

ROMANIA



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



ROMANIA

AT A GLANCE

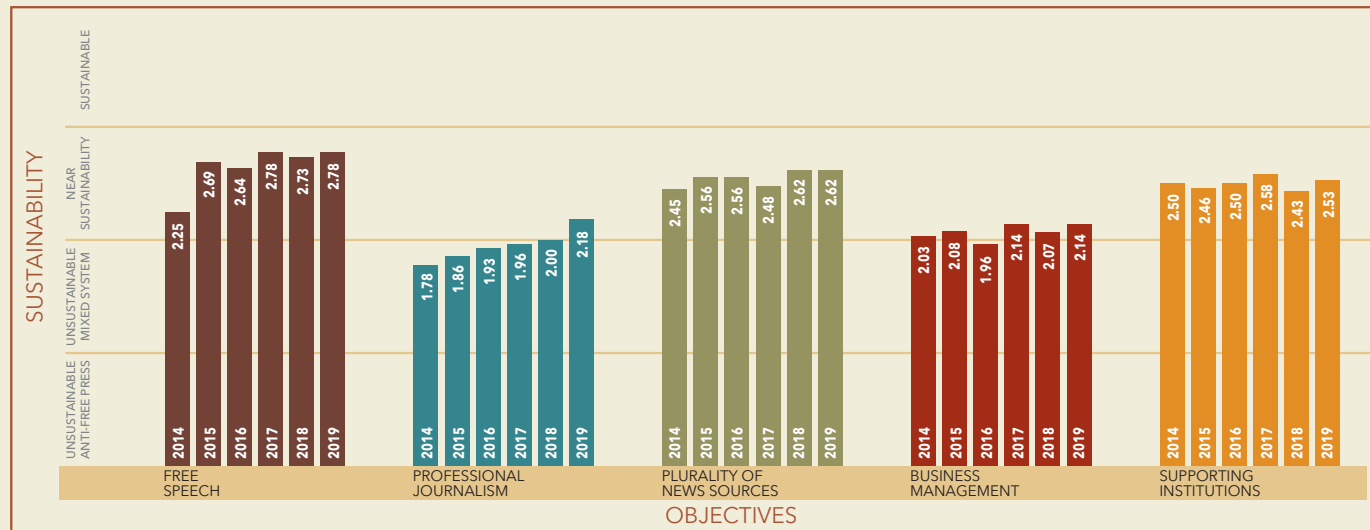
GENERAL

- **Population:** 19,310,216 (Romanian National Statistics Institute, 2017)
- **Capital city:** Bucharest
- **Ethnic groups (% of population):** Romanian 88.9%, Hungarian 6.5%, Roma 3.3%, Ukrainian 0.25%, German 0.18%, other 0.87% (National Statistics Institute, 2011)
- **Religions (% of population):** Eastern Orthodox (including all subdenominations) 86.5%, Protestant (various denominations including Reformed and Pentecostal) 5.1%, Roman Catholic 4.6%, other (includes Muslim) 3.6%, none or atheist 0.2% (National Statistics Institute, 2011)
- **Languages (% of population):** Romanian (official) 90.9%, Hungarian 6.7%, Romany 1.3%, other 1.1% (National Statistics Institute, 2011)
- **GNI (2017-Atlas):** \$188.4 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2017-PPP):** \$21,610 (World Bank Development Indicators, 2017)
- **Literacy rate:** 98.78% (National Statistics Institute, 2011)
- **President or top authority:** President Klaus Iohannis (since December 21, 2014)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations, Internet news portals:** Print: number unknown, 57 publications audited by BRAT; radio stations: 558 licenses for terrestrial broadcasting, 28 satellite broadcasting; TV stations: 251 licenses for cable broadcasting and 97 for satellite (CNA Report 2019); Internet news portals: number unknown (73 websites audited by SATI, out of which 56 are news or current affairs sites)
- **Broadcast ratings:** Top-three television stations in prime time: PRO TV (7.9%, national), Kanal D (5.7%, national) Antena 1 (5.3%, national) (Paginadamedia.ro, January 2019)
- **Newspaper circulation statistics:** Top three by circulation (July–September 2018, according to BRAT): *Sibiu 100%* (circulation 70,000, regional weekly private newspaper, free), *Click* (circulation 60,900, daily private tabloid), *Libertatea* (circulation 33,864, private popular daily)
- **Magazines:**
- **Internet news portals:** www.adevarul.ro (8.420.000 unique visitors/month), www.stirileprotv.ro (7.220.000 unique visitors/month), www.libertatea.ro (6.860.000 unique visitors/month) (Sati.ro, February 2019)
- **News agencies:** Agerpres (state owned), Mediafax (private), News.ro (private).
- **Annual advertising revenue in media sector:** Estimated for 2018: €455 million (€13.4 million print market, €300 million TV market, €26 million radio market, €85 million digital, €31 million out-of-home (OOH) (according to *Media Factbook* cited by Paginadamedia.ro)
- **Internet usage:** 72.4% of the population has Internet access at home and 86% access the Internet from a smartphone (National Institute for Statistics, 2018)

MEDIA SUSTAINABILITY INDEX: ROMANIA



SCORE KEY

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.



Romania's overall country score rose slightly from 2.37 in 2018 to 2.45 in this year's study, and almost all individual objective scores for 2019 saw some increase. The panelists' scores acknowledge some encouraging new trends in independent media and the efforts of civil society organizations, such as freedom of expression NGOs that protested aggression against journalists, politicians labeling media professionals with defamatory language, and attempts at passing restrictive legislation. Financial pressures and political influence have made mainstream media more vulnerable as self-censorship has become second nature in many newsrooms. However, more independent media outlets continue to appear, and some are getting stronger, even seeing a slight increase in crowdfunding and community engagement.

The year of 2018 was supposed to be celebratory honoring the 100th anniversary of the founding of the modern Romanian state—a year in which Romania should have been preparing to take over the rotating presidency of the European Union (EU) Council for the first time, a year of calm political maturity with economic growth. Instead, hundreds of thousands of people protested the government's intent to limit judicial independence and change laws to protect politicians from anticorruption prosecution. The year was marked not only by dissent among political parties but also between institutions. After a negative evaluation by the Minister of Justice, the chief anticorruption prosecutor, Laura Codruța Kovesi, was dismissed in July. The president found the evaluation unconvincing, but after exhausting all constitutional procedures, he signed the dismissal.

On August 10, 2018, more than 100,000 people gathered in Bucharest to protest the government's attacks against the rule of law. Riot police used tear gas, batons, and water cannons to disperse the otherwise peaceful gathering. During the confrontations, there were several documented cases of journalists being directly targeted. Protesters have filed more than 800 complaints against the police. At the time of this writing, none of these cases have been prosecuted.

Later in October 2018, Romania held the so-called Referendum for Family—a measure to change the Constitution to prohibit same-sex marriage, which is already barred. But religious

and conservative circles wanted to ensure that it was also explicitly prohibited in the Constitution. The “pro” camp dominated the public space, including almost all political parties, religious denominations, parents' groups, and traditionalist groups. The media gave almost no attention to the dissenting faction (LGBTQ and human rights activists). Despite the massive campaign, only 21 percent of the population voted in the referendum, so it was not validated—a clear demonstration of how far the media and politicians were from the real feelings of the public.

While the national media showed signs of consolidation, including big TV stations getting back in the black, the rest of media, particularly local outlets, barely stayed afloat. The poor economic situation prompted many outlets to lower their editorial and ethical standards or join a political faction. Authorities took a harsher tone toward journalists in 2018, culminating in violent attacks during the August protests. The ruling parties appeared almost exclusively on politically-friendly television programs and dismissed questions from “hostile” journalists while mocking them publicly. But not all is grim in Romanian media. This past year saw the growth and consolidation of several independent journalism projects, which covered topics mainstream media neglected or obfuscated. Independent media projects started crowdfunding campaigns and transparently reported back to their individual donors and educated the public.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.78

The Romanian Constitution guarantees freedom of expression. The few restrictions to freedom of speech are meant to protect national security, privacy, the right to one's own image, and to guard against defamation. The Constitution also explicitly prohibits defamation of the nation, although it is not punished under any law. However, to curb criticism of the government, members of the ruling party invoked the need to reintroduce penalties for "defamation of the country," which would apply mainly to journalists, activists, and members of the European Parliament who "bad-mouth" Romania.

Panelists agreed that the legal framework secures a reasonable balance between the freedom of expression and the protection of other legitimate rights. "We have all the laws we need, but the Romanian authorities want us to forget about them," said Cătălin Moraru, the editor-in-chief of *Monitorul de Botoșani* (The Botoșani Monitor) daily newspaper. Teodor Tiță from Europa FM agreed that there is enough legislation but noted that Romania does not really care about protecting freedom of speech. Enacted in May 2018, the EU's General Data Protection Regulation (GDPR) is a new tool that authorities use to put pressure on investigative journalists. "Romanian authorities used the new law to threaten journalists and to ask for sources," explained Toni Hrițac, editor-in-chief of *Ziarul de Iași* (The Newspaper of Iași) daily newspaper.

The National Audiovisual Council of Romania (CNA) is an autonomous body that controls broadcast licensing and enforces the legal obligations of broadcasters, including ensuring free

speech and competitiveness. Its 11 members are appointed by the Parliament, the president, and the government with staggered mandates, so their terms do not coincide with general elections. Despite legal guarantees of autonomy, all panelists agree that the council is failing. New members were appointed in 2018, but the chance for renewal thus offered seems to have been wasted. Tiță said the defining characteristic of CNA is its lack of transparency. Some panelists emphasized the non-confrontational attitude the council took when broadcasters close to the ruling party violated the law and noted that some members voluntarily miss council meetings so that important decisions cannot be made. As such, the licensing process for applicants has been delayed.

Still, Mona Dîrțu, a journalist with Monday Memo newsletter, feels the Internet has provided new opportunities for TV platforms. "Nobody can shut me up if I really want to say something, and I have the means," she said. As an example, she cited *Rezistența TV*, an independent online TV operation that started as an activist project. Cristina Lupu, executive director of the Center for Independent Journalism (CIJ) in Bucharest, has another opinion. She believes the lack of reaction from the CNA makes people believe the legislation is at fault. "People, frustrated by poor-quality content, have started to ask for more and more legislation, which is dangerous."

The Romanian media market is still a free market with no special entry conditions for media companies. The value-added tax (VAT) for the media sector is 19 percent, the general rate in Romania, and the VAT for the distribution of print press is nine percent. While commercial companies can reclaim their VAT, public media institutions cannot, resulting in significantly higher operating costs. Dîrțu feels the media is not unique and that most private

companies have similar financial issues. According to Moraru, however, "Changes to the fiscal code have directly affected the media. The new fiscal code created chaos, especially when it comes to copyright contracts. They delayed application norms for months in a row and then in a matter of days, they made us pay penalties for not paying the taxes. In every county, the legislation is interpreted differently." According to financial analysts,¹ the Romanian fiscal code underwent 800 modifications in 2018.

State subsidies to media are rather small and infrequent, going primarily to cultural publications and those aimed at ethnic minorities. Still, there are less transparent forms through which the state financially supports some media. Maria Țoghină, vice president of Clubul Român de Presă (Romanian Press Club) noted that numerous media projects meant to celebrate the Romanian Centenary were funded by the state. Tiță feels the media market is badly distorted because not all media receive equal treatment in terms of fiscal discipline. "Realitatea TV should have been closed, and the state should have recovered the [tax] debts, but they didn't do this," he explained, "So the TV station receives a subvention from the state, and the media market is kept unhealthy." Only a handful of companies subsist on money from the competitive market. For the rest, there is a lot of black or gray money, explained Tiță.

Targeted control from authorities also continued in 2018. In early 2018, The National Authority for Fiscal Administration's (ANAF) report on the findings of a RISE fiscal investigation, although confidential,

1 Sahlean, Adelina. "Instability and Chaos: 800 Amendments to Tax Legislation in 2018," *Newsweek Romania*. January 15, 2019. <https://newsweek.ro/actualitate/revolta-companiilor-legislatia-fiscala-a-fost-modificata-de-800-de-ori-in-2018>.

was leaked to some friendly websites, which started publishing materials about RISE Project donors, including accusing the Embassy of the Netherlands of interfering in the “country’s internal affairs” by financing journalists to write critically about Romania. In November 2018, after a new series of investigations, RISE received a request from the Romanian National Supervisory Authority for Personal Data Processing to disclose its sources. The Romanian agency indicated that RISE Project may be subject to a fine up to €20 million (\$22.6 million). The public outcry was strong, including from freedom of expression organizations.

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 daily work life of journalists is not dangerous, and there were no crimes against them in 2018. However, aggressions from the police against journalists have been documented, recorded, and even transmitted live. In June 2018, Romanian police harassed a German journalist, claiming reporters need “more than a badge with ‘Press’” as “credible” proof that someone is a journalist. On August 10, the Romanian communities living abroad organized a major “Diaspora Came Home” anti-government demonstration that drew an estimated 100,000 protesters.² The protest started peacefully but later degenerated when troops used tear gas and water cannons to disperse the crowd. “Our greatest luck is that we live in a country where the bad things happen during protests, not daily on the street. After the protest, I felt very exposed as a journalist. The event showed the deep lack of respect for the profession,” said Diana Oncioiu, a journalist with Dela0.ro. Media non-governmental organizations (NGOs) condemned the attitude of the riot police in the June and August cases. The polarization of society has also had a direct effect on aggression against journalists. “Who is not with us is against us has become the norm in the mind of the common people,” said Lupu.

Insult and slander are no longer part of the criminal code. Journalists are often threatened with lawsuits, but such threats are not followed by actions in court most of the time. Still, there are worrying signs that things may change for the worse. “In a way, they perpetuate the idea that they still can sue you under the criminal law as a matter of intimidation,” said Ioana Avădani, president

of CIJ. “Politicians are using threats of libel and slander trials as tools to denigrate journalists. They publicly declare the journalistic pieces are fake or calumny and that they will sue the journalists, but in most cases, they never go to court. It is a way to erode the credibility of the media,” continued Lupu. According to Hrițac, when cases do go to court, judiciary practice lacks unity when it comes to moral damages. “Wherever the offended party was a magistrate, the reparations sum ordered by the court was considerably higher,” he said. Still, Liana Ganea, program coordinator with FREEX Active Watch, says that the situation is not that bad in Romania and that there are a lot of cases won by journalists in court. According to Ganea, the damages ordered are reasonable (around \$3,500).

On paper, the editorial independence of the public media is protected under the functioning laws of public radio SRR (Romanian Radio Society), public television TVR (Romanian Television) and state news agency Agerpres. Since 2017, when the licensing fee for public broadcasters was eliminated, all three institutions have been funded exclusively from the state budget. Political control over these institutions is maintained via the appointment and dismissal of their boards. The boards can be dismissed if Parliament rejects the annual reports. This provision is a very efficient instrument for political control. In the case of TVR, over the last 27 years, only one board finished its four-year mandate.

“Independence? What independence? There is no independence at all. Control is now done openly through the budget. Public television lost the little public support it enjoyed,” said Dârțu. Journalist Costin Ionescu from Hotnews.ro explained that public news organizations tend to avoid reporting on controversial topics until public attention fades. “What is happening there is a combination of censorship and self-censorship,” added Tiță. “The

2 Gillet, Kit. “Violence Erupts as Tens of Thousands Protest Corruption in Romania,” *New York Times*. August 10, 2018. <https://www.nytimes.com/2018/08/10/world/europe/romania-protests.html>.

law is not operational. The self-censorship is the result of fear." In 2017, Cristi Godinac, president of MediaSind (a trade union of media professionals that assists journalists in legal situations and offers consultancies on work-related subjects), saw a "ray of hope" because Parliament adopted a law that separated the position of the president of the board from the general manager of the public media, thus eliminating a conflict of interest. "But 2018 did not bring the expected change. The law was sent to the president for promulgation but was returned to the Parliament for changes. It has stayed there, untouched," said Godinac.

"People, frustrated by poor-quality content, have started to ask for more and more legislation, which is dangerous," said Lupu.

There were several public scandals involving the editorial control of public TV in 2018. The president and general director Doina Gradea was accused of trying to influence the coverage of the ruling party and muting criticism, arguing that it is the party that "gives money" to the broadcaster. When recordings of discussions between her and journalists and contributors were published, Gradea reacted by asking for the source of the recordings and threatening to sue those who released them. The Ethics Committee of TVR issued a ruling that determined Gradea acted in a manner unworthy of her position. Still, Gradea continued to put pressure on TVR employees and on the commission itself. The situation is calmer in public radio, said Țoșină.

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 oral questions must be answered on the spot or within 24 hours,

if the information is easily available. Otherwise, the information has to be released in within 10 days and the term can be extended to 30 days if the request is massive. Still, all the participants expressed concern about the erosion of this law. Dîrțu considers the "informational blockade" the main problem of Romanian media: "We have a law, and yes, you can win in court, but it takes time, and you lose the newsworthiness. More often, we see the state decide not to give information," she said. Ionescu agreed, "The enforcement of the law is sinister. You ask them something and maybe in 30 days (the maximum legal term to answer) you receive a two-line answer in which they let you know that you will not receive the information because of GDPR concerns." Hrițac also mentioned the GDPR, explaining that, at the local level, the abusive interpretation of the data protection regulation brought a terrible backlash for freedom of information legislation. There is also a clear asymmetry regarding access to information along political lines. Political leaders and some ministers only participate in interviews with "friendly" media.

Access to information from foreign sources is in no way restricted. "Here the only problem is with the copyright," said Oncioiu. "Everybody steals from everybody. I don't believe the price is the problem, but that you can get away easily with stealing."

There are no legislative or political restrictions related to access to the media market or to the journalistic profession. Public institutions ask for the credentials of journalists, and, sometimes, this procedure can lead to abuse. It is also difficult to obtain credentials to cover the Parliament as a freelance journalist.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

2.18

Since in 2018, mainstream media has become more vulnerable, largely because of economic problems and political involvement. At the same time, more independent media outlets continue to appear, and the "older" ones are getting stronger, even seeing a slight increase in crowdfunding and community engagement. "You can see and read good journalism in Romania, especially if you live in Bucharest or in one of the larger cities, and you consume the media through social media," Ionescu said. "You can find quality journalism in the mainstream media, too, but in the ocean of low-quality products, the good ones tend to get lost."

Țiță feels subjective reporting is standard, although you can choose your information from multiple sources. "Since the online explosion, people don't even feel the need to leave the computer. Here in Botoșani, we have around 20 websites, but at the major events, you see on the field only three or four journalists. The rest plagiarize," Moraru explained.

According to Ganea, when discussing the lack of objective journalism, one needs to address the open manipulation by the main news TV stations. She added that the profession is not involved in changing the status quo. Panelists agreed that television programs are full of unchecked information. "If you look at their content, you see mostly opinions," said Oncioiu, "Or they apply the 'neutrality principle': we are neutral, so we do not cover anything about certain controversial topics. There is a lot of fake news that could be verified with only one phone call or a [freedom of information] request." Hrițac added that in a lot of

cases, expert opinions are missing. Avădani noted the rise of a new “genre”: blatant public relations interviews in the news.

Romanian media has several professional and ethical codes created by professional organizations and NGOs, but also some drafted and independently adopted by newsrooms. “We have codes, but they are not obeyed. Also, TV stations have their own codes because it’s compulsory by the audiovisual law,” said Dîrțu. Hițac added, “Journalists receive gifts and are often in conflict of interest. In many cases, advertorials are sold as journalistic content.”

However, professional and ethical standards have not disappeared entirely from the Romanian media. “It is dark, and we’ve had better times, but there is hope, and there is light. There are journalists who do their jobs honestly, in local media, in mainstream media, and, mostly, in independent media outlets. The latter are more visible in Bucharest, in the ‘liberal’ social media circles, but their work exists and hopefully will set the standards,” said Lupu. Oncioiu agreed that better standards can be found in independent media.

Self-censorship is second nature in many Romanian newsrooms. “They are afraid they will lose their jobs, but they also do not want to have any conflicts with persons or institutions they feel are connected with the owners or have an influence in areas that could affect their profession,” Hrițac said. Cătălin Striblea, a journalist with DigiFM, is convinced that “most journalists send the news to the newsroom. They do their jobs, but the editors and the bosses are the ones in charge and choosing the angles.” Oncioiu added, “You will never bother to go and talk with a person that you know is on the ‘blacklist.’ You will not be told directly that you are not allowed to go, but you will hear it discreetly in the hallway during the coffee break. It’s very subtle. Also, if you know how the wind blows internally,

you know already from what angle to do your research. With censorship, the one who does it is exposed; with self-censorship, it’s smoother, slicker.” Independent media do not see self-censorship; many of those journalists left traditional media to avoid it.

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).

If one knows where to look, there is not any important information that cannot be found in the media. There are variations in how this information is presented as well as the figures used to give relevance to the story, but a complete blockade on a topic is impossible. “There is a kind of tunnel vision: everybody covers the same topics from the ideological positions of each of the media outlets, but there are a lot of events that nobody looks at,” said Tiță. He cited an example from the city of Cluj, where a large Jehovah’s Witnesses meeting took

place with thousands of people. No one reported on the story. Two years later, the militant rhetoric of some Protestant and neo-Protestant groups helped fuel the 2018 referendum against gay marriage. Dîrțu added that reporting in Romania leaves out context and that the media often serve as spokespersons for interest groups by simply covering news via press releases. Moraru described his experience. “Due to the chronic lack of staff and because of the need to be the first to get information online, pack behavior is amplified. In this way, the agenda is really decided by the first person to find a topic,” he said. Hrițac said editors usually dictate what is to be covered and limit the options of the reporters. “There is a captive public that receives information from only one source. And for them, that is the only reality they know. People watch the TV station they agree with, read the news—or maybe it is more correct to say read the titles of the news—on Facebook and do not check the information. It’s not only a Romanian problem, we know, but we feel it is stronger here,” added Lupu. This lack of coverage has prompted the emergence of alternative and independent media projects.

Ionescu explained that outside of public media, journalists must cut deals with owners for their salaries. Striblea agreed. “There isn’t any rule. There are only private deals between owners and employees. You don’t have any predictability or a clear salary scale.” Tiță added that the salaries are not enough to survive on if you are a beginner or young reporter, but at the mid-career level, the salaries are okay. An experienced TV reporter can earn between \$600 and \$1,500 a month, while editors earn around \$450 to \$500 per month. Local reporters earn less. Hițac said, “The salaries are very, very low. Sometimes the salaries the journalists receive are under the minimum wage (approximately \$300 per month), so they are vulnerable to

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corruption. A lot of them work for several media outlets. And a lot of very good journalists are forced to leave the profession and find another job just to survive." Moraru said journalism salaries are not competitive with those in the public sector, and this is a major reason journalists leave the profession to work for the state. Oncioiu said that at independent media, the situation is sometimes worse. "You receive money only from donations, and they are very small," she explained. "There are also donations or grants from companies, but they support a certain niche or topic, and you don't have the freedom to report on the topic you feel is important." Dîrțu did identify a silver lining: "Now, at least, the people are getting their salaries," she said, alluding to times in the past when journalists' salaries were six months late.

"The journalist is a commodity. He or she is not seen as an important piece, something that will keep the business thriving. The managers don't invest in the professionalization of journalists," Avădani said, "This is one of the reasons the Romanian media is confronted with a huge lack of editors. For senior-level people within the profession, it is almost impossible to stay." Striblea is worried about the future of the profession. "Very few people come into the profession nowadays," he said. "Young people want a good starting salary, not the meager \$500 to \$550 we can offer in radio, and a clear-cut, eight-hour workday. Young people come unprepared for what it takes to be a journalist."

Apart from traditional media, advertisers have started working with bloggers, vloggers, and other "influencers." Neither they, nor the agencies, feel compelled to play by the rules and respect ethical norms. Laura Frunzeti, executive director of the Romanian Advertising Council, a self-regulatory body of the advertising industry, describes the mechanisms: "There are several payment

arrangements. They either have a contract, or the company works with unpaid influencers who are just asked to test a product and provide the public with their genuine opinion. The payments in Romania are double compared to those in Bulgaria, for example."

In theory, Romania has a big news market. There are several all-news TV stations, each of them with their own agenda, and all the general TV stations produce at least one main news program. But a closer analysis of content reveals a lot of tabloid-style news or opinion presented as news. Costin Juncu, managing director of Romanian Association for Audience Measurement, said the news is essentially entertainment. "The average media consumer will remain uninformed. They will watch the news, but they will not get any real information in most cases," said Lupu. Television remains the main source of information for adult Romanians, followed closely by online sources, mainly social networks. Teenagers do not consume "traditional" sources of information. They access information mainly from Instagram, Facebook, and YouTube.

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Access to technology is open, and there are no legal restrictions, but the costs may be prohibitive

for some newsrooms. There are big discrepancies between media institutions from the technological resources point of view. Most newsrooms cannot afford to invest in technologies, software, or skilled technical people. Multimedia journalism, technology, data journalism, or other niche and "modern" approaches to journalism are considered "hard to get" by most newsrooms. Hițac, a local media manager, said, "Although the technology is available on the market, access can be scarce due to the lack of financial resources. Sometimes, even the money for gas or accommodations is missing. The quality of the print for newspapers dropped because a lot of the printing houses closed, and many newsrooms fired their photojournalists, so now they use pictures taken with mobile phones." For online media, things are simpler, said Oncioiu. "We have Wi-Fi available almost everywhere in this country, and mobile Internet subscriptions are so cheap. To do your job, technically, you don't need a lot."

Specialized reporting still cannot be found to a large extent, although it is not totally absent. Investigative journalism, done primarily by independent outlets, is the most visible specialized journalism. Business journalism and health reporting, for example, are available. Most of the time, niche journalism is financed through donations or by media projects started by businesses as part of their corporate social responsibility work. The most notable example is the Romanian Development Bank, one of the biggest banks in the country, which finances several media products, including Școala 9, an online outlet covering education and a soon-to-be-launched online tech and science magazine. "Niche journalism done by independent media is what really saves the face of journalism in Romania," said Moraru, "Sadly, you can't find anything like this at the local level. Or if you find it, the quality is very low." Hițac added, "We also have a lack of

experienced reporters. The specialized journalists are leaving the profession for better-paying jobs, and we don't have replacements for them. The people coming out of university are not prepared for or are not interested in working in local media."

OBJECTIVE 3: PLURALITY OF NEWS

2.62

There are numerous outlets in the Romanian media market, but this does not guarantee a plurality of news. Most outlets present the dominant point of view, while alternative positions are ignored, criticized, or simply mocked. Thanks to the Internet, niche publications are available, and one can ultimately find multiple viewpoints. In some cases, political leanings end up distorting reality. "Some media live in a fundamental lie that they created," concluded Moraru. Oncioiu agreed that the leanings are obvious but thought that media consumers have the liberty and means to check various sources if they want alternative views. She did concede that this may be more difficult for local outlets. "The local people in power tend to restrict the diversity of the news," she explained. "The problem is that this multitude of outlets do not provide reliable, objective news. I, as a reader, I have to work very hard to reach a fair and balanced opinion," Dîrțu argued.

There is no limitation to accessing any media or information. There are differences in consumption volume and patterns between rural and urban areas, but the ubiquity of Internet connections and cable TV tend to level the field. "There is a section of the population deprived of access to the news, people

at the very bottom of the income scale, but this category is very narrow," said Tiță. Dîrțu added, "It's a matter of economy, not a deliberate policy to keep people uninformed."

The real problem, panelists said, is not access to media but rather the high level of functional illiteracy that plagues Romania. In 2015, the Organisation for Economic Co-operation and Development found that 42 percent of high school students in Romania are functionally illiterate. "You have access, but access is nothing if you don't know what to do with the content, if you don't know to discern between legitimate content and fake news," said Oncioiu.

Social media is prevalent in Romania, with 10 million Romanian users on Facebook and 3 million on YouTube. Twitter lags far behind, with only 50,000 active Romanian users. There are also 16,000 active blogs that totaled 1 million posts last year.

"You have access, but access is nothing if you don't know what to do with the content, if you don't know to discern between legitimate content and fake news," said Oncioiu.

Despite a polarized society, public media are still supposed to demonstrate balance and independence. Panelists agreed that there is a clear and increasingly visible leaning of public television programs toward the ruling party. "Even if they present various points of view on current affairs, they do not explore those that contradict the official position of the ruling party with any depth," said Hrițac. He added that public media invests in entertainment and that their cultural and educational programs avoid critical issues in society. Oncioiu

feels public radio does a better job than public television when it comes to cultural and educational programs.

There are local news agencies offering a variety of products, but they are fighting for survival. The two private agencies, Mediafax and News.ro, compete with the state agency, Agerpres. The volume and quality of the news offered varies. While Agerpres has national coverage, the quality of its news is rather poor. At the end of 2018, the term of Agerpres's director Alexandru Giboi, who revitalized the agency over the last few years, was cut short just before its end. Foreign news agencies, such as Agence France-Presse (AFP), Associated Press (AP), and Reuters, are available, but their focus is international coverage. Panelists believe that the prices of the news agencies are rather prohibitive, and many journalists just take stories from other sites for free. "Everybody takes their news from the web without paying anything. This is why the agencies have financial problems," said Dîrțu.

Private audiovisual media produce their own newscasts and programs, but panelists agreed that both the volume and the quality are decreasing. "If I were to evaluate the content within a month, I would say that only 15 percent is original content. The rest are reruns, reinterpretations, or things borrowed from other media," said Dîrțu. The situation is even worse with community and local media. According to Hrițac, the volume of local content is shrinking, while Tiță considers it "very poor." As for the bloggers, they do not produce anything but opinions, said Avădani. "We swim in a sea of opinions, all of equal relevance in the eyes of the public, irrespective of the authority of the person who expressed the said opinion. We look like a nation of experts in everything," she said. According to the other panelists, some of these opinions are not even genuine and are financially motivated.

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.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

The transparency of media ownership is not a significant problem in Romania, as the owners or final beneficiaries of the major media are already known to the public. Ownership of broadcast companies is known publicly because CNA regularly publishes an updated list with stakeholders, down to individuals, stressed Juncu. Romanian law has no requirements for print or online media to disclose ownership. According to some studies, politicians own most local and national media, either directly or through third parties. Despite this, the disclosure of ownership has no effect on audiences. According to Ionescu, there are many online publications with no openly assumed ownership. "There are many small outlets hiding in the dark on the Internet that can

afford to engage in all kinds of unethical tricks," said Ionescu.

Apart from "visible" owners, there is also the problem of the "beneficiary," the person whose interests are served by the distortion of the editorial agenda, says Avădani. "At the local level, you can guess the agreements between the visible owners and other economic or political groups. This is why the structure of the stakeholders is not always relevant," explained Hrițac. "We guess the leaning following the topics and the coverage, not the listed owners. The real sponsors lie in shadows most of the time," agreed Moraru. This can make it difficult for the average consumer to understand what is really happening. Dîrțu added that new media projects, launched independently by journalists, are setting new standards: "They regularly publish information about who they are and where their funding is coming from."

As mentioned before, while there is diversity in format and ownership, the Romanian media does not excel in the diversity of content. Niche, alternative views seldom find their way in mainstream media. This was particularly visible in September 2018 during the campaign for the constitutional referendum to prevent same-sex marriage.

There are publications in the minority languages and public media that are obligated under the law to reserve time for such programs. Some radio stations feature a program for visually impaired people produced by visually impaired persons. The Internet also provides an opportunity for numerous outlets to cater to small and marginalized communities. These publications are mostly self-administrated and do not employ professional journalists.

The Romanian media is mostly focused on what is happening in Bucharest and with national authorities. Both local and international news

are rarely covered. Local news that is covered in mainstream media is usually sensationalistic, often not addressing real problems. But some panelists see another equally serious problem. "Local media almost no longer exist. They do exist physically, but they do not perform their mandate. Eighty percent of their content are statements and official points of view," said Moraru, "This is not news." Oncioiu agrees but adds that there are still areas where local journalists produce good, insightful journalism.

OBJECTIVE 4: BUSINESS MANAGEMENT

2.14

Most Romanian media companies are not self-sustainable; making a profit is the exception in the media business. "The big players are sustainable, but for the rest, it is a disaster," said Moraru.

Ganea said that some media outlets or media professionals receive surreptitious subsidies masked as content production, campaigns, or consultancy contracts paid with public money. A media investigation conducted by *Newsweek Romania* unveiled the dimensions of this practice and the people involved in it, with sums up to half a million Euros paid to a single entity for public relations services for the ruling party. As mentioned earlier, there is also preferential treatment offered to media publications which help the government's agenda. For example, Realitatea TV has been in "insolvency" (a status that precedes bankruptcy) for four years and has accumulated €26.4 million (\$29.9 million) of debt from the state. State authorities have done nothing to recuperate these debts, whereas with "unfriendly" media, they have blocked the bank accounts of

those companies for even minor delays in payment.

Regarding the management of media companies, all the panelists had the same conclusion as in previous years: media organizations are managed poorly. This, combined with the disruptive context in which the industry functions, has led to layoffs, shrinking newsrooms, a lack of investments, and drops in circulations. "The industry is going south," Hrițac said, "This is why the good professionals, such as managers and accountants, are looking for jobs elsewhere." In an interview with *Pagina de Media* (Media Page) (the only publication dedicated to the media industry), Răzvan Ionescu, an experienced publisher who has run major print and online projects, said, "I think that the main guilt is not with the moguls, but with the executives. The publishers did not know what their mission was: to protect the media business." Some panelists feel the bad management of funds is more obvious with public media. "Public TVR pays wages to people who have never set foot in their offices," said Oncioiu.

"The impression is that there are abundant sources: grants, campaigns, project-based journalism contests," explained Oncioiu. "But the competition is fierce. We all fight for these limited resources. They are few and insufficient."

The diversity of sources of revenue is also a problem, especially for smaller businesses. Larger companies enjoy multiple sources, such as advertising, editorial projects, and events organizing. For smaller organizations, especially local ones, the situation is dire. Many local newspapers used to have their own printing facilities that served as profit centers, printing other publications, including

books and textbooks. The Ministry of Education now prohibits the use of all alternative textbooks and introduced one single approved textbook to be printed exclusively by the state-owned publishing house Editura Didactică. "The revenue sources affect the editorial quality, both in private and public media," Hrițac said. Public media are more obedient to the ruling party because the state budget is its major funding source, and private media relies on a handful of advertising clients. At the local level, very few media have diverse and sufficient clients, so they cannot cope with the shock of one client dropping. The situation is similar for independent projects. "The impression is that there are abundant sources: grants, campaigns, project-based journalism contests," explained Oncioiu. "But the competition is fierce. We all fight for these limited resources. They are few and insufficient."

The advertising market continues to grow, with 2017 registering the highest growth rate (13 percent) since the economic crisis. The prognosis for 2018 is also optimistic, with an estimated total volume of €455 million³ (\$507 million) and a steady growth rate until 2022. However, while online and television advertising are growing, advertising is shrinking for print media. In addition, money from online advertising goes primarily to big platforms, such as Google and Facebook, although Google will redistribute some money to local platforms. Moraru believes the market is suffocated with advertising, and Dîrțu added that some media is unreadable because of overwhelming advertisement.

In 2018, the discussion about the link between advertisers and the quality of a company's editorial output resurfaced. In June, protesters circulated

an online petition⁴ asking companies to refuse to advertise their products on two TV stations, Antena 3 and Romania TV, because of their biased, manipulative, and hate-mongering content. Although 24,700 have signed the petition at the time of this report, companies have made no changes.

Panelists agree that there is an unhealthy transfer of public resources from the authorities to the media. Moraru described it as a "clientele-based distribution that is ever shifting depending on what is to be 'performed' or political affiliation." He continued, "Our county council preferred to put its announcements in a newspaper from another county that sells 10 copies in our town on a good day. We sell 4,000 copies, but we don't sing praises to their boss."

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.
- ▶ 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.
- ▶ 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.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

³ <https://www.paginademedie.ro/2018/06/piata-de-publicitate-din-romania-se-duce-spre-jumatate-de-miliard-de-euro-cea-mai-mare-crestere-de-dupa-criza>

⁴ <https://campaniamea.de-clic.ro/petitions/stop-publicitatii-pe-televiziunile-mincinoase>

Budgetary instability and the unreliable economy make market studies and financial planning futile. "I don't think that there is space for such market research, at least not in the local media. We used to conduct such studies, but now we are short on human resources," said Moraru. But according to Tiță, who works with one of the major radio networks, there is some research done in that medium. Some panelists argued that marketing studies are conducted to hook the public better, not necessarily to cater to the media's informational needs.

There are steady and reliable audience measurement instruments developed by the industry. The Internet Audience and Traffic Study (SATI) is conducted by the Romanian Transmedia Audit Bureau (BRAT), a long-established industry organization. The bureau performs circulation audits once a year, which results in publicly available data, but also the National Readership Survey, an in-depth study containing sociodemographic figures of readers per publication, and the Monitoring of Investments in Advertising Study, the results of which are available for purchase by members and third parties. In 2018, BRAT had 136 members (down from the 178 in 2017) and included publishing house staff, advertisers, and ad agency staff. It audited 64 titles (down from 85 titles in 2017) and 177 websites of various content (down from the 183 in 2017). Dîrțu said this is due to a combination of factors, including ad measurement mechanisms and the lack of publications willing to pay for an audit. Moraru explained that sites also do not want to hear if the data is bad. Most online media prefer using the less expensive traffic.ro measurement, rather than the professionally executed, but more expensive, SATI. Some also use internal measurements conducted with Google Analytics.

Television viewership is measured by the

Romanian Association of Audience Measurement (ARMA). ARMA has 111 members: 70 broadcasters, 31 media and advertising agencies, and 10 advertising clients. Juncu said 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 from TV stations, five representatives from advertising agencies, and five members of CNA. Independent foreign companies then conduct an audit of the association's findings. Kantar Media Audiences will perform the measurements from 2020 to 2023.

Tiță does not think the situation is good and said many people complain about the results. But he acknowledged that if the measurements are not officially contested, it means that people accept them. Audience measurement is another way in which local media are disadvantaged. BRAT audits only 12 local publications (out of a total of 64 audited), while audience measurement for local TV and radio stations is generally cost-prohibitive. Local online outlets have some data available but primarily use this information to secure advertising from Google Ads.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.53

Associations for media professionals are almost nonexistent, panelists agreed. "They either no longer exist, or, if they do on paper, they don't have any notable activity," Moraru explained. While 2018 offered plenty of occasions for journalistic solidarity to manifest itself, the associations failed to react.

Romania has some trade unions of media professionals, the largest and most active being MediaSind. The union is well connected to European and international platforms. In addition to voicing professional concerns, MediaSind assists journalists in legal situations and offers consultancies on work-related subjects. MediaSind actively voiced concerns over the aggression during the street protests and confronted the management of public television during its conflict with employees over editorial freedom and work conditions. The Union of Professional Journalists (UZP) is an organization that sees itself as the continuation of the historic union of journalists, created 100 years ago. UZP follows a strong nationalistic and conservative line. Its major achievement was the 2017 ratification of the law that recognizes special rights of journalists who belong to an association that serves "public interest" and is also recognized as a union of copyrights holders. Those member journalists are entitled to a pension increase of 50 percent, but UZP is the only organization meeting the two conditions. The union claims it has 33 internal branches and three in the diaspora.

Media owners are essentially in the same state of disconnect. Organizations exist mostly on paper, with limited or no activity. This sluggishness is partly because media owners are in the media business to gain political or economic influence, not to make a profit or to benefit from associations. The Romanian Press Club, one of the oldest and best-established business associations, reduced its activity to zero in recent years. The club does not issue public reactions or positions, and even its website is no longer online. Smaller local media owners were active in 2016, as part of an informal umbrella association—Convenția Organizațiilor de Media (COM, Convention of Media Organizations)—but grew silent in 2017, focusing more on individual survival. For them, dealing with systemic problems

is secondary, and they act only if they are mobilized with assistance from outside groups. COM is an initiative started in 2002 by the Center for Independent Journalism and ActiveWatch; starting 2017, no funding has been available for this activity.

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.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

The most notable reactions came from NGOs protecting freedom of expression. Those groups protested the aggressions against journalists and politicians labeling media professionals with defamatory language or attempts at passing restrictive legislation. "The NGOs reacted to all the challenges, but they acted as if they were working part-time," said Ionescu, adding that, given their activities in the past, the NGOs created some

expectations of always being ready to respond or react. Tiță observed that topics such as data journalism and privacy remain almost unaddressed by NGOs. Avădani explained that NGOs also have diminishing resources. In addition, the government has been seeking ways to more easily dissolve NGOs for minor misdemeanors and has tried to impose transparency standards on NGOs equal to those applied to banks and gambling companies, making fundraising more difficult. "It is difficult for just a handful of NGOs to cover the whole country while trying to secure their own survival and attract projects," said Oncioiu.

Journalism education is following the same grim trend. The number of candidates studying journalism has decreased, with more students opting to study public relations and advertising. Natalia Vasilendiuc, a lecturer at the journalism school at the University of Bucharest, explained that the curricula do not address the needs of employers and that there is no coordination between the various journalism schools across the country. Oncioiu added that the faculty members at the schools are seldom properly qualified; some have never even worked in a newsroom. Sometimes, she added, new people come to teach and share innovative things. Tiță remarked that students can study abroad at affordable programs.

Panelists also feel continuing education opportunities are decreasing, although Țoșchină believes journalists are so bombarded with information that they may overlook the announcements of training opportunities. Oncioiu said groups such as CIJ, RISE Project, Freedom House Romania, and Balkan Investigative Reporting Network constantly offer courses. Other European or US organizations also offer training opportunities. Lupu added that the appetite of journalists for such training opportunities is diminished compared

to years past. Moraru believes that managers of understaffed newsrooms do not encourage their journalists to attend training opportunities and are definitely not willing to pay for such training.

Access to media equipment, newsprint, and printing facilities is apolitical, unrestricted, and not monopolized. However, distribution has been a major problem for Romanian print media. In 2016, only 3,500 newspaper kiosks operated in the entire country—considerably fewer than 10 years prior, when the total was around 8,000.⁵ In 2017, the number shrank by another 1,000, according to Cătălin Tolontan, back then the editor-in-chief of *Gazeta Sporturilor* daily newspaper.⁶ In 2018, the mayor of the third district of Bucharest decided to remove, overnight, all the news kiosks in the district, with the exception of those belonging to a company controlled by the controversial businessman Sorin Ovidiu Vântu. Some panelists believe print distribution is coming to a "technological end." Circulation figures are smaller, and more and more people get their information online.

Cable and satellite operators play equally important roles in securing access to media products. Three major players dominate the market: Digi Communications, with a 48 percent market share; Telecom, with a 20 percent share; and UPC Romania, which has the lowest market share at 18

5 Obae, Petrișor. "Folder. Half of the New Kiosks Have Disappeared in Recent Years. Half of the Companies in Bankruptcy, *Paginademedia.ro*. October 10, 2016. <http://www.paginademedia.ro/2016/10/distributia-presei-jumatate-din-chioscuri-au-disparut-in-ultimii-ani-jumatate-din-firme-in-faliment>.

6 Tolontan, Cătălin. "Media distributors from Bucharest want to go on strike on Monday"; *Tolo.ro*, September 20, 2017, <http://www.tolo.ro/2017/09/20/difuzorii-de-presa-din-bucuresti-vor-sa-faca-luni-greva/>.

percent. The last report by The National Authority for Management and Regulation of Communications of Romania (ANCOM), published in early 2018, stated that the market in Romania consists of 7.45 million subscriptions for TV retransmission service, 5 million for cable, 2.28 million for direct-to-home (DTH) satellite, and 130,000 for Internet Protocol Television (IPTV).

“It is difficult for just a handful of NGOs to cover the whole country while trying to secure their own survival and attract projects,” said Oncioiu.

Cable companies can decide which local TV stations they carry and where in their grid to place their programs. Some stations have decided to renounce their “must carry” status granted by CNA based on their audience rates, preferring instead to negotiate directly with cable operators.

Internet infrastructure continues to develop rapidly, in part thanks to the wide penetration of mobile devices in Romania. The country has 4.9 million land Internet connections, accounting for 59 percent of households. Mobile broadband Internet is more popular and boasts 19.4 million connections, a penetration rate of 99 percent of the population. Mobile Internet traffic grew 48.5 percent in the first half of 2018 compared to the same period in 2017, according to data provided by ANCOM. The growth is largely due to the competitive nature of the mobile communications market, leading operators to present offers and incentives regularly to attract new clients.

List of Panel Participants

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