

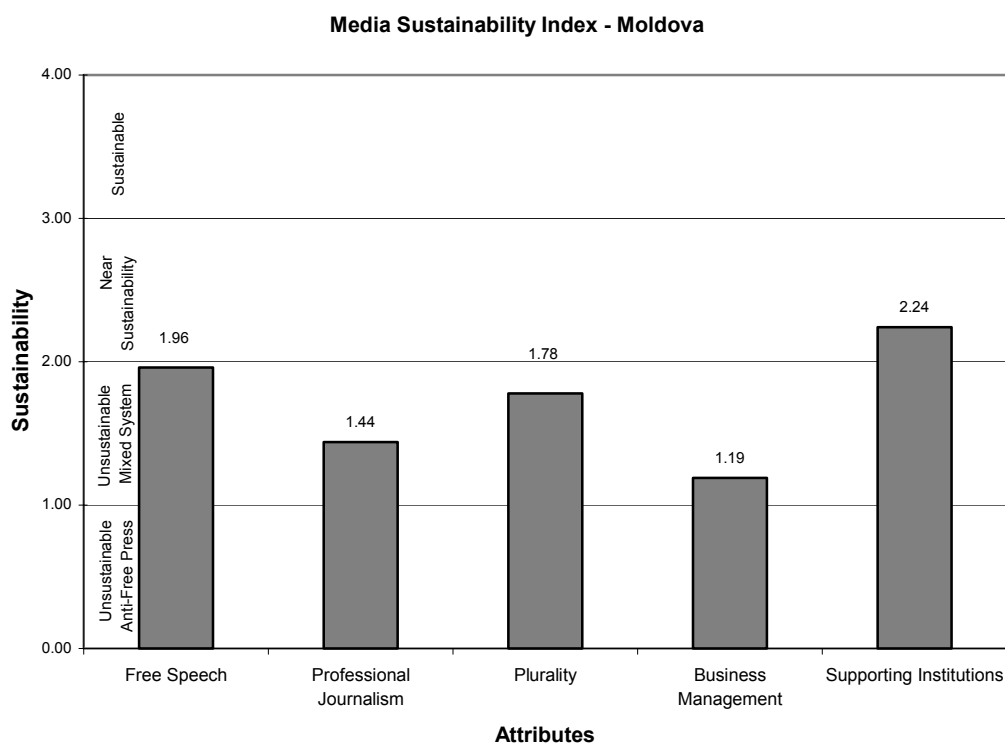
Moldova

Introduction

In the last few years, there were some positive developments in Moldovan media, but most members of the MSI discussion panel and other media observers criticized the lack of sustainable and well-managed independent media. Despite the fact that the country is trying to harmonize its legislation with international standards, and despite some positive decisions of the Moldovan Supreme Court regarding defamation and libel, the implementation of these good intentions so far remains a big issue. Panel members severely criticized the absence of editorial independence in media (the average rate for this objective is the lowest). The media sector is comprised of state-owned, party-owned, opposition, and commercial outlets. All of them are dependent on outside funding and allow editorial interference from government, political parties, or businesses.

The reasons for the lack of independence are many: lack of revenues and the difficulties in securing capital, self-censorship, lack of good management, and the absence of a dynamic advertising market which could lead to profits through honest competition. Nonetheless, panelists commented that there are a few examples of truly independent papers and broadcasters in the country. Despite the fact that good, professional broadcast programming and writing exist in Moldova, panel members gave a very low rating for professional journalism. The trust in media is also not high, as biased and badly sourced articles and programs abound.

Access to information is not legally obstructed, but is a financial burden both for media outlets and consumers, especially in the regions outside of the capital. Papers are delivered with a few days' delay and the state distribution network has monopolized the market. State-run TV and radio provide the only



Scoring System

- 0** = Country does not meet indicator; government or social forces may be actively opposed to its implementation.
- 1** = Country minimally meets aspects of the indicator; forces may not be actively opposed to its implementation but business environment may not support it and government or profession not fully and actively supporting change.
- 2** = Country has begun to meet many aspects of indicator but progress may be too recent to judge or still dependent on current government or political forces.
- 3** = Country meets most aspects of indicator and implementation of indicator has occurred over several years and/or change in government, indicating likely sustainability.
- 4** = Country meets the aspects of the indicator; has remained intact over multiple changes in government, economic fluctuations, changes in public opinion and/or changing social conventions.

The scores for all indicators are totaled and averaged for each objective.

Each of the objectives can receive a score from 0 to 4:

- Above 3: Sustainable and free independent media
- 2-3: Independent media approaching sustainability
- 1-2: Significant progress remains to be made; society or government not fully supportive
- 0-1: Country meets few of indicators and government/society actively opposing changes

available national sources of information. Even the state-run outlets are not regularly accessible due to power cuts. International radio stations are accessible and good local papers exist in some of the regions. Internet access in the regions is simply unaffordable. The state has a monopoly over printing houses and dictates the prices for printing.

Participants in the discussion mentioned that media coverage is quite distorted and biased during elections. Basically, many media outlets turn into mouthpieces for political parties and there are attempts on the part of officials to pay for favorable articles in the most popular papers. Another negative tendency that the panel participants mentioned is the fact that journalists are unwilling to work together to defend their interests; on the contrary, they tend to disagree on many issues, making it more difficult to mobilize and form professional media associations.

Attribute #1: Legal and social norms protect and promote free speech and access to public information

Indicators
1. Legal/social protections of free speech exist and are enforced
2. Licensing of broadcast media is fair, competitive, and apolitical
3. Market entry and tax structure for media are fair and comparable to other industries
4. Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare
5. State or public media do not receive preferential legal treatment, and law guarantees editorial independence
6. Libel is a civil law issue, public officials are held to higher standards, offended party must prove falsity and malice
7. Public information is easily accessible; right of access to information is equally enforced for all media and journalists
8. Media outlets have unrestricted access to information; this is equally enforced for all media and journalists
9. Entry into journalism profession is free and government imposes no licensing, restrictions, or special rights for journalists

The Constitution of Moldova guarantees freedom of expression and the right to information. According to the constitution, “mass media are not subject to censorship.” However, since the adoption of the constitution in 1994, the democratic principles proclaimed by the basic document have to a large degree remained unimplemented. Enacting free-speech principles was discouraged by state authorities, who enacted a set of laws obstructing the freedom of expression.

During the process of reconciling domestic legislation to comply with requirements of international laws ratified by Moldova (such as the European Convention for Human Rights), some of the domestic laws were effectively amended (the Press Law, the Civil Code, etc.). The last ruling by the Supreme Court of Justice (June 19, 2000) on how courts should apply legislation in cases of freedom-of-speech violations was considered an important step towards enforcing constitutional provisions. Accordingly, the Supreme Court ruled that “if there is a discrepancy between the international human rights pacts and treaties (to which Moldova is a party) and domestic legislation, international regulations will take precedence.” This ruling, which is binding on the lower courts, explains how to enforce the legislation on the protection of people’s honor, dignity, and professional reputation. This mainly concerns provisions in the Civil Code (art. 7 and 7.1). The Supreme Court of Justice ruled that the lower courts should apply international legislation directly (e.g. Article 10 of the European Convention on Human Rights) rather than continue applying domestic laws, which oftentimes contradict the constitution and are incompatible with international laws.

Panelists jointly complained about the gap between existing legislation and the lack of implementation mechanisms to make legal provisions a reality. “Though Constitutional provisions are democratic, we should acknowledge that no efficient mechanism for application of these provisions exists. The right to information is guaranteed from a legal point of view; access to information is guaranteed as well. But there is no mechanism that would sanction officials obliged, according to the law, to provide the requested information.”

State-run TV Moldova (TVM) and National Radio Moldova remain at the mercy of the government, which refuses to transform them into public institutions. The parliament and not the Broadcast Coordinating Council appoint the management of TVM and the national radio and obviously their programming is not independent. State authorities and officials repeatedly try to intimidate the press and silence them. One such example was the declaration issued by the Ministry of Justice at the end of 1999, which practically threatened media with “closure or liquidation” should they be found guilty of offending authorities, i.e. “political figures, state institutions, and judicial authorities.”

Hidden censorship occurs in a number of ways, depending on the creativity of officials. For instance, if the editorial policies of certain media are inconvenient to some officials, such media are subjected to frequent inspections by tax authorities. Authorities also use pressure on businesses supporting inconvenient media; the pressure forces such businesses to stop their sponsorship or to condition their support on political considerations. After the parliamentary elections of February 2001, representatives from the governing Communist Party required the liquidation of the *Flux* newspaper and selectively barred the access of some publications to public events, thus reviving some trends that threaten the freedom of the press in Moldova.

In May 2001, the parliament amended the broadcast law to grant the president of Teleradio Moldova State Company the authority to dismiss the directors of the National Radio and National TV. Before this amendment, the two directors could be appointed and dismissed only by a parliamentary vote on the recommendation from the Broadcast Coordinating Council. The amendment of the broadcast law was perceived by the majority of observers as an attempt on the part of the government to monopolize the national broadcaster. The parliamentary leaders of the Communist Party have declared that they will oppose the transformation of Teleradio Moldova into a public company, although there are already two draft laws on such restructuring lodged in the parliament.

Radio and TV broadcast licenses are issued by the Broadcast Coordinating Council (BCC), as stipulated by the law on broadcasting. The BCC is composed of nine members with the government, the president, and the parliament each electing three of the nine members. The entire membership is then voted in by parliament. According to the broadcast law, licenses are issued on the basis of several criteria that must support “the plurality of opinions, equality in the treatment of participants, the quality and diversity of programming, free competition, domestic broadcast productions, and the independence and impartiality of

broadcast programs.” According to Article 34 of the BCC bylaws, “the council will take into account the following: a) the interests of listeners and viewers; b) the need to protect national interests, promote cultural values, provide programming related to different social groups....” These legal criteria are considered vague and provide fertile ground for arbitrary distribution of licenses.

Panel members criticized the BCC for unfair license distribution and especially for its lack of reaction to the failures of some outlets to meet requirements on the basis for how licenses were granted. They agreed that “the criteria were good, problems appeared after the licenses were issued.” Other panelists mentioned that the BCC decisions favored the ruling party, as BCC members were drawn from the Communist Party. Many radio stations obtained licenses, but later limited their activity almost entirely to rebroadcasting foreign stations, mostly from Russia. In September 2000, the Court of Appeals ruled (as a result of a lawsuit initiated by an NGO) that the BCC withdraw the licenses of eight radio and TV stations, which in violation of Moldovan law were rebroadcasting Moscow-based stations. The scandal, which triggered heated discussions and spilled over to the political relations between Russia and Moldova, was contained only after the parliament amended an article in the broadcast law; incidentally, the Court of Appeals ruling was never enforced.

Panelists said that generally, “we did not have a lot of crimes against journalists” and there were more “telephone threats, rather than real crimes.” On the other hand, “authorities did not express any desire to deal with cases of violence against journalists; the level of crime in our society is so high that journalists are as much endangered as all the rest of the citizens.”

In terms of crimes against journalists, during the last several years no cases of journalist assassination have been recorded. However, a number of journalists were victims of physical attacks, intimidation, and blackmail. The staff of *Flux* newspaper was threatened by a group of Afghan war veterans after the editor of the newspaper wrote an adverse editorial on the war.

Statistics show that after the 1995 amendment of Article 7 and 7.1 of the Civil Code, about 800 civil lawsuits for defamation and libel were filed against media. Public figures, state officials, and employees initiated the majority of these lawsuits. Panelists mentioned that “the new draft Civil and Penal Codes seem to be tougher on media than the previous codes.... They allow some corrupt judicial bodies to use the articles protecting the honor and dignity of officials in revenge against journalists; when defamation cannot be proven, the legal procedures turn into harassment.” Libel remains a criminal offence, punishable by prison terms of up to three years.

A general note made by most observers is that Moldova still practices excessive state control over public information. In May 2000 the parliament passed the Access to Information Law, which stipulates that any individual legally residing on the territory of Moldova may request any kind of information or document from public authorities or institutions without explaining their reasons. Article 7 specifies that: “No restrictions will be imposed on freedom of information unless the provider can prove that the restriction is warranted by law and is needed to protect legitimate rights and interests and for reasons of national security, and that the damage done to such interests will be larger than the public interest in learning such information.” The law prescribes that the individual whose legitimate right or interest is damaged by the information supplier may challenge the supplier’s actions either in or outside the courts. Although this law was adopted a year ago, it has not yet been implemented.

Some MSI panel participants criticized the fact that “nothing was done with respect to the Information Law,” and “the majority of ministries are not aware of this law and do not wish to know about it.” Sometimes ministries satisfy information requests officially, presenting information that cannot be used or charging a fee for the service. It also happens that journalists also do not use information they obtain in a professional and competent manner.

Media access to international news and sources of information is not restricted. The only real barrier is the limited financial capacity of citizens and media outlets alike. As a panelist said, “everything depends on your financial abilities. If you have money, you can subscribe to any source of news.”

Authorities in Moldova have not imposed restrictions on media professionals, except for the requirement of accreditation. Foreign journalists are required to receive accreditation from the Ministry of External Affairs, which is not difficult to do. Accreditation does preclude freelancing, as both Moldovan and foreign journalists must be affiliated with a certain media outlet.

Attribute #2: Journalism meets professional standards of quality

Indicators
1. Reporting is fair, objective, and well sourced
2. Journalists follow recognized and accepted ethical standards
3. Journalists and editors do not practice self-censorship
4. Journalists cover key events and issues
5. Pay levels for journalists and other media professionals are sufficiently high to discourage corruption
6. Entertainment programming does not eclipse news and information programming
7. Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient
8. Quality niche reporting and programming exists (investigative, economics/business, local, political)

Good professional reporting in Moldova exists, but so does biased, unprofessional journalism. A few journalists produce objective, analytical articles and programs, checking facts and using multiple sources. In a recent opinion poll by the Bucharest-based Institute for Market Analysis and Research (IMAS), a marketing and polling institute, (commissioned by the Moldova Institute for Public Policy) media were ranked second after the church on the credibility scale. Nevertheless, there are journalists who make no distinction between information and opinion. Panelists criticized reporting based on rumors, saying that it “provokes disgust for the press.” Improved education would help: more than two-thirds of the broadcast managers in Moldova, for example, do not have a suitable education. Improved access to information is also needed: most journalists (62 percent) see the access situation as unsatisfactory, according to a December 1999 opinion poll by IMAS.

There has been much debate among journalists on ethical standards and the need to enforce them. The debates culminated in the adoption of a Code of Professional Ethics in May 2000. Among other things, the Code requires a clear distinction between information and opinion; journalists should use only information that they think is reliable, and which is based on sources they know. The presentation of such information should be impartial; journalists should not receive, either directly or indirectly, any kind of compensation or fees from third parties for the publication of any kind of information or opinion; they should respect the privacy of individuals. The provisions of the Code of Ethics are not observed in full. Moreover, the IMAS poll of December 1999 showed that 17 percent of the journalists polled did not even know that the Code existed, while 37 percent had only partial knowledge of its provisions.

Journalists tend to stray from ethical standards, especially during elections when most media outlets fall into political camps. According to the IMAS opinion poll, 73 percent of the respondents believe that journalists in Moldova give in to political partisanship; the main reasons cited are the precarious economic situation of media outlets and journalists, and the lack of conditions for an independent press. The same poll shows that almost half of the journalists responding do not feel safe from threats or pressure related to their professional activities. During the last elections, many media outlets preferred to sell airtime and print space to political parties, severely limiting journalistic analysis. The European Institute for the Media, which monitored the coverage of elections, detected abuses by media, including disregard for election laws, smear campaigns against rival candidates, obvious preference given to certain candidates, biased attitudes, etc. Nevertheless, there were also examples of impartiality, balance, and true professionalism on the part of NIT TV and the newspaper *Jurnal de Chisinau*, both private outlets.

Self-censorship is practiced both among state-run and private media employees. One example from state media was the cancellation of the show *Mosti* (Bridges) shown on TVM because the then-largest parliamentary faction did not like it. Among private media self-censorship is high because the owners expect their employees to abide by taboos or, alternatively, to take an exaggeratedly critical stance toward targeted figures, organizations, or political parties.

In their reporting many journalists simply announce major domestic and international events without a follow-up or an in-depth analysis; they very rarely follow up on issues of major importance, such as privatization and economic reforms, the activities of non-parliamentary parties, or social problems. The Teleradio-Moldova Company covers events from the viewpoint of the governing party—newscasts start with reports on the country’s top political figures. In contrast, journalists from independent media cover major events and issues more thoughtfully. Panelists noted that “Commercial newspapers and stations are sometimes more accurate in their coverage and closer to the interests of a lot more people.”

Salaries of journalists employed by state-owned media are the equivalent of US\$10-15 per month. In private media, journalist salaries vary between US\$50-100 per month. Salaries are not a function of merit; rather, they depend on media owners and their connections to businesses or political parties. Journalists are often forced to look for extra income and thus disregard some of their professional principles. Extra pay comes mainly from political advertising sold by outlets, but also from paid services offered to political parties during elections.

According to the Center for Sociological, Political, and Psychological Surveys and Analyses (CIVIS), which in 1998 monitored the programs of some major broadcasters, private radio stations broadcast about 90 percent music. Public broadcasters have a larger diversity of programming: music takes from 35 percent (Radio Moldova) to 50-70 percent (radio Antena C, radio Vocea Basarabiei) of the total programming. The balance of time is dedicated to news and other shows.

Most private radio and TV stations have their own broadcast equipment, including transmitters. The state-owned company Teleradio Moldova and several private radio stations, including a number of foreign (Russian) ones, use the services of the state-owned Radiocomunicatii Company. Teleradio Moldova faces serious technical problems. More than 70 percent of its equipment is physically old and technologically outdated. Due to a shrinking budget, it temporarily cut down on its transmission time several times in the last three years: for several months night radio programming and the entire second national channel had to be suspended, and daily TV programming was cut down by several hours. Private broadcasters do a better job at balancing their revenues and expenses, but only a few foreign radio stations can afford to invest in equipment upgrades (HitFM, Russkoe Radio, Serebreanyi Dojdi, ProFM, Radio Contact, etc.).

Investigative journalism “does not quite exist” as panel participants put it. Investigative stories subject journalists to many risks that are considered unjustified relative to the expectations of action in response (that is, there are no consequences from investigative reports). Also, media outlets cannot afford the higher costs of producing investigative pieces.

Attribute #3: Multiple news sources provide citizens with reliable and objective news

Indicators
1. Plurality of public and private news sources (e.g. print, broadcast, Internet) exist and are affordable
2. Citizens’ access to domestic or international media is not restricted
3. State or public media reflect the views of the entire political spectrum, are non-partisan, and serve the public interest
4. Independent news agencies gather and distribute news for print and broadcast media
5. Independent broadcast media produce their own news programs
6. Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates
7. A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources

In 2000, 180 newspapers and magazines were published in Moldova. About 40 percent of them were published by the state, political parties published around 30 percent, and the rest—less than 30 percent—were under private ownership. There are about 190 private local radio and TV stations. Several radio stations cover about 70 percent of the country (Chisinau municipality's Antena C, the private stations Hit FM, Contact). Political parties do not own radio or TV stations.

People can freely access domestic or international media outlets with no political, legislative, or technical barriers; their access is limited however by financial resources. A family can afford—in the best of cases—to subscribe to or buy one publication. Access to broadcast outlets is jeopardized due to frequent electricity blackouts and/or people's inability to pay for the electricity they use.

Moldovan citizens have access to global radio stations, such as the BBC, Voice of America, Radio Free Europe/Radio Liberty, and Radio France Internationale, which broadcast on FM or VHF frequencies. Moldovans also have access to a number of international TV stations: the French TV5 is rebroadcast by a local station, while other stations such as CNN can be accessed via cable operators. Radio and TV stations from neighboring countries are also easily accessible. TVR1 and ProTV originate in Romania; Channel 1 is rebroadcast from Ukraine; local stations rebroadcast Russian radio stations; Moscow-based TV stations are rebroadcast entirely or partially (ORT, RTR, RenTV, NTV, TV6, etc.); and local editions of Russian newspapers are also available. Western newspapers disappeared shortly after their introduction on the market due to their high prices, although they can still be found in some places with limited availability, i.e. embassies.

In contrast to Chisinau municipality, where at least theoretically there are a great number of sources of information, in most rural areas the situation is completely different. In many villages there are no kiosks, the radio programs are not regularly transmitted, and only one or two television channels are accessible. Power cuts are frequent, further contributing to the dire situation. Many people are deprived of basic information, even from local sources. Kiosk locations are open only for two hours. The press arrives in villages after delays of up to week, when the information is already outdated. *Posta Moldovei* brings the newspapers three times a week, according to official statistics, but unofficially, people say papers come once or twice a week. MSI panel participants stressed that “The president, the parliament, and everybody else is aware of the situation, but they do absolutely nothing.”

A growing variety of news agencies can be found in Moldova. The monopoly of the government-owned agency Moldpresa has been undermined in recent years by about 10 new private agencies, of which BASA-Press, Infotag, Infoprim, Flux, and Deca-press have established themselves on the market.

Independent radio and TV stations in Moldova contribute only partially to the diversification of information. A large proportion of independent radio and TV stations (40 percent according to BCC's division for licensing) is concentrated in two districts—Chisinau and Balti. Most of these stations rebroadcast foreign programs mainly from Russia and Romania. The amount of original programming is insignificant and consists mainly of entertainment. The share of newscasts (3-5 minutes every hour or half hour) is minimal and the news items seem to be selected randomly. There are exceptions, such as ProTV Chisinau, TVC 21, Radio Antena C, Radio Nova, Radio Contact, Radio Pro FM, ORT Moldova, and NIT, as well as some radio stations outside Chisinau. These stations usually have special newscasts and analytical shows and their own newsgathering staff. The news they broadcast concerns events nationwide as well as the reaction of people across the country to events of national importance.

Media in Moldova are not transparent about their ownership and funding sources. This is especially true of private newspapers. The public is not informed about some radio and TV station ownership, especially those with some significant impact on the country's political life (for instance ORT Moldova, and Vedomosti TV). The ownership of mass media is often the subject of sensational disclosures during elections. Thus, it was discovered that the owner of the *Flux* newspaper, which proclaimed itself an independent publication, is a leader of a political party.

Media in Moldova are doing a poor job of covering the wide spectrum of society’s interests; they give preference to politics and allow insufficient space for the coverage of social issues. For instance, one will rarely see stories on social assistance, disabled people, abandoned children, or the trafficking of women.

Of the 180 existing publications, only 83 (46 percent) are in Romanian (about 65 percent of Moldova’s population is of Romanian origin), 77 are in Russian, 2 in Ukrainian, and one each in Gagauz, Bulgarian, Polish, and German languages. The linguistic disproportion in the media is even more obvious in the case of broadcasting.

Attribute #4: Independent media are well-managed businesses, allowing editorial independence

Indicators
1. Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses
2. Media receive revenue from a multitude of sources
3. Advertising agencies and related industries support an advertising market
4. Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets
5. Independent media do not receive government subsidies
6. Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences
7. Broadcast ratings and circulation figures are reliably and independently produced

Independent media in Moldova are not managed well from a business perspective. Advertising agencies and the ad market are not developed; there are not enough experienced media managers; and the Soviet-type understanding of media as a propaganda tool rather than as a business still persists. Panelists felt that “media people are more comfortable when they are under somebody’s wing, which will take care of the money and they will work without any concerns on how to finance their own paper. This mentality needs to be changed quickly, otherwise we will have no independent media.” The absence of business traditions prevents an orientation towards profit making. Media outlets rely only partially on commercial revenues and are continually looking for subsidies.

The state continues to be the owner of the Press House (a complex conceived as the national media center), Moldpresa (a national press distribution network), the subscription system (which is operated via the state-owned Posta Moldovei), and the network of ground transmission of radio signals (which is managed by the state-owned Radiocumunicatii). The state sets the prices and collects fees for rent, printing, distribution and sales, communication services, and transmission of radio signals. The quality of printing work is very poor; and panelists related that “printing houses need to be begged and asked all the time to do good quality work.” Because of the state monopoly, “fees for press distribution are very high and sometimes amount to 80 percent of a newspapers’ price.”

Private radio and TV stations first appeared in Moldova in 1994. According to panelists, after the parliamentary decision in 1998 to suspend any grants and other financial support to periodicals, “a favorable situation for the development of independent press was created; while local state-owned press almost disappeared in one year, that stimulated some media outlets to look for ways to survive. At that time many independent newspapers from the province appeared, which did not quite happen in Chisinau...”

In the last five years more than 100 radio and TV licenses have been issued. Panelists noted, “Relations between the press and the commercial structures, the press and political parties, the press and the state are not well defined; a mentality of business relations does not exist.”

After the parliamentary elections in February 2001 and after the local elections in 1999 there was a tendency toward stronger state control over press, including support for the new state-owned district periodicals.

There are some exceptions: these are media businesses that managed to become self-sustainable after some initial help from Western donors. They are able to do that by using young talent and adjusting their products to the real needs of the market. To these belong: BASA-Press; *Infotag*, a Russian-language business newspaper; *Ekonomicheskoe obozrenie-Logos Press*; several local newspapers; several small printing houses; and some small distribution networks.

Media operations in Moldova depend on individuals rather than on market development and trends. Market research services, promotion, and sales develop very slowly. Advertising revenues have been an increasing share of income in the last five years; however, the increase has not been enough to propel the dynamic development of media. It is difficult to assess the real size of the advertising market due to its lack of transparency. Panelists noted, “Companies are cautious in investing in advertising even if it is rational from a business viewpoint, and a good analysis of the advertising market is needed.”

Newspapers and magazines, especially private ones, rely mostly on subscription revenues. This is typical of national publications such as *Flux* and *Saptamana*, which lead in terms of national circulation. Newsstand sales are increasingly important to papers with small circulations. Papers owned by political parties get additional subsidies from them. However, many sources of financial support for media outlets remain unknown. Such media are usually labeled as pseudo-independent. The government does not subsidize independent media outlets. For the past few years parliament has exempted printing services from VAT. Although this was done with the purpose to support the press, only the printing houses benefited from it.

Advertising agencies appeared in Moldova either as affiliates of media or relying on the possibility of preferential relationships with certain newspapers, radio, and TV stations. The Telecom ADV agency had exclusive sale rights for the ORT Moldova TV channel; Universal Group had similar rights for Radio Evropa Plus; Panda Studio for Russkoe Radio; etc. Advertisers have become disappointed in the efficiency of media as advertising carriers. Agencies have often frustrated advertisers’ expectations through inadequate media planning. Some agencies made use of pseudo surveys that featured distorted findings and exaggerated the popularity of their preferred media partners.

Panel members mentioned that after the communists came to power, opposition newspapers experienced a considerable drop in the volume of advertisement. Some businessmen admit that they are afraid to place advertisements in the opposition newspapers because they are not sure of the reaction of the new authorities.

Panelists mentioned that advertising has other shadowy aspects and opportunities for corruption. Employees who make the sales can tap advertising revenues that come through agencies. Also, panel members believe that newspapers enjoy differing shares of ad revenues depending on whether the papers are in the Romanian, Russian, or Gagauz language. The tax structure represents a serious impediment for the development of the advertising market. If tax inspectors observe that a certain company places advertisements in newspapers, they immediately check on the company. Some companies refuse to place ads in papers so as not to attract the attention of tax officials.

In Moldova it is rare to have credible market surveys that could help media adjust their products to the public interest and serve as a basis for attracting advertisers. There are no independent media monitors doing business. Some surveys do appear, but only sporadically, and even then, they are conducted internally by the wealthier papers such as the Russian-language newspaper *Komsomolskaia Pravda v Moldove*. Usually the surveys these papers produce include data that are very likely to have been fabricated on request from interested media. One such example involves the results of a survey that placed Radio Contact in the top three stations in Chisinau. It later turned out that Radio Contact’s market share was much smaller, and the survey was discredited as a commercial endeavor.

The consequences are grave: there is a void of information crucial to the development of strategies, marketing plans, and commercial methods. The market could be surveyed by media outlets jointly, but the atmosphere of mutual opposition precludes finding a common solution.

As there are no credible market surveys, circulation and audience ratings are often used in the dialog between media and advertisers. Circulation figures are inflated and consequently advertisers enter business partnerships with media under two conditions in particular: when their prospective partners are unquestionable leaders in the advertising market, or when the advertisers share political or other sympathies with certain media.

Panelists concluded that in terms of market research, “we are still at the beginning.” Information about circulation can in theory be obtained from printing houses or distribution companies, but they usually refuse to this data, claiming that it is a commercial secret.

Attribute #5: Supporting institutions function in the professional interests of independent media

Indicators
1. Trade associations represent the interests of private media owners and provide member services
2. Professional associations work to protect journalists' rights
3. NGOs support free speech and independent media
4. Quality journalism degree programs exist providing substantial practical experience
5. Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills
6. Sources of newsprint and printing facilities are in private hands, apolitical, and not restricted
7. Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted

At present there are only two trade associations in Moldova, and they both represent the interests of private media owners: the Association of Independent Press (API, founded in 1997), with two news agencies and 13 independent newspapers; and the Association of Electronic Press (APEL, founded in 1999), with 15 radio and TV stations. These associations face some problems because of the lack of solidarity among media owners: many owners have political affiliations or are funded from abroad. The political affiliation is less noticeable in broadcasting, but financial dependence on foreign founders and the tight competition in the fledgling market prevents broadcasters from joint work.

Due to the lack of financial resources, API's activities are limited to projects to attract advertising and create learning opportunities in modern technology (such as digital photography, the Internet, etc.). APEL has plans to focus on training, set up a rating system for radio and TV audiences, launch a common bank of syndicated programs, and implement efficient management techniques. However, due to financial difficulties these projects have never made it beyond the stage of good intentions.

Among the professional associations in Moldova—the Union of Journalists (UJM), which developed from a Soviet-type professional organization to an NGO, and some associations of journalists specializing in areas such as agriculture and sports—only UJM is making a consistent effort to protect the rights of journalists. UJM works on various cases of violations of journalists' rights, and pressed for the adoption of the law on information access, as well as for adjusting the defamation articles in the Criminal Code to international standards. UJM has also repeatedly suggested to the government to exempt the press from VAT.

In 1999, the Independent Journalism Center (IJC) set up a law unit to offer journalists' and media organizations information on domestic and international legislation, as well as offering consulting services for journalists harassed on the basis of their professional activities. However, there is a need for a more systematic and concerted effort on the part of NGOs to protect the rights of journalists. At present there are about 20 media-related NGOs, but only one-third are actively supporting independent media. Their activities focus on improving legislation on media and the free circulation of information, providing continuous training to journalists, and protecting their professional rights. Panelists thought that “there were some very active NGOs, but there are also many others, who do not care at all.”

The Committee for Press Freedom, in cooperation with other organizations and public figures concerned about the right to free expression and information in Moldova, drafted and lobbied on the Free Access to Information Law, adopted by parliament. The Independent Journalism Center in collaboration with the American Bar Association organized a number of seminars for media professionals to clarify the articles on defamation, and gave advice about writing strategies to avoid defamation charges. Apart from the Helsinki Committee, there are few other non-media NGOs showing much interest on freedom of the press issues.

IJC, in cooperation with UJM, API, the Committee for Press Freedom, APEL, and the journalism faculty of the Moldova State University have organized since 1999 a “Press Freedom Week” to raise public awareness of the need for a truly independent press. In 1999 and 2000, these events brought together more than 200 journalists and journalism students from Moldova.

The faculty of Journalism and Communications of the State University is the only institution in Moldova that provides university-level education in journalism. The departments are set up to teach journalism, social communication, and institutional communication, amongst other kinds of technical training. Recently, a new curriculum was developed and implemented and new, specialized courses were introduced on print media, radio, and TV journalism. The insufficiency of practice-oriented classes is still a problem because of the lack of funds to attract experienced Moldovan and foreign journalists to teach at the faculty. This is what a US Fulbright scholar who taught journalism for a year at the faculty said: “Mechanical learning, the lecturing-and-repeating back method of teaching, old or absent texts—all this leads to the intellectual degradation of students. Creative lectures, free discussions, interaction and intellectual debates between teachers and students can be found in some classes, but these represent the exception rather than the rule.”

The Independent Journalism Center, the Journalists Union of Moldova, the Association of Independent Press and others organize short-term professional trainings. In 2000 alone, IJC organized more than 20 training courses and seminars for journalists on a wide variety of topics: agricultural reporting, social reporting, journalism ethics, etc. During such courses journalists are taught more hands-on skills. Panelists criticized the fact that despite the many courses, their impact remains small. “One can admire the seminars on the law that punishes defamation, but the national television continues to have programs neglecting the presumption of innocence, and announcing names of people who are not even under criminal prosecution.” Panel members pleaded for an assessment of such courses and a follow-up on their usefulness.

In Moldova there are no restrictions other than financial ones regarding the supply of newsprint, which is provided both by state-owned Presa Company and many private suppliers. The problem is that there is only one private printer in Chisinau (Prag 3). A second printer could not survive economically due to the small circulation of newspapers. The majority of local newspapers are printed by local state-owned printing houses, which were part of the publishing network of the communist party during Soviet times. Some of these printers have either been privatized, as for example those in Rezina, Straseni, and Nisporeni, or are currently undergoing privatization; the *Cuvantul* newspaper in Rezina managed to buy its own printing house. Panelists agreed that there were no problems with paper suppliers, but printing was still an issue because of the state monopoly over printing houses.

Another developmental obstacle for independent press in Moldova is the state monopoly over the distribution system. However, private newspapers are in no rush to set up their own distribution networks due the lack of funds. A well-known newspaper manager did attempt to set up an alternative distribution system, but it failed due to a lack of solidarity among publications of diverging views. In Chisinau, the state-owned company Moldpresa is the major printing house, and it also owns all (about 200) newsstands in the capital.

Access to the Internet is offered exclusively by private providers (about 15 in all), the largest being Mega Dat, Zingan, Relsoft Communications, and MoldInfoNet. They all use Moldtelecom's network of links, which is still owned by the state, but is now slated for privatization. There are no legal restrictions on the use of the Internet for journalists and the general public, and the fact that Moldova ranks among the lowest users of the Internet is due to the inability of people to pay for the services (Internet connection costs at least US\$10 per month). According to Internet provider Dynamic Network Technologies (DNT), there are about 40,000 Internet users (i.e. 0.93 percent out of population of 4.3 million) in Moldova. Panel members criticized the fact that "Moldtelecom was granted the authority by the state to operate the access to Internet for any provider in Moldova, and at the same time it functions as an ordinary provider. There is a conflict of interest." Also, they mentioned that "Moldtelecom imposes high fees for utilization of its network, and for that reason the number of Internet users does not increase."

List of panel participants

1. Alexandru Canțir, BBC Reporter, *Basa-Press* news agency, President, *Committee for Press Freedom*
2. Ion Bunduchi, Director, Radio Antena-C
3. Tudor Iașenco, Director, *Cuvântul* newspaper, Rezina
4. Vasile Botnaru, Executive Director, Basa-Press news agency
5. Anatol Golea, Director, Infotag news agency
6. Val Butnaru, Director, *Jurnal de Chișinău* magazine
7. Constantin Marin, PhD, University Professor, Journalism Department, State University of Moldova
8. Rodica Cioranică, Deputy Editor-in-Chief, *Luceafărul* newspaper
9. Dmitrii Calac, Deputy Editor-in-Chief, *Ekonomiceskoe Obozrenie* newspaper
10. Irina Astahova, Editor-in-Chief, *Kišiniovski Obozrevatel* newspaper
11. Alexandru Barbov, Reporter, *Moldavskie vedomosti* newspaper
12. Victor Osipov, Executive Director, Association of Electronic Press –APPEL
13. Valeriu Saharneanu, President of the Union of Journalists of the Republic of Moldova

Observer

Iurii Datii, IREX Representative, Moldova

Panel moderator

Nicolae Negru, Editor-in-Chief, *Mass-Media in Moldova* bulletin, Independent Journalism Center