

The panelists' scores reflect some optimism over the gains made in the media sector in recent years, particularly in the strength of civil society and its ability to foster free speech protections. Whether these gains can be sustained and carried into other sectors remains under question.



MOLDOVA

On January 1, 2012, a new year began with the shooting of a Moldovan citizen by a Russian peacekeeper at a checkpoint on the border with Transnistria, the breakaway territory on Moldova's eastern frontier that is politically backed by Russia. The death of 23-year-old Vadim Pisari sparked protests in Moldova, raised tensions in the country's diplomatic relations with Russia, and revived the debate over Russia's military presence in the region.

Moldova also elected a new president in 2012. After a series of anti-government protests led by the Communist opposition in February, parliamentary parties constituting the Alliance for European Integration (AEI) managed to overcome internal differences and agree on a common candidate for president, thus ending a two-and-a-half-year political crisis. Former head of the judiciary Nicolae Timofti was elected president on March 16.

In a significant change for the media world in 2012, the Broadcast Coordinating Council (BCC) withdrew the license of the openly pro-communist television station NIT. Officially, the decision drew mildly negative reactions from some European officials and the OSCE. Unofficially, others who considered NIT a Communist Party propaganda tool hailed the development. The final adoption of anti-discrimination legislation and subsequent protests of the Orthodox community marked the last days of an eventful spring and earned AEI the appreciation of European officials.

Later, representatives of the unionist community, which advocates for Moldova's union with Romania, organized marches in Chisinau, Cahul, and Balti. In Balti, Russian-speaking protesters who sought to stop the unionists were backed by Social Democrat leader Victor Selin, who supplied them with eggs and free beer. Ultimately, violence erupted and Jurnal TV reporter Victoria Ocara was hit in the head with a stone thrown by a protester.

The summer ended with the visit of German Chancellor Angela Merkel amid political discussions on the transparency of media ownership, the passage of minor amendments to the Broadcasting Code and the emergence of a new broadcaster (Canal 3). Jose Manuel Barroso, president of the European Commission, visited in December.

The year ended with the unlikely election of Mircea Surdu as the new director of public broadcaster TV Moldova 1, after former director Angela Sirbu's resignation in February 2012. The supervisory board of the public station also elected a new chair. Both elections were perceived by panelists as a step backward in the long awaited reform of the public broadcaster, because the candidates elected represent the "old guard" at M1, and the panelists do not consider them likely to implement reforms pledged in 2009, including staff reductions. M1 has over 1500 employees, while its actual needs have been assessed at about 750.

In general, however, the panelists' scores reflect some optimism over the gains made in the media sector in recent years, particularly in the strength of civil society and its ability to foster free speech protections. Whether these gains can be sustained and carried into other sectors remains under question.

MOLDOVA at a glance

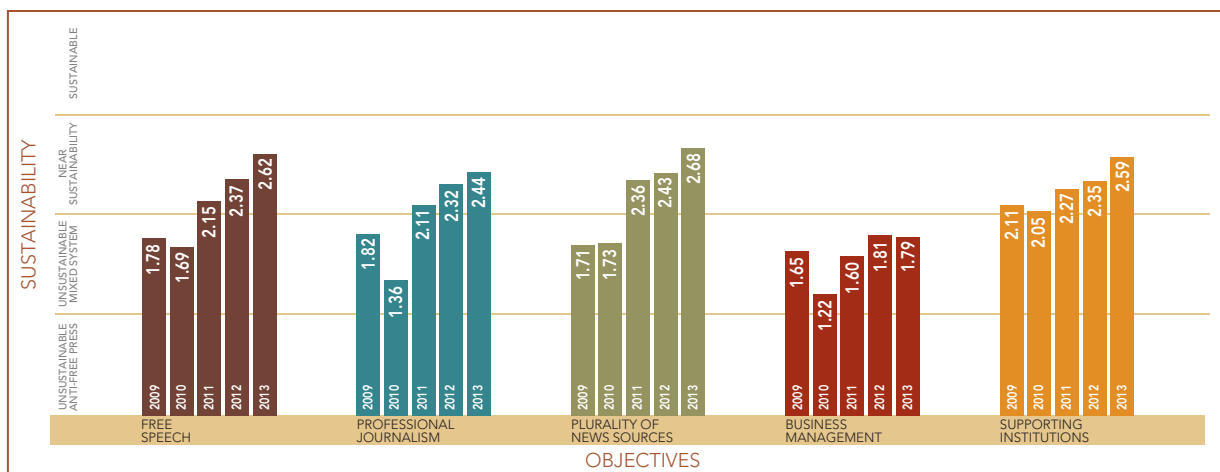
GENERAL

- > Population: 3,619,925 (July 2013 est. *CIA World Factbook*)
- > Capital city: Chişinău
- > Ethnic groups (% of population): Moldovan/Romanian 78.2%, Ukrainian 8.4%, Russian 5.8%, Gagauz 4.4%, Bulgarian 1.9%, other 1.3% (2004 census *CIA World Factbook*)
- > Religion (% of population): Eastern Orthodox 98%, Jewish 1.5%, Baptist and other 0.5% (2000 est., *CIA World Factbook*)
- > Languages (% of population): Moldovan (official, virtually the same as the Romanian language), Russian, Gagauz (*CIA World Factbook*)
- > GNI (2011-Atlas): \$7.056 billion (World Bank Development Indicators, 2012)
- > GNI per capita (2011-PPP): \$3,640 (World Bank Development Indicators, 2012)
- > Literacy rate: 98.5% (male: 99.1%, female: 98.1%) (2010 est., *CIA World Factbook*)
- > President or top authority: President Nicolae Timofti (since March 23, 2012).

MEDIA-SPECIFIC

- > Number of active print outlets, radio stations, television stations, Internet news portals: Print: 184 newspapers, 227 magazines (2012, National Bureau of Statistics); Radio Stations: 58 (2012, Broadcasting Council); Television Stations: 57 (2012, Broadcasting Council). Internet News Portals: ProTV.md (247,773 visitors, 9,061,949 page views), Publika.md (189,181 visitors, 4,119,320 page views), Unimedia.md (117,268 visitors, 4,420,240 page views). (2012 BATI, Gemius)
- > Newspaper circulation statistics: N/A
- > Broadcast ratings: Top two are Prime TV – private; Moldova 1 – public; ProTV has highest rated news cast. Top three in radio are Radio Noroc – private; Radio Moldova – public, Russkoe Radio – private. (IMAS-INC Chisinau, 2012)
- > News agencies: Info-Prim Neo, Moldpres (state-owned), Infotag, Info-Market, Monitor Media, Basa-press, Deca-press, Novosti-Moldova.
- > Annual advertising revenue in media sector: Television: €15.23 million, Radio: €1.2 million, Print: €3.57 million, Online: €1.3 million (2011, BATI, Gemius)
- > Internet usage: 1,502,637 users; Internet penetration rate 50.5% (2012, BATI, Gemius).

MEDIA SUSTAINABILITY INDEX: MOLDOVA



MEDIA SUSTAINABILITY INDEX 2013: OVERALL AVERAGE SCORES



CHANGE SINCE 2012

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

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

Scores for all years may be found online at http://www.irex.org/system/files/EE_msiscorers.xls

OBJECTIVE 1: FREEDOM OF SPEECH

Moldova Objective Score: 2.62

As far as legal protection for freedom of speech is concerned, little changed in 2012; however, scores for the indicator went up slightly from the previous year. Two new laws were proposed to punish media censorship, but Parliament had not yet examined the proposed laws by the time of the MSI panel discussion. Although AEI included a new broadcasting code in its 2010–2014 agenda and finalized a draft back in 2011, Parliament has delayed its passage. Meanwhile, in August 2012 it passed a minor amendment modifying teleshopping conditions in the current Broadcasting Code.

While some see only modest enforcement of the Law on Freedom of Expression, others deem the situation satisfactory considering the current state of affairs in the judiciary.

According to the latest statements of President Timofti, the legal branch needs deep reforms, and the judiciary has to rid itself of those judges who failed to apply the norms of the European Convention on Human Rights (ECHR). “In 2012 Moldova succeeded in maintaining last year’s progress in protecting free speech. Updates to the legal framework have started to yield results, although it is still necessary to continue publicizing these rights to society, including among

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

FREE-SPEECH INDICATORS:

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

journalists, lawyers and judges,” said Vitalie Dogaru, a program host and producer for Publika TV.

Ion Guzun, a lawyer and program coordinator at the Legal Resource Center, underscores the limited impact of the Law on Freedom of Expression these past two years—which he attributes to the poor knowledge of the law among judges and litigants alike. Furthermore, Guzun identified a troubling paradox: “The number of complaints examined increased after the enactment of the law, but the complainants’ positions worsened considerably as a result.” In the Fall of 2012, the Supreme Court of Justice drafted a decision aimed at addressing this situation and ensuring better enforcement.

In the Gagauz region, legal illiteracy is even more substantial. “The observance of the local Broadcasting Law is hindered by the legal illiteracy of supervisory bodies, especially of the supervisory board,” a local broadcaster said.

As far as licensing and registration is concerned, newspapers and websites are not required to register, nor are bloggers required to acquire a legal identity in order to act as media institutions. The licensing procedure for radio and television stations is, however, still insufficiently transparent. “The state keeps control of issuing licenses and the idea of open tenders exists only on paper—in fact, the ‘issue’ is handled with ‘telephone justice,’” maintained Alexandru Burdeinii.

The BCC is the only authority regulating the broadcasting sector and allocating licenses. The BCC decided to withdraw NIT TV’s license in February 2012 for lack of pluralism of opinions, and the decision was enforced in April. Even though the television station challenged it in court on the same day, no ruling has been issued so far. During the next couple of months it was discussed both by civil society and by international agencies, with NIT remaining off the air during the discussions. In the immediate aftermath, media NGOs issued a common statement acknowledging the need to punish the station for repeated violations of several provisions of the Broadcasting Code (13 monitoring reports from 2009–2012 found that NIT failed to ensure balance, social and political pluralism, and to provide complete, objective and truthful information). A local NGO also accused NIT of copyright violations, for airing unlicensed movies before they even hit theaters.

The statement from media NGOs also expressed their concern and asked the BCC to use the same standards of assessment and to treat all broadcasters equally. The new television station Canal 3 started broadcasting in August amid broad popular suspicion that it was using the frequencies formerly awarded to NIT, but the administration of Canal 3 replied that they were using the frequencies granted by the BCC in 2008.

In November 2012, Parliament appointed three new members to the BCC, and the panelists agree that the appointments lacked transparency and betrayed traces of political influence, although they could not point to direct evidence to prove the claims.

Media market entry conditions, including the tax structure, are virtually the same as for any other field. However, existing incentives for media (such as tax exemptions for newspapers) are deemed clearly insufficient by print media managers. In late December, a proposal to charge VAT on imported newspapers and magazines was raised in Parliament by Chiril Lucinschi, head of the Parliamentary Media Committee, with a view to compensating local publications for their small circulations and high printing costs and thus boost their competitiveness.

Generally, journalists enjoy enough protection, and cases of assault are rare. An exception is the case mentioned earlier, involving the violence that erupted in Balti, where Victoria Ocara of Jurnal TV was hit in the head with a stone thrown by a protester. The incident was filmed, and the perpetrator was arrested the following day and held for 30 days. Police announced that a criminal case was filed two days later.

There was also a case of vandalism perpetrated in April at Rezina-based Elita TV was linked by the television's management to an offer to buy the station that they had turned down earlier. That case is still under investigation.

Otherwise, the year 2012 was relatively calm in terms of security for journalists. No persecution of media professionals was registered, except for restrictions on live reporting or verbal attacks by politicians, none of which resulted in court cases. "There were only cases of intimidation of investigative journalists," TV 7 reporter Galina Munteanu confirmed. Guzun commented that in spite of frequent reports by journalists of such intimidation, the general prosecutor's office failed to start criminal investigations or to assess their need for protection.

Nevertheless, in the Gagauz region, which is populated mainly by the minority Gagauz, news of journalists who are persecuted rarely reaches the public. Apparently, the cause is the editorial policy of the public broadcaster: "You can air or publish something like that only in private media, which are not as popular as the public broadcaster."

Currently, the legal framework does not ensure the editorial independence of state-owned media. Its funding lacks transparency, and frequently regional media outlets funded from local budgets are under political control. "Representatives of local authorities frequently prefer to release information to politically controlled media," director of Balti-based *SP* weekly Veaceslav Perunov declared with

reference to media outlets founded (and funded) by local authorities such as local mayors' offices and local councils.

As for public media, there are a number of legal provisions stipulating the editorial independence of the national public broadcaster TeleRadio Moldova (TRM), but many civil society members and politicians expressed their discontent with the broadcaster's coverage of certain political events.

In February, TV Moldova 1 director Angela Sirbu resigned, citing strong internal and external opposition to reform. The TRM Supervisory Board then made several unsuccessful attempts to elect a new director, but in late December they succeeded in electing talk-show host and producer Mircea Surdu. "The fact that the board did not vote for the best agenda, which was that presented by Ion Terguta, shows us that politics continue to dominate, albeit more subtly, at national broadcaster TRM," stated Ion Bunduchi, executive director of the Independent Press Association (API). Bunduchi believes that Surdu will not undertake deep reform, and lacks the management experience required for the job.

Currently, TRM is funded directly from the state budget, and its editorial policy accommodates the politics of the government as it avoids reporting on certain topics less favorable to it. There are no laws favoring state or public media, but traditionally public journalists and operators find easier access to information and better conditions for live recording and reporting.

The Gagauz Public Radio and Television Network (GRT) is regulated by the Law on Broadcasting and is supervised by its local supervisory board. The broadcaster is funded from the local budget, and the members of the board and the managers of the broadcaster are both appointed based on political criteria, one of the panelists from the region testified. "They usually are approved by local government parties," the panelist added.

Libel is a civil law issue and according to the Contravention Code, both parties share the burden of proof (Art. 24). Guzun noted, "Recent amendments to free speech legislation have complicated the procedure for lodging a complaint: a preliminary complaint is now mandatory, and the terms for lodging a complaint have been shortened."

Press Council chair Ludmila Andronic believes that in terms of libel, the situation improved significantly after the emergence of the Press Council as a means of self-regulation. Other panelists took the changes as a proof that the legal framework has improved and is better enforced. "Officials are less likely to file for defamation, and the most eloquent example is that of *Ziarul de Garda*. The paper was sued by a prosecutor in Falesti district, but the case was dismissed

in the court of first instance without even reaching the appellate court. This means that lower-level courts have also begun applying the law," Electronic Press Association (APEL) executive director Petru Macovei explained.

Also, Unimedia editorial manager Dumitru Ciorici mentioned the case of *Adevarul*. The newspaper recently published an investigation into a credit affair involving judge Ion Plesca, head of the Chisinau Appeals Court. In the aftermath, Victoriabank and Moldindconbank filed preliminary complaints, but soon withdrew them.

In 2012, the government made significant progress in access to information, launching the open data portal Date.gov.md. So far, most ministries and state agencies have uploaded at least some data, with the Ministries of Health and Internal Affairs and the National Bureau of Statistics leading the list with 86 to 163 data sets published. However, a considerable amount of information is not relevant, while bodies holding critical information of public interest, such as the State Procurement Agency, the Tax Service and the Agency of Medicines have failed to upload any data so far.

Regarding equal access to information for all media outlets, journalists and citizens, the panelists noted double standards in this respect. Perunov says that locally, the difference is noticeable. "In our case, the mayor's office always answers our requests for information in the same way, stating that according to the Law on Access to Information, all citizens are granted free access to information (of public interest), but not the *SP*."

Still, compared to last year, the situation improved somewhat as many journalists reported better treatment by officials. "I see it as a step toward democracy; some three or four years ago many officials could have easily denied access to information, while now they are reluctant to do so," Alexandru Burdeinii, editor-in-chief of InfoMarket news agency, said.

Most panelists explained that reluctance was due to fear, which caused civil servants to frequently seek permission from their superiors before releasing information of public interest. Generally, and not surprisingly, authorities are more open to sharing positive information that benefits their images. "It is much more difficult to obtain information that might compromise the government, and it is symptomatic that the situation persists in Moldova regardless of the government's political makeup," concluded Tudor Iascenco, journalist and manager of *Cuvantul*.

The media's access to local or international news and sources is not restricted legally or otherwise. Only insufficient funds can keep media institutions from subscribing to international press agencies such as AP, Reuters or AFP. It is still the

case, however, that certain outlets use material from the above-mentioned sources without respecting intellectual property rights.

As for the last indicator in this objective, entry into the journalism profession also received a high rating, in keeping with the general perception that area has been sustainable over the long term. "In Moldova, entry into the profession of journalism is not restricted and never has ever been," Andronic declared. Burdeinii added, "The path to the profession is open and free for anyone who has the will and the ability to become a journalist."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Moldova Objective Score: 2.44

This year marked little progress in achieving higher professional standards in journalism. A comparison by media law expert Olivia Pirtac perfectly summarized the state of things: "Even with enough news and entertainment programming, Moldovan journalism emulates the country's state of transition. At this stage, we have quality journalism respecting all industry standards while at the same time there is poor quality journalism without adequate source checks, with significant gaps in professional ethics and above all that is plagued by a rush for sensationalism."

Some panelists pointed out that the overall level of professionalism slightly increased in 2012, especially after the closing down of NIT TV. "While as a rule any other journalist at least tries to get two or three opinions, their reporters

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

would not ask for any at all,” Perunov mentioned. Further reasons for better-quality journalism included the approval and promotion of a number of supporting documents such as the new Ethical Code, the Journalists’ Handbook of Best Practices and the Style Guide with Ethical Norms in addition to activities carried out by various media organizations.

Macovei nevertheless expressed his doubt about the level of professionalism in 2012. “Superficiality is the trend. Journalists still fail to source their stories sufficiently and generally opt for the concept of ‘breaking news,’ mostly because of the recent liberalization of the television market which caused an inflow of young, inexperienced journalists and editors,” he added.

Ciorici argued that working against the clock is the norm for online media, as well as for television stations. “Reporters manage to avoid subjectivity, but sometimes they cannot provide enough depth in covering the subject, because of stiff competition that requires you to deliver news very quickly.”

Locally, public and state-owned media have preserved their biases. “Many journalists try to cover events correctly and objectively using several sources of information. Unfortunately, this does not apply to journalists from state- or party-owned media, who mostly offer propaganda instead of reporting,” said Perunov.

As in past years, Transnistrian state media continued to spread the separatist authorities’ rhetoric against the central authorities; however, a number of Transnistrian journalists participated in Chisinau-based training. Along with other journalists from Chisinau, they produced joint reports of public interest for people on both sides of the Nistru River that separates the two sides.

On the subject of ethics, the unanimous feeling was that plagiarism is a serious weakness in Moldovan journalism. “This year, the Press Council received no fewer than 15 plagiarism complaints,” noted Macovei, adding that currently it is one of the most important issues in the profession.

Perunov explained that some journalists observe the Ethical Code, while some do not. “A number of journalists from various [politically and otherwise] controlled media are not adhering to its provisions; in fact, many papers and almost all magazines and websites practice hidden advertising.” Along with that practice, Andronic identified issues of child protection and the presumption of innocence which she dubbed as “sacrificed in the name of sensationalism.”

The most flagrant example was Jurnal TV’s inadequate coverage of the suicide of an 18-year-old girl from

Bic Village, in which the broadcaster aired unverified information about the victim (allegations that she was pregnant at the time of death), and failed to ensure the victim’s mother’s right to reply, in spite of direct and indirect accusations aired against the latter. Two weeks later, the Press Council issued a public warning to Pro TV, Jurnal TV and Prime TV in a similar case regarding the suicide of a 12-year-old from Telenesti District.

Self-censorship is still practiced by many journalists and editors regardless of their specializations or modes of dissemination, though it seems that local media are more likely to succumb to self-censorship than national outlets and that public media (Moldpres, TRM, GRT) are more likely to than private outlets are. Burdeinii cited editorial policy and preservation of their jobs as reasons while another panelist referred to business ties of media owners and threats voiced by politicians and officials.

According to a report published by Ernest Vardanyan in *Mass Media in Moldova* in the June 2012 issue, in Transnistria, self-censorship improved somewhat after the December 2011 change of government. “Now, the first republican channel is trying to dissociate itself from its former image, as its reports have become more diversified—including even some critical reporting,” he observed.

In most cases, self-censorship is embedded into editorial policy and is a direct result of lack of diversity in media ownership and opinions. Dogaru believes this makes journalists accept the editorial policies and “...switch tacitly onto some sort of autopilot when it comes to self-censorship. Many journalists avoid admitting it, but their output shows that certain events are ignored while others are covered with exaggerated emphasis.”

As such, it is closely linked to the next indicator, concerning the coverage of key issues and events. The panelists highlighted Publika TV’s coverage of the visit of Jose Manuel Barroso. During the live broadcast of the official’s welcoming ceremony at the airport, the operator framed the image so that it excluded Prime Minister Vlad Filat, focusing instead on random persons and photojournalists. That act of censorship was noticed by viewers, and was intensely commented on in blogs and on social networks.

Jurnal TV continued to produce sensational news to the detriment of key events and issues such as the summer drought, closely followed by Pro TV and Prime TV. “In this case, we try to keep producing quality news items, but lighten them once in a while with entertainment, funny videos or celebrities to strike a fragile balance between the two species,” Ciorici said, to justify Unimedia’s policy.

Another issue noted by Iascenco related to the perceived uniformity of news broadcasts. "You have only to read one single news site and you already know what the other outlets will feature. The problem belongs to print outlets as much as to broadcasters and new media." Yet, panelists agreed that many important issues are ignored by journalists and are effectively eclipsed by disputes in Parliament and other minor political scandals and controversies.

The average wages of journalists remain at the same level as last year, according to data provided by the National Bureau of Statistics (approximately MDL 4000, or \$330 per month from January to September 2012). Although rather modest, Ciorici stated that it is less likely to generate corruption among journalists. "If anyone in the media industry would take bribes, it would be the editors and managers."

Some media managers, including a number of our panelists, nevertheless perceived a slight trend in rising salaries that started several years ago. Ciorici believes the arrival of some major players in the market, such as Jurnal TV in 2010 and, later that year, Publika TV, led to market liberalization. His opinion is supported by the emergence of another television station in August 2012 (Canal 3), and the increasingly common trend for print and online outlets to develop video content.

According to Bunduchi and Iascenco, however, that trend still remains very modest, especially in rural areas where salaries barely cover living expenses. "The pay level of journalists and editors is rather low, which results in many media professionals, especially in rural areas, working for several outlets or finding other jobs. There are cases when journalists leave the profession altogether (examples in Balti include Pavel Dumbraveanu and Eugen Urusciuc from Deca-press)," Perunov pointed out.

This state of affairs is also valid in the Gagauz region, and affects the employees of public media to a larger extent. "During the past five years, about 30 journalists have left the local public broadcaster. Presently, the average wage of journalists working there constitutes a little more than the equivalent of \$100 per month, so they have to work during evenings, weekends and vacations to scrape up MDL 3000," another panelist confirmed.

Regarding the perceived balance of entertainment and information programming, the lack of funding and means of production restrain media institutions from delivering more entertainment to the audience. Some media outlets rely on foreign production, while other broadcasters try to compensate with "infotainment" content, placing more emphasis on a sensationalist approach to covering news. "Domestic entertainment programs are so mundane that they cannot eclipse politics in any way. However, there is

one news station with a fairly decent audience," stated Andronic, referring to Publika TV.

The information market was tapped by Jurnal TV and Publika TV in 2010, but after a while the former decided to change its profile to general television. Publika is now the only information-only channel. Since then, Jurnal TV has started to generate its own entertainment programs. Conversely, Prime TV started to build on its information offerings in 2010 while simultaneously contracting foreign shows to maintain their entertainment programs. Toward the end of 2012, it was announced that former Pro TV news presenter Natalia Cheptene would host a local show on Acasa TV, a station re-broadcasting soap operas. The newly launched Canal 3 also mostly re-broadcasts soap operas and entertainment programming.

Most radio stations in Moldova focus on entertainment and music, balancing adult contemporary with contemporary hit radio formats with hourly news bulletins. The only information radio stations are Publika FM, which broadcasts the content of Publika TV, and Radio Chisinau.

In terms of equipment and facilities, most media outlets are sufficiently outfitted to gather and produce news, except for the public broadcasters TRM and GRT, whose equipment is both outdated and insufficient. At GRT, more than half the reporters do not have dedicated computers and recorders, and the hardware and software are too outdated for journalists to truly benefit from connecting to the Internet. Despite an initial intake of modern equipment in 2010 and 2011 through a donor's program, TRM has showed no interest in reform and updating equipment has slowed down.

As a rule, private media do not encounter such issues. The only negative aspect mentioned by panelists was the absence of licensed software. "Newspapers lack resources for acquiring licensed programs and specific software for automated newspaper production (print servers)," added Perunov.

When it comes to niche reporting, the general feeling is that things have improved somewhat in the past year. "Investigations were better sourced and even reached our television screens," noted Macovei, referring to the "Reporter de garda" investigation series launched in 2010 by the weekly *Ziarul de Garda* and aired on Moldova 1, and to Jurnal TV's series "Patrula Jurnal TV" launched in October 2012. Galina Munteanu, a reporter for TV 7, believes that this shift was generated by the increased competition among media outlets; however, as Bunduchi pointed out, the authorities' reaction to such reports has been minimal.

Burdeinii enumerated a series of publications specializing in healthcare, construction and economics, but underlined the poor offerings of other types of publications such as entertainment outlets. "We do have journalists covering niche subjects and carrying out investigations. The main impediment for producing more such reports is the lack of funding and insufficient skills and experience of journalists," Perunov added.

OBJECTIVE 3: PLURALITY OF NEWS

Moldova Objective Score: 2.68

Although the overall state of this objective improved to a certain extent over last year, problems surrounding transparency deepened. Scores for the associated indicator dropped far below the average objective score. The number of outlets remained more or less the same as last year, with one television station closing (NIT TV) and a new one launching (Canal 3). In late December, public broadcaster TRM suspended its second channel, Moldova International.

According to the public opinion barometer (POB) published in November 2012, more than 11 percent of respondents believe they enjoy a great deal of free access to information, almost 40 percent report having some access, and about the same number of respondents report little access. The same POB revealed that television remains the most important primary source of information for over 70 percent of respondents; while 13.8 percent chose the Internet and

6.2 percent relied on radio. Newspapers dropped to a mere 1.6 percent.

This year, the indicator relating to plurality of news sources was regarded by panelists as near sustainable, at a little over 3.0 points on the MSI scale. Despite its relatively small size, the media market features a diverse range of institutions offering multiple viewpoints. However, national media are mostly interested in events in the capital city and rarely cover the local scene. There are two regional networks that broadcast programs with local and regional content: Aici TV and Canal Regional. Bunduchi believes the two networks can "compensate to a certain extent for the lack of balance between information of national and local interest." As for other local and regional broadcasters, the panelists generally feel that they are not competitive enough, and despite all the support from international donors, still lack viability. "Several television channels in North Moldova have already been sold, and there is a risk of a (national) monopoly forming," Iascenco warned.

For print media the situation remained almost the same, except for a decrease in advertising volume noticed by some local outlets. As Iascenco put it, "Print circulations are still modest, and independent local outlets depend for the most part on assistance from API." API assistance includes small grants, projects, and trainings.

As for online media and Internet access, service providers offer high-speed connections at competitive prices, but many people over the age of 50 are still unable to use such media because of computer illiteracy. Blogs and online news agencies are evolving into a new source of information, as are social networks (Facebook and Odnoklassniki). "These constitute a source of information for almost a quarter of Moldovans," Dogaru approximated.

In 2012, due to increasing Internet access, Facebook's growth in Moldova gained momentum. Odnoklassniki tried to hold its position by launching a "Moldovan language" mobile version of its site, which was criticized by bloggers and editorialists and was later renamed "Romanian language." [There is a debate within the country as to whether the two are distinct languages, dialects, or essentially one and the same.] Social networking tools are more and more frequently relied on as a news source, even if they are not always entirely credible. "Because of that," Ciorici said, "media companies have developed marketing strategies for Facebook to promote their content." Regardless of the questions raised about their political independence and credibility, blogs are developing continually, even if still at only a national level; at the local level, their impact is hardly noticeable.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE, OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

In both the Gagauz and Transnistrian regions, people have started relying more on social networks as sources of alternative information, and in the Transnistrian region, forums are another popular tool. Finally, even though the mobile telephone communication penetration rate has reached 113.8 percent, media outlets have not implemented SMS news alerts, although some websites have developed mobile versions.

Citizens' access to domestic or international media is not restricted by law, but is certainly affected by income level. People living in urban areas have more access to various media outlets than those residing in rural areas. "Not everybody can afford subscriptions to newspapers, cable television or the Internet," Burdeinii noted. Munteanu agreed, adding that in rural areas the situation is worse: "People living in remote villages have access only to the public broadcasters, and there is no diversity as to topics and genres of programs."

In Gagauzia, as one of the panelists remarked, even the public broadcaster is not always accessible, and people are more inclined to rely on cable subscriptions as a source of news. In November 2012, Transnistrian authorities decided to ban two more television stations—Publika TV and public broadcaster Moldova 1—thus restricting access to already scarce news offerings for people living on the left bank of Nistru River.

Opinions were divided as to the independence of state and public media. Along with several other panelists, Andronic believes that public media are not openly biased, while Perunov argued that, "Journalists in these media do not see serving the public interest as their duty." Burdeinii went even further, stating that outlets funded from public budgets, especially print press, are divided among political parties. "Nevertheless," he conceded, "public broadcasters try to maintain their objectivity."

Citing the interests of its majority audience, which is mostly rural and elderly, TRM stopped short of implementing the promised reforms thus compromising the positive changes registered in 2010 and to some extent in 2011. While there are visible efforts by TRM to reflect all the views on the political spectrum, journalists are still cautious when covering controversial political topics. "Long administrative intrigues affect the broadcast schedule which cannot compete with those of private channels. There is a feeling that the objectives of the institution are not clear, since TRM fails to focus on topics ignored by private broadcasters and instead enters into competition with the latter, which it is unlikely to win," Dogaru pointed out.

There are eight news agencies in Moldova, including seven that are independent. In the Gagauz region, there are

still no news agencies. In some cases, agency fees are not accessible to all media, and Perunov recalled some cases when certain media outlets did not quote the news agency as a source of information. At the same time, the number of subscribers decreased for classic news agencies, since they overlap with news websites that offer similar information free of charge. Munteanu added that in most cases, radio stations use the content of news agencies.

Dogaru believes the decline of news agencies is closely linked with the indicator relating to private media outlets producing their own news. As in past years, panelists noted that private outlets prefer to rely more and more on their own production of news and rated the indicator half a point higher than the overall objective. "However, it applies mostly to broadcasters with national coverage. Local ones, lacking sufficient reporters, often cannot follow the trend and continue using online information," Dogaru added.

The single most important problem in the media market today is the transparency of media ownership, or rather the lack of it. Presently, there are no legal requirements to disclose information related to media ownership, and many outlets are owned by offshore companies. As in past years, this year too the question remained open as to the true owners of major stations such as Jurnal TV and Publika TV, but also of a number of other outlets, such as N4, Euro TV and 2 Plus. However, while in other years public opinion contended with emerging trusts, such as Jurnal Trust Media, Prime, Publika and Aquarelle trusts among others, tensions began to build as more and more outlets gathered under fewer "umbrellas."

So far, several journalistic investigations have traced the ownership of as many as five media institutions (Maestro FM, Prime FM, Prime TV, TV 2 Plus and the recently opened Canal 3), to politician and businessman Vladimir Plahotniuc, vice president of the Democratic Party (DP) and vice speaker of Parliament. Andronic admitted that the audience can guess the true owner of a media outlet based on its content and editorial policy. "You can form an objective opinion if you watch or read the publications of several media outlets and make your own deductions." Indeed, most broadcasters show a more or less open "preference" for some politicians or parties. The group of broadcasters connected to Plahotniuc is generally biased toward DP or the politician himself. Recently, Publika TV also started showing bias against the rivals of DP, which confirmed earlier findings of journalistic investigations that linked it to Plahotniuc. Conversely, Jurnal TV openly supports Plahotniuc's political opponent, Sergiu Mocanu, and is known to be partly funded by Plahotniuc's business rival, Viorel Topa.

Notwithstanding, editorial policies are not always easy to figure out, and most media consumers are still unaware of the true identity of media owners. "After two years of development, the Moldovan media market is experiencing a difficult time marked by clear tendencies toward concentration and attempts to monopolize the media by certain individuals and groups with political and economic interests. It affects diversity and mass media's capacity to offer citizens reliable, unbiased and objective news. To a certain point, public media have managed to ensure a balance of information," Macovei summarized.

In November 2012, the Independent Journalism Center (IJC) issued a study on media transparency and drafted some amendments to the Broadcasting Code to ensure it contains clear requirements for disclosing real owners. The authorities promised to address the issue, but since APEL's draft of a new broadcasting code is still being ignored by Parliament, the panelists were skeptical about the politicians' intentions. "As long as there are no sanctions, the problem will not be solved," Bunduchi stressed.

According to most Russian-language journalists, the availability of Russian-language mass media is satisfactory as far as different social interests are concerned. "Ethnic minority media outlets are available, especially Russian-language ones. Other minorities issue publications depending on the financial support they can gather," Guzun added. When the Law on Equal Opportunities was passed this spring, a number of bloggers and journalists intensely debated the topic of sexual minorities while most mainstream media, especially public media, did not offer any in-depth perspectives on the issue.

The indicator concerning the coverage of local, national and international issues was given a good rating, although Bunduchi reproached local media for not always paying enough attention to international issues. "It is a remnant of the Soviet-era practice where international issues were the prerogative of central publications." Perunov replied that they merely cater to readers' interests according to the principle of local news. Overall, Ciorici concluded that, "Media in Moldova offer options to its citizens in terms of diversity of information but has still to work a lot on objectivity and quality."

OBJECTIVE 4: BUSINESS MANAGEMENT

Moldova Objective Score: 1.79

Media business management was the only objective to register no progress this year. To some extent it may be due to the media market's continuous expansion in defiance

of advertising market conditions, or to advertisers' lack of interest in circulation audits and audience survey results. Shortcomings in human resource policies and advertising revenue, particularly state-commissioned advertising, also bear responsibility for the poor rating of media outlets as businesses.

The panelists unanimously said that Moldovan media are not fully sustainable. Though most media outlets have dedicated accounting departments, human resource and marketing policies are still rudimentary. "Two television stations that called themselves independent entered the market in 2010. Both of them have more than 80 percent local content. Our media market does not allow media institutions to support more than 300 employees, which is their case. The question is, how do they survive? Of course, their editorial independence is questionable," Dumitru Ciorici reasoned. The public broadcaster TRM also failed to adopt an efficient personnel policy. Moreover, as newly elected supervisory board member Larisa Calugaru declared, her vote for a new director for TV Moldova 1 was determined by the candidates' approach to layoffs as a tool for reform, which some view as essential.

Print journalists attested to a considerable deterioration in the situation of newspapers, pointing to falling revenues. Petru Macovei remarked that managers of independent outlets had succeeded in applying the knowledge accumulated in numerous training sessions, seminars and internships in order to overcome the effects of the economic crisis. At the same time, Iascenco stressed that most media institutions in this category are supported by international donor organizations. "Without this help, many of them

MEDIA ARE WELL-MANAGED ENTERPRISES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

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

would not survive, because print sales and advertising do not cover all the production costs.”

This leads to another sustainability issue: streams of revenue. While independent print media rely on grants, private broadcasters usually depend on two main sources: advertising and direct owner financing. As such, it cannot be said that Moldovan media benefit from a multitude of sources of revenue. Moreover, panelists agreed that direct funding is frequently more important, and has proved to have an immediate effect on editorial policies. “There still are many outlets that depend on a single source (the wallet of an obscure ‘philanthropist’). It happens partly because the majority of advertising agencies do not function based on professional criteria, but rather on client satisfaction,” Dogaru explained.

As for the advertising industry, the situation remained much the same this year. “With an insignificant market already constrained by oligarchic interests, we cannot talk about fairness,” Andronic argued. Generally, each media group chose to rely on its own agency (Prime group on Casa Media, Jurnal Trust Media on Reforma Advertising and so on). At the same time, the advertising market frequently functions based on estimates and vague measurements, so AGB Moldova has lost the trust of many important clients who resorted to audience surveys carried out by IMAS. Bunduchi enumerated several deficiencies in the advertisement market. “The legal framework on advertising is flawed; there is no legal limitation of audience shares, and the industry lacks a self-regulatory body as the Agency for Protecting Competition does not have enough capacity to manage the domain.” There are no advertising agencies in the Gagauz region; media institutions frequently market themselves directly to advertisers as do local outlets from other regions.

Most institutions depend on advertising for revenue, but it does not yield them enough income to sustain their financial independence. Print media feed on print sales and subscription fees as their principal sources of income, and the share of advertising revenue in print press falls below generally accepted standards. Perunov believes that many managers of print media outlets are not entirely aware of the importance of advertising as a source of revenue. In television, the market is still constrained by rebroadcasting programs from foreign stations together with a certain amount of foreign advertising.

The Moldovan government does not offer subsidies and tax incentives to private media. Still, public and state-owned media have always enjoyed traditional privileges capable of generating unfair competition, among which Iascenco listed “...massive support for publications edited by

authorities using public money, preferential treatment in the distribution of state advertising, easy access to information of public interest as well as unimpeded distribution.”

Currently, the government-owned news agency Moldpres is allowed to lease premises in a government building for a nominal rent, and the Fiscal Service has prohibited its employees from writing official interpretations of legal provisions for any outlet other than the *Fiscal Monitor*.

Local publications still complain about regional and local authorities, which Veaceslav Perunov claimed give preference to pliant media when placing advertising and public notices. “Thus, they can exert pressure on media outlets that are critical of them,” he said.

Market research is still uncommon because of the high costs associated with it, and it is rarely, if ever, used to formulate strategic decisions. IJC, Pro TV and several other media institutions recently started to commission audience surveys, but in numerous cases the results, as well as those of POBs, are used by broadcasters to assert their positions in the market and not to tailor their products to the needs of the audience.

As for ratings and circulation figures, opinions were divided. Print media panelists expressed disappointment over the inefficiency of the Audit Bureau of Circulations and Internet (BATI) in attracting advertisers based on a realistic audit of circulation. Additionally, Andronic shared her skepticism about the sustainability of circulation audits. The audits are funded by BATI members (media outlets, field NGOs, advertisers), and the panelists fear these donors could withdraw if BATI fails to set a durable standard to counter the traditional unfair way of advertising. On the other hand, online media are quite content with the results of the Internet traffic and audience measurements carried out by BATI and Gemius.

Regarding broadcast media, according to Olivia Pirtac audience surveys based on the People Meter method are not credible given the small number of meters used (about 320) and the questionable selection of households to host them. “This is why I cannot say that this data is helping television stations. On the contrary, they bring some good television stations down,” she affirmed. AGB uses the People Meter system, but the panelists report allegations of AGB altering data to suit a certain broadcaster (Prime TV). As stated above, some television stations and media associations have started relying more on audience surveys carried out by IMAS based on the “day-after recall” method due to AGB Moldova’s lack of credibility given its reported association with the Prime media group.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Moldova Objective Score: 2.59

Objective 5 improved slightly over its 2.35 score from the 2012 MSI, possibly due to the activities undertaken by media organizations to address critical issues in the industry. However, weaknesses persist, with some panelists questioning the existence of effective trade associations.

Trade associations of media owners and managers are virtually nonexistent, some panelists argue, and those registered with the Ministry of Justice are inactive and ineffective. Andronic expressed her doubt about the media's ability and will to team up and collaborate to protect and promote their interests.

API and APEL are two organizations that unite independent publications and, correspondingly, radio and television stations, but their activities tend to focus more on improving the legal framework and facilitating access to funding for technical equipment.

As far as professional associations are concerned, the Union of Journalists of Moldova (UJM) is still regarded as a vestige of Soviet times whose basic mission to protect journalists and promote quality media products has remained unfulfilled so far. "It reacts rather in a political manner to certain events in the field without providing tangible help to journalists," Vitalie Dogaru notes. Journalists have yet to replace it with another professional body to protect their rights and promote quality journalism.

Instead, Moldovan mass media outlets have started relying more on self-regulation. Founded in late 2009, the Press Council is a self-regulatory body that mitigates conflicts between mass media and the public, thus contributing to building responsibility in the media. For instance, in 2012, the Press Council sent a complaint to the Russian media self-regulatory body about a show aired by the Russian television station Pervyi Kanal and rebroadcast by Prime TV for violating child victims' rights in a case involving children from Moldova.

The panelists rate NGO support stronger than any other indicator. The panelists agree that media support organizations are efficient, although Olivia Pirtac suggested they need to transform themselves into bigger NGOs in order to be self-sustaining.

IJC and API participated this year in amending media legislation, while APEL proposed a new draft of the broadcasting code. Along with other media NGOs such as the Access-Info Center and the Young Journalism Center,

they provided training opportunities for journalists—including those in the Transnistrian and Gagauz regions—and they collaborated on common subjects through a dedicated project. Several of these organizations offer legal, financial and professional support to newspapers. Generally, Moldovan NGOs collaborate with media in order to protect free speech and media independence, and they are quick to react and issue joint statements to protest interferences with journalists' work. However, most NGOs rely on foreign donor funding, which does not ensure long-term activity.

Iascenco credited media NGOs with "changing journalists' mentalities and helping them sustain their businesses," while Petru Macovei added that they advocate for the media's interests in relation with the authorities and with related industries.

Journalism degree programs are largely offered at state and private universities, but media managers and journalists voiced discontent with the quality of the learning process, which remains mostly theoretical and fails to use new technologies, despite numerous efforts to offer more practical training. Dogaru has extensive teaching experience both as a university professor and as an instructor at the School of Advanced Journalism, and believes that university degree programs do not produce young media professionals who can satisfy the requirements of their employers.

The IJC-founded School of Advanced Journalism drew praise from many panelists, as it continues to compensate for this shortcoming by offering practical 10-month courses. It has produced nearly 100 graduates so far, with more than half of its alumni working in media and communication.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

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

Additional short-term training is provided by media organizations and is generally considered to be very efficient, but some panelists questioned its sustainability, and others referred to media managers' lack of interest in allowing their employees time off to attend a course. "Recently, I witnessed a discussion in which somebody asked Soros Foundation representatives if they were disappointed with their investment in training to cultivate a balance among local broadcasters, as they are still far from making any changes and each channel promotes a certain political leader," Andronic mentioned.

Sources of media equipment and printing facilities are usually apolitical, nor are they monopolies or restricted, yet one local broadcaster from the Gagauz region indicated that local printing houses, which are all private, offer their services to media outlets according to their political views.

Channels of media distribution, on the contrary, are monopolies—with some media professionals citing an "impossible relationship" between print media and its distributors. Traditionally, these are Moldpres and Posta Moldovei. "They have quite high prices that increase regularly, while the pricing policy is not transparent," added Veaceslav Perunov. Iascenco regards Posta Moldovei's inefficient and restrictive way of working as the main cause for most publications offering only weekly issues. "Even the few dailies reach their readers after considerable delay," he said. The other distribution channels were deemed satisfactory.

Information and communication technology is developed enough to satisfy the needs of the audience and of mass media outlets. Almost all media outlets have dedicated websites that offer information in text, video, audio and multimedia formats. In the summer of 2012, the Unimedia. info news website decided to upgrade and switched to a cloud server. Internet connectivity allows for live audio and video streaming, although in rural areas the Internet is less accessible and the prices are higher. Neither the state, nor the broadcasters are ready for the 2015 digital conversion, as multiplexes are still to be built and the legal framework does not contain the necessary provisions. Only one television station, Jurnal TV, is equipped for digital broadcasting, and most media consumers are not aware of the implications of the switch-over.

List of Panel Participants

Olivia Pirtac, media law expert, lawyer, Ministry of Justice

Ion Bunduchi, executive director, Electronic Press Association, Chisinau

Petru Macovei, executive director, Independent Press Association, Chisinau

Dumitru Ciorici, editorial manager and co-founder, Unimedia news portal, Chisinau

Alexandru Burdeinii, editor-in-chief, InfoMarket news agency, Chisinau

Veaceslav Perunov, journalist and manager, *SP* newspaper, Balti

Tudor Iascenco, journalist and manager, *Cuvantul*, Rezina

Vitalie Dogaru, program host and producer, Publika TV, Chisinau

Galina Munteanu, reporter, TV 7, Chisinau

One additional panelist wished to remain anonymous.

The following participants submitted a questionnaire but did not attend the panel discussion.

Ludmila Andronic, chair, Press Council, Chisinau

Ion Guzun, lawyer and program coordinator, Legal Resource Center, Chisinau

Moderator and Author

Cristina Mogildea, freelance translator and editor, Chisinau

The Moldovan study was coordinated and conducted in partnership with the Independent Journalism Center. The panel discussion was convened on December 7, 2012.