said Comănescu.

Media income sources are not yet stable; there are still few and they are unpredictable. For print media, sales are constantly falling. Subscriptions are unprofitable, as they are sold at a price below the real costs. On top of everything, the distribution is slow, costly and unreliable.

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > 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 at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Public advertising money remains one of the most important revenue sources, especially for the local media. The public contracts are allocated under the rules of public procurement, with some additional transparency requirements introduced back in 2005 to curb the arbitrary use of advertising funds. A new public procurement law, adopted in 2016, maintained these provisions. Public authorities can allot contracts under \$30,000 through direct allocation mechanisms, and larger contracts can be issued to the lowest bidder, without any criteria related to the number of people reached or cost/person ratio. According to a 2013 Center for Investigative Journalism (CIJ) study, 90 percent of the public money advertising comes via European Union-funded projects, therefore they are no longer directly controlled by the public authorities. While this may sound like a good thing, the civil control over these expenditures is decreased, as private entities do not have any obligations for transparency.

“The growth of the advertising market in recent years is reflected only partially in the advertising budgets of the media groups. The increases in revenues of the television stations are brought by the entertainment area, while additional money in online media go to Google and Facebook,” said Comănescu. According to Media Fact Book Romania’s Media Market Evolution, 2016 was a very good year for television, with an estimated growth of 13 percent, at €240 million by the end of the year. The advertising agencies are well developed at the professional level, but budgets they manage simply cannot support all the media on market. After the first three television stations received their advertising budgets, little money remained for the rest.<sup>3</sup> Because online advertising is very cheap, all the websites are full of banners and other forms of very invasive advertisements and advertorials, continues Comănescu. The print market was the only one shrinking, ending the year with advertising revenues an estimated \$2 million less than in 2015, according to the Media Fact Book Romania.

The big advertising agencies show a clear preference for the national media. The local media are rarely getting any attention. “The advertising agencies give us, if they still consider local media, only small bites of the advertising budgets,” said Vrinceanu Nichita.

Market studies are more common for the national media, but most of the local media do not conduct such studies at all. Obae said, “At the central level, if you don’t have data, you can’t be part of the discussion. The advertisers will not even consider you.” The publishers of some of the local media are not inclined to invest in them, as they do not conduct their business seeking profit, but influence and clout. On the other hand, those that would like to conduct such studies can’t afford them because they are very expensive. “I was commissioning them very often

<sup>3</sup> “The market shares of TV advertising groups consumed between January 1-December 18 2016.” Infogr.am. <https://infogr.am/5fb65705-9bbe-4d23-b27a-fe92fed505dc>.



**“The entertainment side of the media lives well off of advertising money. Also, some media survive because the owners bring a lot of money into the business. They don’t care about advertising revenues, so they list dumping prices. This also affects the market,” said Comănescu.**

and I gained a lot of benefits from them, but I can’t afford them anymore,” Moraru said. Some studies regarding media consumption habits or access to new technologies are conducted by international organizations, as part of their European or global research.

The Romanian Transmedia Audit Bureau (BRAT), a long-established industry organization, monitors print circulation. The bureau performs circulation audits once a year and data are publicly available. BRAT has 182 members (publishing houses, advertisers, agencies) and audits 95 titles and 219 sites of various content. The National Readership Survey (SNA) is an in-depth study containing socio-demographic figures of readers per publication. There is also the Study of Internet Audience and Traffic (SATI), as well as a Monitoring of Investments in Advertising Study (MIP), whose results are available to members and third parties who pay.

The Romanian Association of Audience Measurement (ARMA) measures television audiences. Panelist Costin Juncu explained that audience figures for national outlets are measured independently, and the methodology is in line with international standards. The company performing the measurement is selected via public bid every four years, by a commission composed of five representatives of the television stations, five representatives of the advertising agencies, and five of the National Audiovisual Council (CNA), with an audit performed by foreign independent companies. “In 2016, the measurement service was verified by an external independent auditor, Ernest and Young, a US company. According to the audit, the service complies with the technical specifications decided by the Romanian market as well as international standards. They also stated the service is trustworthy and offers reliable information to the market.”

When it comes to online media, many publications prefer the less expensive traffic.ro measurement to the professionally done but expensive SATI, or even internal measurement done with Google Analytics.

Once again, the local media are disadvantaged. BRAT only audits 17 local publications, and the audience measurement

for the local television stations is very costly, therefore is not performed, and the radio stations do not even think of doing it. Only the local online outlets have data, but they use them mostly to attract advertising from GoogleAds.

According to Spănu, though, all the efforts at media or circulation measurement turn out to be useless. “It’s more like a bad joke. Nobody actually respects it. Your competition can claim at any moment that its unaudited circulation is ten times bigger than it is in truth, and for the state authorities that is just enough. They win the advertising public contracts on this false assumption,” Spănu said.

The business of the media is also affected by the ever-changing fiscal legislation, the politically-influenced market and the sometimes arbitrary attitude of the authorities, which may include lenience for unpaid debts or fines of the friendly media and excessive controls for critical media.

“In this country, as good as your business plan may be, the risk of failure is always there. One cannot think strategically in the medium term,” Avădani concludes.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

Romania Objective Score: 2.58

In 2015, media professional associations started to revive. The Convention of Media Organizations (a loose alliance of around 30 associations of media professionals, owners, and trade unions) picked up its activity, encouraged by a CIJ project. The Convention shared public positions regarding flawed media legislation and found some limited success in blocking it from adoption. However, the panelists believe that the professional associations are small, inefficient, and even irrelevant; also, the larger groups, like Romanian Association for Audiovisual Communication (ARCA), represent the interests of the major broadcasting corporations rather than local stations. Petrovai blames the lack of cohesion on the idea that it is impossible for honest journalists to associate themselves with those less honest. “I cannot stand in solidarity with the crooks, just because they claim they are journalists,” said Petrovai.

Trade unions of media professionals exist; MediaSind is the largest and most active. It is also well connected to European and international platforms. These external organizations have voiced their concern over Romanian journalists on various occasions.

The trade unions of journalists received a massive blow back in 2014, when the collective work agreement for mass media expired. Due to changes in the legislation, the media sector was assimilated to “Culture,” signifying that journalists and trade unions should negotiate along with actors, librarians,

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

### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

and musicians. Even if a federation of media and culture trade unions has been formed, no collective contract was ever negotiated. Many of these professionals are state employees, making it very difficult to find a common denominator in terms of labor conditions. Giboi concludes: "I can tell you, from my own experience, that is difficult for trade unions to function within the journalistic profession." There is no interest from the owners' associations, weak as they are, to negotiate a contract for the media workers.

There are just a handful of NGOs defending the rights of journalists; CIJ and ActiveWatch - Media Monitoring Agency are the most relevant in Romania. In 2016, they continued protecting the freedom of speech by stopping or changing bad legislation and protecting journalists from abusive authorities. "They are efficient and vocal, but every year they have fewer journalists to work with or protect," said Petrovai. Giboi believes that the NGOs, which protect the freedom of speech, are the only entities that really support journalistic quality. Another organization, the Union of Professional Journalists (Uniunea Ziariștilor Profesioniști or UZP) was successful in its advocacy for special pensions for journalists. According to a law adopted in 2016, the journalists who are affiliated to a professional organization of public utility and registered as a "union of creators" will receive an additional 50 percent of their pension. UZP happens to be the only organization meeting all the criteria provided by the law. The law was received with quite vocal criticism on the part of journalists themselves, who claimed that it puts them in an awkward situation, as they fiercely criticized the special pensions that the MPs voted on for themselves, for police, for military, and for other privileged professional categories.

One panelist said, in his view, the NGOs fight more than the media themselves for the freedom of speech. Tiță considers that what the NGOs are doing is fine, but that they are few and

what they manage to do is too little. Another problem signaled by Obae is that the general public does not have a chance to hear about what these organizations are doing and to learn about their critical reactions towards the media, because in most of the cases mass media do not report about the topic. The problem of available, steady, and predictable funding for these NGOs grew worse during 2016.

Over 2,500 young journalists graduate every year from Romania's 20 journalism programs, offered by both state and private universities. "The number of students who want to attend a journalism program is dropping every year. We see more candidates for the public relations and advertising program than for journalism," Milewski said. The quality of the journalism programs did not improve during 2016, the panelists agree. "We need a new curricula for the journalism schools, and we also need to invest in research about media business needs. At this point, we still do not have a curriculum adapted to the new necessities of the profession; we do not know what the media employers want from their employees," Milewski added. In the end, the results are quite poor; the students are not very well prepared and most do not understand what a journalist's job is all about. On top of this, different schools have different curricula, producing graduates with very different understandings of journalism. At the same time, media institutions express little serious interest in hiring competent young journalists. "For a lot of the managers, students represent, at best, cheap, expendable labor," said Striblea. Avădani added that there are initiatives aimed at improving the quality of journalism education. For example, UNICEF Romania and CIJ invested in a program aimed at developing a children's rights curriculum in universities. Bureaucratic obstacles and a certain academic inertia made for rather slow progress, but young faculty interest is definitely encouraging.

Few short-term courses or training programs for journalists still exist. There are some private schools for television journalism, started by media organizations, but the panelists agree they are "Money factories... The students go there because they have the impression that at the end of the program they will be hired by the television stations, but this isn't happening to all of them," notes one panelist.

A few years ago, NGOs such as CIJ delivered this type of service on a larger scale. The lack of funding for such projects from private donors and the lack of interest from most media owners to pay for such trainings led to a significant decline.

Owners and managers often seem more interested in trading in influence than training their staff. Journalists are not encouraged to participate as the acquisition of additional skills is not necessarily appreciated by the public or by the employers and do not attract increased salaries. According to Avădani, some CIJ trainees are asked to take days of leave of absence to

attend professional courses. “There is a very limited appetite for professional advancement. We at CIJ organized a course on data visualization and a hackathon open to students and young journalists. The response was rather disappointing, with young people disconnected from what the future of the profession may hold,” she said.

The sources of media equipment, newsprint, and printing facilities are apolitical, unrestricted, and not monopolized. But distribution remains one of the biggest problems of the Romanian print media. According to an October 2016 *Paginademedi.ro* article on the reduction of newsstands across Romania, in 2016, there were only 3,500 newspapers kiosks, a considerably smaller number than almost 10 years ago, when there were around 8,000. The distribution companies also lose money. According to a report of the Association of Owners of Press Distribution Networks, half of the press distribution companies went bankrupt or are insolvent. As for the other 50 percent, more than two-thirds are losing money, according to the previously mentioned *Paginademedi.ro* article. In some cases, mayors prohibited the placement of kiosks owned by “unfriendly” publications or withdrew the licenses of street vendors. Every year, there are fewer printing houses, so newspaper printing prices inch higher. This can also delay newspaper distribution.

The cable operators play an equally important role in securing access to media products, and the panelists deem the major operators politically neutral. Two major players: RCS-RDS, with a 53 percent market share, and UPC, with 30 percent market share, dominate the cable market. These companies can decide what local television stations to carry, and how prominently to place them in programming lineups. Thus, some local television stations complained of RCS-RDS’s refusal to carry their programs, as it favors its own local stations (Digi TV) and does not want to encourage competition. Similarly, UPC does not broadcast Digi TV channels, or, if it does, it hides them at upper numbers in the channel list, between pornography and religious channels.

Internet infrastructure is developing rapidly, fueled by the large penetration of mobile in Romania. In the first quarter of 2016, mobile Internet covered 95 percent of Romania’s territory. Internet penetration is growing, reaching 4.3 million fixed broadband connections and a total of 18.8 million mobile connections, out of which 14.8 million are broadband.<sup>4</sup>

<sup>4</sup> “The Electronic Communications Market in Romania.” Ancom. 2016. [https://statistica.ancom.org.ro:8000/sscpds/public/files/130\\_ro](https://statistica.ancom.org.ro:8000/sscpds/public/files/130_ro).

## List of Panel Participants

**Alexandru Giboi**, director, Agerpres, Bucharest

**Anca Spănu**, deputy editor-in-chief, *Viața Liberă*, Galați

**Cristi Godinac**, president, Mediasind, Federation of Journalists’ Trade Unions, Bucharest

**Costin Juncu**, managing director, Romanian Association for Audience Measurement, Bucharest

**Cătălin Striblea**, freelance journalist, Bucharest

**Cătălin Moraru**, editor-in-chief, *Monitorul de Botosani*, Botosani

**Hannelore Petrovai**, editor-in-chief, *HunedoaraMea.ro*, Hunedoara

**Iulian Comănescu**, freelance journalist and media analyst, Bucharest

**Ina Voinea**, editor-in-chief, *Gazeta de Sud*, Craiova

**Maria Țoghiță**, vice-president, Clubul Român de Presă, Bucharest

**Natalia Milewski**, lecturer, University of Bucharest, Faculty of Journalism and Communication Studies, Bucharest

**Petrișor Obae**, blogger and media analyst, *Paginademedi.ro*, Bucharest

**Răzvan Martin**, program coordinator, FREEEX Active Watch, Bucharest

**Silvia Vrînceanu Nichita**, editor-in-chief, *Ziarul de Vrancea*, Focsani

**Silviu Ispas**, president, Romanian Transmedia Auditing Bureau, Bucharest

**Teodor Tiță**, freelance journalist, Bucharest

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## Moderator

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