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Warum haben Sie uns besucht, Frau Merkel*? ... or a Proficiency Test for Moldova's Media

Angela Merkel's visit to Chisinau on August 22, 2012 positioned the Chancellor between two fires. While the German press was maliciously reproaching her that instead of saving the Euro she went to rescue Moldova, which is (sic!) not a tributary of the Elbe, but a foreign country, the Moldovan press rudely insinuated that the Chancellor was in fact interested in Cricova wine cellars... Welcome to Wonderland, Mrs. Merkel!

Angela Merkel's recent visit to Moldova clearly marked the undeniable political success of the current Moldovan government. At the same time, it was a proficiency test for Moldova's mass media, which, as it turned out, was not used to events of such political importance. Has Moldova's media attained professional maturity? It is hard to say ... With a few exceptions, the way local journalists covered the German Chancellor's visit to Chisinau has revealed some degree of immaturity of our media, which focused on minor issues and ignored important aspects.

Déjà vu, or, Different characters, the same play

At the request of the Independent Journalism Center, I monitored all materials related to Angela Merkel's visit to Moldova, published by leading Moldovan mass media. My general impression was that there prevailed news borrowed from other press agencies and based on official press releases, as well as some tabloid topics.

Private TV channels – *Pro TV*, *TV7*, *Jurnal TV* and *Publika TV* – competed, ironically speaking, in broadcasting the same information, giving no original topics or reports. Surprisingly, TRM National TV Channel showed a different approach to covering the news, thus falling outside of this information orchestra; however, it could not realize its potential in full due to an old 'bad habit' to be discussed below.

Although, the printed media provided, in general, a broader and more original approach to the Chancellor's visit, the national newspapers *Timpul de dimineață*, *Adevărul* and *Panorama* reported exactly the same news as the TV channels. They wrote about a grass carpet stolen on the eve of the visit; tons of uncollected garbage; a detailed schedule of the visit; welded manholes; Cricova wine cellars getting ready to welcome Angela Merkel; traffic restrictions during the Chancellor's stay in Chisinau; open-air cafes and bars closed because of the visit; the policemen involved in the protection of the Chancellor; the

dilemma of whether Voronin should meet Mrs. Merkel or not; a Molotov cocktail attack, etc. In this context, I liked the moderate tone of the news coverage presented by *Jurnal de Chișinău* and *Ziarul de Gardă*; however, the latter, despite its fair play, made an unforgivable mistake. In the article, *What Prime Minister Filat did not tell Chancellor Angela Merkel* the author erroneously claims that the former Federal Chancellor Helmut Kohl comes from a family of ethnic Germans from Bessarabia, when in fact this refers to the former Federal President Horst Köhler.

What did Mrs. Merkel eat in the Cricova wine cellars?

Electronic media, as expected, were the most observant on the eve of the visit and during Angela Merkel's stay in Moldova. In addition to the above-mentioned 'general' news, some private TV channels offered a few original, albeit tabloid style stories: reports about the clothes, and especially the colour of the Chancellor's jacket (coral or red, according to different sources), and about the price of the Audi A8, a several-hundred-thousand-euro car, that took Mrs. Merkel around Chisinau. Some TV channels did not even bother to specify the details of the car; they just offered a few videos of it.

Talking about tabloid topics, I think Moldovan citizens would like to know details more *exciting* than the colour of the jacket of one of the most influential women in the world. What is the Chancellor's monthly/annual salary? Why does Angela Merkel prefer Airbus 340 and AUDI A8? Who were the 50 members of the Chancellor's delegation to Chisinau? How many of them were members of her staff? How much does the federal budget pay for the staff maintenance? Finally, what did the German Chancellor eat and drink in the Cricova wine cellars if that really was the main point of the agenda? ... I think we should know the answers to these questions.

"Forgotten by Angela" – a gripping report from the village of Marienfeld, Cimișlia Region

Printed media, as I said, published a number of serious and noteworthy articles.

In *Adevărul*, I found a somewhat awaited article, "A Portrait of the Chancellor", as well as an interesting interview with Carsten Wilms, Deputy Head of Mission at the German Embassy in Chisinau, about the purpose and significance of the Chancellor's visit. *Timpul de dimineață* published several informative

articles about the current economic and ethnic situation in Germany, as well as an interview with Igor Corman, Chairman of the Parliamentary Committee for Foreign Policy and European Integration, former Ambassador of the Republic of Moldova to Germany, about the Moldovan-German economic and social relations. I was pleasantly surprised by the *Panorama* newspaper, which on the day of the visit published a very interesting on-the-spot report “*Forgotten by Angela*” about the village of Marienfeld, Cimișlia Region, inhabited by ethnic Germans until 1940. A day before, the newspaper had published an article about the German community in Moldova and their everyday problems.

Jurnal de Chișinău was, I think, the only media source which did not spread rumors about the supposed existence of a Russian-German pact of federalization with which Mrs. Merkel reportedly came to Chisinau. I also came across a report there on the only Moldovan – a lawyer from Frankfurt who was a member of the Chancellor’s official delegation to Chisinau. *Ziarul de Gardă* was, it seems, the only newspaper which reported the *vox populi* and which took the trouble to ask people on the street what they thought about possible changes in Moldova as a result of Angela Merkel’s visit.

Regarding information, TRM TV Channel was probably the best. It devoted the whole day, August 22, to Angela Merkel’s visit to Chisinau. Experts invited to the TV studio succeeded in attaching due importance to her visit while talking about German investments in Moldova, bilateral economic cooperation, and the presence of Germans in Bessarabia for more than a century. The ‘bad habit’ mentioned above is the anachronistic concept of the so-called talk show and the fact that the host has absolutely no charm, let alone her poor Romanian and clumsy utterances.

Therefore, I think, the best report on the Federal Chancellor’s visit to Chisinau was made by *ZDF*, a German TV channel (<http://www.zdf.de/ZDFmediathek/beitrag/video/1714182/Merkel-besucht-erstmal-Republik-Moldau>). Not to mention the fact that none of our printed media or TV has presented such a comprehensive and detailed report (except, probably, *PRO TV* channel, which made an almost successful attempt). Our private TV channels have produced a few reports which didn’t contain much logic or common sense.

“And who is Angela Merkel?”

Covering the Chancellor’s visit to Chisinau, almost all Moldovan TV channels brazenly hinted that Mrs. Merkel spent too much time in Cricova wine cellars: she stayed there for more than two hours of her nearly seven-hour visit to Chisinau...

Jurnal TV broadcast the following report under the heading *Separation is a Little Death*: “A few hours was enough time for Vlad Filat to feel an emotional attachment to the most powerful woman in the world. Vlad Filat could hardly choke back his tears when he saw off Angela Merkel at the airport last night. The ‘Iron Lady’ embraced Filat with both hands. The embarrassed Prime Minister did not fail to bend his head and kiss her hand...” The reporter selected video fragments showing the two officials embracing and kissing each other on the cheek, and garnished the video with a romantic background melody... No comment!

Another reporter from *Jurnal TV* tried to make some kind of quiz, asking ‘Who is Angela Merkel?’ to schoolchildren taken out into the streets by their headmasters to wave flags when Angela Merkel’s cortège would pass by. Compelled to give up holidays and stand for several hours in the hot sun, in the end, the children were exposed as idiots, because – oh, my God! – they didn’t know who Angela Merkel was...

In general, I have noticed that some TV reporters intentionally interview the most unsuitable people, thus making the audience think that only fools live in Moldova, and only journalists there are ve-e-ery smart. I liked the *ZDF* report because the German reporter did a good job: he walked the streets of Chisinau until he found three Moldovans who told him in good English and rather competently about their expectations related to the German Chancellor’s visit.

Another absurd report on *Pro TV* was about the green, pay attention - not red(!), but green - carpet, which was placed in front of the Palace of the Republic on the day of the visit. The reporter enthusiastically asked some of our political leaders about the connotations of that ‘landmark event’. Well, at least he did not ask Mrs. Angela Merkel...

There was no broad news coverage of the event

The first conclusion about the way Moldova’s press covered the German Chancellor’s visit to Chisinau is a lack of a clear message to the people: “Why Angela Merkel’s visit is so important for the future of the Republic of Moldova”. I do not know whether ordinary people understood that the presence of the German Chancellor in Chisinau meant something else besides the inconveniences connected to the traffic restrictions and closed bars, ...

The visit of the most influential European leader to Chisinau did not get any broad, multi-faceted coverage. Many important topics were not even touched upon. For example, the meaning of political support provided by Germany to Moldova; the amount of financial aid and German investments in the Republic of Mol-

dova; the problems and challenges faced by German companies in Moldova, what is known today about the German community in Bessarabia which till 1940 had about 100,000 people (a fact mentioned by Mrs. Merkel); what Mr. Horst Köhler, former German President, is doing today... Unfortunately, these topics did not get any attention from Moldovan media.

Germany's media gladly borrowed from Moldova's press information about the stolen grass carpet and the general cleaning of the city, 'unseen since the Brezhnev era'. It's a pity that we failed to pass on to the European audience some other messages, more favorable for us.

*Why did you visit us, Frau Merkel?

Alina ANGHEL



The official meeting of German Chancellor Angela Merkel and Prime Minister Vlad Filat with German investors in Moldova
Source: gov.md

TV Panel Discussions: Failed Expectations

Some thought that a growing number of TV discussions would take us from identifying and monitoring media topics to a higher level of public involvement via the platform offered by the television. After almost three years of “telecracy”, we have discovered that these expectations were too high and that TV panel discussions failed to treat the social disorder, but rather worsened it through the diversity of views and opinions that entered the public area through TV discussions.

The Republic of Moldova needs freedom of speech stolen from the public arena. After many years of fearing to express oneself and of inhibited civic spirit, the TV era has come. However, modern technologies imported through investments of millions of euros have failed to cover the gaps in the level of professionalism of the Moldovan journalistic craft.

The lack of well-trained specialists was the most evident gap. Program producers acquired their skills “on the job”, at a few trainings held in the country, through exchange of experience with their foreign colleagues, and by watching, as viewers, panel discussions moderated by distinguished anchors on foreign TV channels. That was not enough to acquire sufficient professional skills. Our producers’ insufficient training and homegrown experience, which they acquired as “common viewers”, become obvious every time a discussion gets heated and its subject matter risks being compromised by the superficial preparation of everyone in the studio, including both participants and moderators.

The public, likewise, was not ready to accept TV panel discussions as a potential source of new ideas. Some TV viewers wanted panels to just be platforms for expressing their own ideas rather than areas where open-minded people could confront their opinions. Many a time the public would insist on certain topics and dictate certain approaches, failing to understand that on the other side there are other TV viewers who would insist on their own viewpoints. In such a diffuse society as the Republic of Moldova, it is difficult to satisfy everybody. I do not know whether television should be a platform where people with different views should meet, listen to each other, and perhaps find common grounds. TV panel discussions are now areas where people try to understand diversity and, once they accept it, maybe different political, social, economic and other groups will reconcile.

Now we are discovering we have missed a large part of TV development, when the public is informed and educated how to accept realities presented by TV. Nowadays we live an era when this means of information distorts the balance between exaggeration and capture. Seduction is currently the main strength on our TV screens, whereas news and explication have receded into the background. They are either identified with difficulty among the avalanche of images and words, or are obscured by the effects filling the screens. This “new television” is purely commercial and uses TV viewers as a unit to measure its ratings, and not viewers who would like to understand what is going on in society.

Currently, most TV panel discussions focus on viewers’ emotions rather than their need to have some events explained. Now and then panel discussions seem hysterical and their participants too noisy. This state is maintained not only by controversial topics, but also by wide discrepancies between the participants, skillfully encouraged by programme producers. Intrigues in the studio keep the viewers in front of their TV screens, though the ending lacks consistency and viewers’ expectations are disappointed. On the other hand, the TV people blame viewers for that, claiming that they prefer entertainment to profound discussion.

Therefore, subjects for TV discussions are often chosen based not on their importance, but on marketing criteria. The topic that has more likelihood of attracting more viewers will be selected, rather than the topic that will inform, network, interpret and enhance the cultural level. As everybody understands politics, most of the panel discussions deal with political issues. Politics is discussed in prime time; politics is discussed in the morning and at noon. Other topics are squeezed in with difficulty in the listings, either from fear of not accumulating enough points for the rating, or due to the low skills of some moderators and panelists in approaching such issues. While moderators can prepare for a panel and get relevant information on the subject of the discussion, participants still remain a problem. They are either scarce, or busy with something else, or avoid public appearances.

TV channels and panel discussions have not “cleaned up” society, but have rather dug up more “demons” which before that were either hibernating or prohibited from appearing before a media audience. The avalanche of panel discussions on the new and old TV channels depleted the pool of potential participants after only a few months.

From the very beginning, panel discussion producers were afraid they would not be able to find discussion participants. Their fears were grounded on Moldovan journalists' not-always-happy experiences in finding amiable, well-informed and outspoken sources. Nevertheless, the first few months showed that their fears were irrelevant. To everyone's surprise, people gladly took part in panel discussions. Invitations were easily accepted and sometimes even eagerly awaited. Some participants even invited themselves. However, this did not last long. As soon as they understood what TV panel discussions were about and saw themselves on TV screens, they refused to take part in the discussions. The authorities were the first to get bored. There are a number of explanations for that and the easiest one is that they exhausted their messages to people and had nothing new to say. Experts are the most resistant participants, and they use TV panel discussions as a platform to promote their views and, moreover, their personalities.

Trying to classify participants of TV panel discussions, we can name at least four categories: protagonists, witnesses, authorities and experts. Each of them plays a distinct role in the discussion and ensures not only the presence of an additional person in the studio, but also another approach in terms of experience and knowledge.

Protagonists are the people who provoke media topics, and who are the most demanded ones for a short time. They come and go when the subject is exhausted. Unfortunately, in the Republic of Moldova protagonists have a very short life span. They appear at a certain media event or press conference and then vanish for good. Very often, the so-called newsmakers only announce some topics at a press conference by a letter or by phone. They do not accept other opinions or revelations during a discussion.

Their formal style of communication does not allow producers to invite protagonists to TV programmes and get first-hand information from them; as a result, there are no protagonists participating in person in TV panel discussions. Their absence cools down the discussion and limits it to speculations and interpretations. I am so far unaware of the true reason why people refuse to take part in TV panel discussions, as the fear of television is a lame excuse.

A refusal to join the discussion could be explained by a desire to conceal some unpleasant details, the fact that some topics are broached without sufficient backing arguments, or the fear of facing one's opponents. If all these barriers have been overcome and the protagonist(s) accept the invitation to come to the programme, the panel operates on another level and the discussion is focused. Protagonists should understand that none of

those who could replace them in the programme would be able to convey the emotions of persons who had lived through the event, even the most authentic witnesses.

Witnesses are the participants of panel discussions who can add, as an external party, what the protagonist has omitted. In the Republic of Moldova, witnesses are even more scarce. If immediate participants of the events refuse to take part in panel discussions, what would make witnesses assume other people's problems? However, producers' insistence sometimes enacts miracles. There are panel discussions where people consolidate around some leaders and manage to promote some ideas. Here, we can see the television's role in uniting people around some values and promoting their involvement in solving the country's most serious problems. Each individual and all of us together can make changes in society, though the involvement of the authorities is indispensable.

Upon the launch of two TV news channels in the spring of 2010, the **authorities** represented by ministers and deputy ministers, members of Parliament and government officials accepted all invitations to participate in live discussions. Now, after almost three years of intense debates, we see that their interest in TV panels is constantly flagging. There are a number of reasons why. They have seen themselves on the TV screen, they have understood how television works, there is no one new to debate with, and the list can go on and on. It is obvious that most representatives of the local and central government understand that they have to invest effort to be able to explain comprehensively their achievements and failures.

The election campaigns held in Moldova showed that people had been waiting to get involved and use their experience and knowledge. Despite this, immediately after the elections, the old and newly elected public representatives disappeared from the public eye. They would probably say that they have too much work. Still, if we don't see any results of their work, maybe they owe us an explanation of why things do not evolve as was promised. By now the state administration, from ministers to heads of departments and mayors, have changed their attitude to TV panel discussions. They are reluctant to accept invitations and very often lay down conditions when they agree to come.

A number of state agencies have locked their staff, even their spokespersons, into offices; for instance, the prosecutors. This is how they have found an interesting way to avoid participating in TV panel discussions. They claim that they cannot come to TV channels during work hours due to a huge work load, whereas after work hours they enjoy their free time and are free to spend it as they wish.

More difficult is the case of the state agencies assisted by specialists paid by international programs. We reproduce only one reply given by an official from the Ministry of Economy, responsible for relations with the media. "The ministries are not obliged to educate the audience of private TV channels," he said. In addition to these reasonable or unreasonable responses, we can see that the era of transparency in many government agencies is marked by officials' curiosity, not by their willingness to convey a message to taxpayers. We have entered a new era when every local or central government official can calculate very well the benefits from each television appearance, but, unfortunately, they only take into account their own benefits, and not the interests of citizens.

Experts are the most loyal participants of TV panel discussions. Their role is to provide impartial and professional explanations for some events taking place in society. Some with a wide professional experience, others with good knowledge in the area, experts save panel discussions substituting for protagonists, witnesses or authorities. When watching panel discussions on

a number of Moldovan TV channels, we discover that there are not very many experts, and they have to jump from one TV channel to another and from one subject to another. This creates an impression of *deja vu* and diminishes viewers' interest in the programme. Even if at the first glance some TV viewers might think that we have plenty of experts in this country, we have to admit that there are areas where it is difficult to find even one good specialist. These are some in social and economic areas. TV channels have already engaged the most valuable experts existing on the market, and now they should discover new experts or encourage civil society to do so.

The short period of daily panel discussions, besides the weekly ones that have become traditional in the Republic of Moldova, has revealed more challenges than achievements. The possibility to overcome these challenges depends on TV channels' resources; however, we should not underestimate society's readiness for more openness. Only together we will manage to set up a framework for discussions that will promote diversity of opinions and identify the best solutions.

Vitalie DOGARU

“The future of TV documentary can be secured only by own TV productions, socially valuable and of good quality.”

We have witnessed a media boom in Moldova recently. There have appeared new TV channels and online news platforms; however, it seems that documentaries have not yet gained great popularity in our media market, or, at least, there are few documentaries on our TV screens. In the following interview with Elena Pahomova, Program Manager at Publika TV, we will try to explain this.

A simple question to begin with: What does a TV documentary mean for you?



Source: publika.md

I don't like strict genre-based categorizations of TV productions. We are living in a different time. Today, we produce such a mix of TV products that names and categorizations have to be made up on the fly, while we are watching them. This is good, as it means advancement. A journalistic investigation can evolve and become a documentary film that will be watched by several generations. Why can't we say that the filler "A Trace in History" meets the requirements of a documentary? Its three minutes contain more information than some 30-minute documentaries. It is true, however, that the work took great effort and profound research. It's a pity we don't have fully-fledged documentaries yet, but hopefully, this genre will evolve.

Forgive me for saying so, but it would be ridiculous to venture upon making documentaries of the National Geographic level. Mere altruism and love for art will not be enough here. We need budgets, enormous by our standards. Should we try to copy the NTV style of journalistic investigations? It is possible, though in this case we'll need a lot of money as well. You shouldn't think that I'm a pessimist. I believe that documentary genre will appear in Moldova someday. It won't be revived though, because it is too late to talk about revival. There are no intermediaries between the previous generation of documentary filmmakers and the young TV generation. We have lost about 20 years; therefore, we'll have to learn everything from scratch, and not here.

TV documentary film: Is it cinematography or mere journalism?

The former does not exclude the latter; nevertheless, a journalist would rather resort to artistic means, than the other way around. Ideally, there should be plenty of TV projects

and many documentaries with a clear author's position, author's tone and individuality. Viewers will choose what they like better. Meanwhile, we have neither cinematography, nor TV journalism.

Why?

Because it takes a lot of work. Making documentaries is hellish work. Besides, a good journalist is hard to come by nowadays. We've only just begun developing our work principles, strategies,

and management mechanisms. We have learned some things from Russian media; still much more we have learned from our Romanian colleagues who shared TV management models with us. Publika TV is an example of a perfect news channel structure; however, whilst we were taught what to do, our teachers forgot to tell us about how it should be managed. To be more exact, they didn't know either. We had to build our management system from scratch and the process continues.

The same is true of the training of journalists. In my opinion, our journalism education system should be changed radically. Most good journalists I've ever met graduated from departments other than journalism: law, philosophy, history or political science. The time when the journalism department was equal to its task has passed. Today, journalism graduates do not have proper training in any field. There is need for specialization. Students should get specialized training in the second year of their journalism studies; or public relations specialists could be trained in other departments. You can't but agree that a person who has graduated from the department of biology would make a much more interesting documentary about the life of cephalopods than a fresh journalism graduate, who has barely read a couple of excerpts from *Le Bon*.

Thus, problem #1 is a poor system of education and, consequently, lack of specialists. Only a few people can write well, at least with knowledge of the subject, let alone correct grammar. One should write clearly, correctly and comprehensibly. We live in the era of copy and paste, when there is no author in the text. The author's presence is not the dominance of the author's opinion; it is his/her ability to create an atmosphere and convey what they have felt.

The second problem is laziness. Only greed for knowledge, emotions, and meeting interesting people can help a person develop his/her skills and make a worthy product. A good film requires months of preparation and teamwork. It's high time we stopped exclaiming haughtily, "It's a PERSONAL project!" One is worth nothing without a good cameraman, film editor, sound editor, producer, and even a lawyer.

Incidentally, this is the third problem: inflated egos. Each month "new ideas" are brought to me. On closer examination, I see that they are second-hand. Their authors have but a vague idea of how to implement them, but the resources they ask for are so huge that their allocation would stop all other projects. However, sometimes I discover people for whom I launch new projects, for example, "Autostrada" (Highway) and "Anatomia artei" (Anatomy of Arts). Costea Mihalachi and Ana-Maria Mihalache are great acquisitions for our department.

The fourth problem is that we are not quite sure whether we want to do it. If one really wants to make TV documentaries, he or she should go ahead, look for a theme and people who can provide them with details, create a film crew, and raise money. Speaking of ignorance, money can be raised both here and abroad. Many organizations and funds support projects of young documentary makers. They only need to prepare a good project proposal that could not be rejected. My colleague, Gheorghe Agadjanean, general producer at Programs Department, Publika TV, told me incredible stories about young people getting hundreds of thousands for their projects. Yet there is another problem: we have already picked and left behind themes that are currently in demand in the West.

Nevertheless, there are also other countries, for instance, the Czech Republic and Poland, that are among the first in the world in terms of public financing for documentary films. This is why Polish and Czech documentaries win awards at every film festival. Of course, there are some weak films, but there are plenty to choose from. I wonder if documentaries tailored to western tastes will be in high demand in Moldova. We'll live to see.

Why in the television program schedule in Moldova are documentaries, local productions, missing or rarely encountered? Is it due to a lack of funding, or to journalists' incompetence and indifference, or due to viewers' current unpreparedness or inability to understand this type of content?

I don't think we should blame our viewers as they are all very different. There are fools everywhere, you know, but our society has rather a high level of knowledge; and in the areas where it is not so high, documentaries can help to bring it up. There should be some public projects.

We should not just speak but shout about the lack of a unifying idea. Patriotism must be brought up; it is not imbibed with one's mother's milk, it should be nurtured. People will become more united and authorities will set their minds at ease. It's high time

they stopped splitting grains and did something useful. Oops, sorry, I got distracted and carried away.

For instance, in the Baltic States they constantly carry out narrow-focused social research. To remedy a situation, they launch national information campaigns to inform people. For example, if young people are not very interested in becoming firefighters, a complex system of persuasion is put into action: information materials, videos, seminars, documentaries, and certainly government support for young specialists.

For almost two years now, I've been talking about the need for a state agency for... I'd rather not call it agitation and propaganda, but something of the kind. However, this does not interest anyone; they have other priorities. Yet people should be prepared for changes, they should be told about the past. For this purpose, authorities must understand that the time given them to be in charge of the country should not be used only for their own benefit. They are just another ring on the history tree. There was life before them and there will be life after them. They should do something useful for the country; otherwise, they will stay in people's memory only for filling their pockets and grabbing ministerial portfolios.

What problems facing Moldova's society are suitable for this journalism genre?

He is a bad journalist who says that nothing happens in the country because the news agency has not sent a list of press conferences for the day. Likewise, he is a bad documentary filmmaker who doesn't see any themes for a film. What would I make a documentary about? I have a great number of projects on my mind, but I don't have enough time to implement all of them. Actually, there is a team that I would love to work with on such projects (and I work with them on some others). Frankly speaking, as a child I dreamed of making films about animals. Maybe I will start with a documentary about cephalopod mollusks.

Can you name some must-see TV documentaries (at least Top 5 films) made by Moldovan journalists? What makes them attractive to viewers?

I cannot name five films. It is true. I have rather strict requirements they need to meet, so let's return to this question in 10 years.

Do you think that TV documentaries have a future in the Republic of Moldova?

For TV channels that rebroadcast foreign programmes, the only way to survive and somehow observe Moldovan laws is production of their own programs. Their evening newscasts are watched without much interest, as if you are looking through a newspaper to recollect, "how it was". Their way of development should be daily and weekly analytical programs analyzing things that happened during the day and general processes that take place in the country. More than that, TV channel owners

must understand that they should invest in their channels' development, technical equipment, and people. Only some part of their investment will pay off (all of them are quite wealthy people), but a good reputation is more valuable than money. Therefore, the answer to your question is *yes*; the future can be secured only by own TV productions, socially valuable and of good quality. On the other hand, expecting that TV channels will buy independent projects is a utopia. TV channels are not philanthropists: they invest in projects that at least can repay and at best yield profit. It is much more rational to launch one's own project and pay salaries to people who work on both temporary and permanent projects. I'm talking about private TV channels. Public television is quite another matter. They are OBLIGED to finance such projects. However, I would not like to see projects of the same poor quality as those produced by

state-run television. They are beneath criticism and we should better avoid this painful subject.

What should be done to increase production of TV documentaries in Moldova?

First of all, we have to decide if we are going to observe the law or not. If yes, let's start it today. In this case, TV channels will be closed for illegal streaming of unauthorized movies, rather than for ideological inconsistencies. All broadcasters will have to make their own media products, and then there will appear film crews capable of making good documentaries. There will be plenty of films and, although not all of them will be of high quality, we'll always have a choice whether to watch them or not. Unfortunately, we don't have this choice now.

Victor GOTIȘAN

Manipulation Through Media: Intentional or Unintentional? How Much Intention and How Much Ignorance Is There?

It has never been more important than it is today to have independent, fair and as objective as possible opinions. Today, more than ever we need proper sources of information, i.e., independent, fair and objective. Can we say that our information sources are truly reliable? Every minute, hour, or day we are overwhelmed with a huge volume of information, and sometimes we make decisions and take actions that contradict our own nature.

As a psychologist and an active citizen, I wish the family, society and education (starting with kindergarten) would teach people practical things, cultivate critical thinking and develop their social skills, so that they could soberly assess the situation and stand up to it. People should be aware that media, politics, religion and even the scientific community could indoctrinate them by imposing values, setting up barriers and juggling with illusions.

Catalysts of (In)humanity

Nothing produced by a human being can be *a priori* "objective and balanced". I can afford such a statement unafraid of sounding rude, as I claim to know something about people and human nature. Journalists do not belong to a privileged caste with direct access to God who gives them the absolute truth. The closest approach to the desired "objectivity and balance" can be achieved through hard work, clear perception and dedication to the truth.

In the media, even well-intentioned journalists "distort" the message. One can only imagine what *messages* are produced by ill-intentioned journalists or by those without any intentions, i.e., indifferent ones. Life experiences (personal and professional); individual beliefs, both rational and irrational; prejudices and stereotypes (transmitted, adopted or voluntarily acquired); opinions and feelings - everything that is part of a journalist's ego, even emotional state at a particular moment - affect media messages in one way or another.

When journalists recognize and admit the above, they can control the interference of these factors in their professional career, not to mention their personal life. For example, the way in which a journalist presents some politician at a social event differs from the way another journalist would present the same politician at the same event. It seems very unlikely that the two journalists seek to manipulate public opinion, with the excep-

tion of "instructions" which they could have received from their editors/producers. At the same time, however, it is obvious that the video and the comments have been intentionally made this way and not any other, because... Here we can add anything that relates to the personality of the journalist who has made the news report. Thus, the image of any politician is biased and partial due to the personality of the journalist/publisher/editor, etc. Is this manipulation? Is this ill intent? In my opinion, even if there is no ill intent, we can call it manipulation, though I know the classical definition of the word.

Likewise, some media outlets intentionally use photos of public figures/politicians where they look silly or threatening as well videos where they are caught making embarrassing gestures or ridiculous comments.

Accident or mistake? Definitely neither!

"Information Errors"

There are many techniques for the manipulation of public opinion through the mass media, and few people understand how destructive they are. A piece of information at some point causing nothing more than laughter or confusion, a month later can make us refuse to shake hands with a politician who was videotaped making obscene gestures. And that for sure will not be the most negative consequence.

Other techniques of influence include the following: news ordering and their amount; selection of content and accompanying images; incomplete reporting of information; use of headings and metaphors; editorial columns and editors' opinions (in print media); exaggeration and/or distortion of facts; inaccurate quotations or statements taken out of context; distortion of aphorisms and quotations, etc. These techniques and their 'improved' variations are often used in the media, and we definitely cannot deny the presence of intention here.

Manipulation through the mass media exploits the difference between perception and reality. If the media can produce "smoke", then it is logical that in a short while there will be "fire"... Thus, the non-existent becomes a reality.

What makes media manipulations possible if journalists are well intentioned and people are well informed?

Persuasion is part of human behavior connected with change of opinions, attitudes and behaviors in the direction desired by those who initiate the process of persuasion, in this case the mass media and their representatives. This process involves three main stages: (1) audience research and attracting audience's attention, (2) structuring, dosing and/or modifying key messages, and (3) collecting feedback/consequences. In the context of interpersonal relationships, persuasion is an attempt to influence someone to make them adopt your ideas or certain behaviors, or do a certain thing. Quite a common definition of friendship, family and partnership relationships, isn't it? As a rule, people involved in the process of persuasion are aware of it and can make a choice – to accept something or not.

The situation is different in the case of media persuasion, often used for manipulation during political campaigns (the attitude towards politicians, elections, etc.) and in commercial interests.

Even if common sense warns us that something is wrong with a report, advertisement or article (i.e., the brain perceives the distortion), the information is still stored on a subconscious level, below the threshold of conscious perception, and thence it can influence our decisions, attitudes and behavior. This property of the human mind is fully exploited by the mass media, and the so-called " sleeper effect " can cause comical or, sometimes, tragic situations. Persuaded by advertising, we buy detergents, paints, mayonnaise and sausages made by particular manufacturers – and blame ourselves for that afterwards. In the same way, we can be persuaded to adopt some racist, sexist or discriminatory attitudes, as well as material values, career options, and finally, political preferences.

You have probably noticed the principles of selecting participants for TV panel discussions: intellectuals, journalists, activists, etc. are selected in such a way that their positions seem balanced, but as soon as they start talking, it becomes clear that this "balance of opinions" is fake. Sometimes it is outrageously blatant, and sometimes it is veiled. How many journalists and TV producers will admit that the participants have been selected in such a way that they would express views close to their own positions? Few or none. And how many of them will admit that they do such things unconsciously and unintentionally? Many or all of them. How much truth is there in these hypothetical answers, and how much smart evasion or lie? About as much as there is intention and ignorance in the media manipulation.

Instead of Conclusion

I do not claim to be right, but my knowledge of psychology gives me a broader framework to analyze social phenomena. The art of manipulation used in the mass media is old as humankind. It is part of us and we should accept it. Just as we should – as much as we can – bring this truth to our consciousness and decide what to do further, everyday, with each media product. Do we want to keep our mind awake or let it stay in contented and unassuming hibernation? Do we seek the truth or are we satisfied with what we have? Do we accept the opinions of "experts", which are comfortable and salutary, or make our own – probably painful – conclusions?

Processing media information is part of individuals crossing the minefield. Stay alert and watch out! If you do not know how to do it, you should learn. Since manipulation through the media can form today everything that you will read, eat, wear, hear, smell, want, do, hope, dream, etc. tomorrow. Everything.

Daniela TERZI-BARBĂROȘIE

Transparency of Media Ownership in the Republic of Moldova

Media transparency - a subject closely associated with access to public information - implies openness and responsibility. The more information about media is available to the public, the more responsible mass media is towards consumers. The role of mass media in society, its power to influence the agenda and public affairs requires a high degree of transparency, especially regarding media owners and funding sources. If the public does not know who the beneficial owners and sponsors of media outlets are, there is much scope for manipulation and propaganda. This is not acceptable in a democratic society and, implicitly, contradicts the concept of free press *per se*. Not only consumers, but also the state, including media regulation authorities that need to take informed decisions, are direct beneficiaries of media ownership transparency.

The study "Media outlets transparency in the Republic of Moldova" published under the aegis of the Independent Journalism Center analyses data related to assets and owners of Moldova's media outlets from the perspective of existing legal framework of the Republic of Moldova, looking at how these issues are reflected in the national media, as well as in international practices and legislation.

The authors of the study conclude that media diversity and transparency cannot be achieved in the Republic of Moldova, as long as its legal framework is not clear and consistent. Currently, Moldovan legislation covers the issue of media outlets' transparency only superficially and inefficiently and, thus, the public cannot be informed about the persons staying behind media institutions. This issue needs to be regulated, and mechanisms, which could allow the application of legal provisions, should be put in place. Based on the results of the study, the authors have formulated a number of conclusions and recommendations:

Moldovan law that regulates media activity uses the term "founder" to name owners of mass media inadequately and inconsistently. This makes it impossible to identify owners or beneficiaries - physical persons who stay behind media institutions. The Law on the Press uses only the term "founder"; while the Audiovisual Code uses the terms "founder," "shareholder" and "owner" inconsistently and improperly, creating an impression that these terms have different conceptual meanings. On the other hand, the specialized legislation on trading companies (The Law on Limited Liability Companies, the Law on Joint-Stock Companies) uses specific terms, such

as "shareholder", "associate", "participant" to name the owners. At the same time, the Electoral Code requires that broadcasters declare their "owners" at the beginning of election campaigns.

Taking into consideration the European legislation that has established the term "owner" to denominate different forms of exercising ownership rights in mass media, it is recommended to harmonize the terminology in the Moldovan legislation on trading companies, including media outlets. Two proposals were identified: to establish in the Moldovan legislation (the legislation on trading companies and media) the term "owner" as a generic term to denominate different forms of ownership or, the extended version, to use in the legislation simultaneously all forms of ownership right on media (shareholder, associate, participant, member). Also, another relevant term used in the international trade legislation is a "beneficial owner" that denotes the person, except the one indicated in the ownership act, who has an influence on and control of and, in the end, benefits from civil fruits, meaning the revenues obtained by using this ownership right. Thus, the term "beneficial owner" includes investors, sponsors, and persons controlling the trading company in terms of commercial legislations, etc. Therefore, it is relevant to enact the definition of "beneficial owner" and enter it in the Moldovan media legislation.

The issue of transparency of media ownership by broadcasters and service distributors (cable operators) is addressed by the Audiovisual Code in a superficial and implicit manner in several articles that contain general provisions regarding ownership concentration (Articles 7, 23, 27). Although the Code puts high priority on the information regarding media ownership and pluralism during the licensing process, these provisions are declarative and inefficient. The Code imposes on the Coordinating Council of Audiovisual (CCA) the obligation to ensure media pluralism by limiting ownership concentration, but does not provide the regulating authority with the necessary regulating instruments or mechanisms to carry out this obligation.

The recommendation is to add in the Audiovisual Code provisions that would force the broadcasters and service distributors to deliver to CCA information regarding the legal and beneficial owners both when applying for broadcasting license or chain broadcasting authorization and then annually. At the same time, CCA has to ensure the public character of information and free access to it.

Although the Audiovisual Code stipulates in Article 27 sanctions, specifically cancellation of the broadcasting license, for the violation of media ownership rules, neither the National Agency for Consumer Protection (NACP), nor the CCA control or identify the violation of competition protection norms in the audiovisual area. Moreover, the information that CCA has access to, on the basis of the Code, is very limited and does not offer the possibility of forming an opinion about the real situation with the broadcasters' ownership.

It is recommended to separate clearly the duties of CCA and NACP related to competition and control over ownership concentration. As the Audiovisual Code empowers the CCA to sanction the violation of the audiovisual ownership norms, the law should provide the needed instruments and mechanisms for the CCA to perform its task.

The transparency of media ownership is connected with the concentration of media ownership. The control over ownership concentration imposes a clear mechanism for ensuring property ownership and vice versa. Thus, in order to achieve the goal of a free and pluralistic media market, not only clear provisions on property transparency are required, but also a control system of the property concentration. From this perspective, the current Audiovisual Code needs to be amended significantly in order to grant the required importance to the proposed provisions and to achieve the final goal related to the requirements towards media ownership transparency (these provisions were proposed by the Free Press Association in Moldova (FPAM) in the draft of the new Audiovisual Code).

Article 41 of the Audiovisual Code, which refers to the CCA obligations and, *inter alia*, stipulates that CCA ensure mass media transparency in the audiovisual field, is only declarative, as the Code does not envisage any mechanism for the CCA to accomplish this task.

It is recommended to add to the Audiovisual Code specific duties for CCA regarding media transparency. Based on the law, CCA should have the power to require any necessary information to ensure performance of these tasks.

Article 66 of the Audiovisual Code ("Private broadcasters"), according to paragraph (6), binds broadcasters to inform the public regarding the name and location of the administration; the name of the program's or show's producer; the signals of the radio or TV station. Thus, the obligation does not refer to the broadcaster's ownership structure.

It is recommended to add to Article 66 of the Audiovisual Code the information about the ownership structure, thus committing

broadcasters to inform CCA about any amendment that takes place. Besides, it is necessary to take into account the obligation to obtain the CCA preliminary agreement or to inform CCA in advance about the amendments made to the structure of the property. Also, special consideration shall be given to the provisions regarding the cession of the broadcasting license that can be used by the broadcasters as a simpler solution to change the ownership structure.

In the current system of sanctioning broadcasters, it is almost impossible to implement immediately any provisions regarding media ownership transparency. Based on the current system of sanctioning broadcasters and service distributors, the failure to comply with the obligation to disclose the ownership in an annual report could be sanctioned with a stronger impact only in the third year of activity.

It is recommended to reform the system of sanctioning broadcasters and service distributors. The current sanctioning system has proved inefficient throughout the past 6 years, being a constraint for a proper and timely accomplishment of the CCA duties in the audiovisual field.

The Press Law has reduced its scope to a very small number of subjects and situations, having for a long time fallen into abeyance. Although the Press Law regulates periodicals, regardless of their organizational-juridical form, the periodicals registered at the State Registrar Office as trading companies do not fall within the scope of this law. Thus, inserting in the Press Law the obligation to ensure the press ownership transparency could have a narrow scope and be inefficient. On the other hand, both the national and international journalistic environment insist on the need for press self-regulation.

Press ownership transparency has to be encouraged and promoted as part of the self-regulating process. The Codes of Ethics of the written press need to be complemented with specific provisions on ownership transparency. At the same time, with political interests deeply rooted in the media, media ownership transparency has no chance of becoming an ethical tradition. Thus, there are two proposals to follow, the **first** being to amend the Press Law by adding mandatory information that the press should publish (Article 13 of the Press Law) according to the provisions of the Recommendations of the Committee of Ministers of the Council of Europe (94)13 and (2007)2. This is "information on the interests held in other media by the publishing structure or the persons, or bodies participating in the latter; information concerning the persons or bodies, other than those directly involved in the publishing structure, who are likely to exercise a significant influence over the editorial line of the publications which they manage"; "information on

any statements of either editorial policy or political orientation of newspapers and publications”, as well as data “concerning the financial results of the publishing structure and the distribution of its publication(s)”, explaining and establishing the relevant terms. The **second** proposal is elaborating and adopting a special normative document ensuring that media (ownership) transparency that would have all types of media as subjects of regulation. Adopting a specific and distinctive normative document would have the advantage of including, among the subjects of regulation, the online mass media that are covered neither by the Press Law, nor by the Audiovisual Code.

The Press Law prohibits publishing periodicals that do not report all the reference data from Article 13 - *ab initio* disposition, as the Law does not envisage any appropriate sanction. Thus, the legal amendments should encompass the insertion of an appropriate sanction for the failure to reveal the required information.

According to Recommendation (94) 13 of the Committee of Ministers of the Council of Europe, citizens should have the option and the right to require reference data of the media outlet from their editorial body. It is recommended to establish in the media legislation the right of citizens to require access to information about the media outlet’s ownership, financing sources, publishing policy or political orientation, as well as the appropriate sanction for the failure to respect this right.

It is recommended to annul the fees charged by the State Registrar Office for requiring such information by the national media institutions. Therefore, on the one hand, the access to information will increase, and on the other, some financial, bureaucratic and logistical barriers will be removed in the investigation of some public issues by the mass media, e.g. regarding media owners and ownership.

The acquisition of media outlets by off-shore companies is not regulated by the national legislation. Both the Press Law and

Audiovisual Code limit the ownership of foreign legal entities over Moldovan media outlets to half of shares/social capital at most. A series of obstacles that limit the access to information regarding media owners exist due to the legislation of offshore areas that protects the confidentiality of information on the owners of companies based in those areas. National and international studies show that by interposing some offshore companies in the media ownership structure it is intended to hide the real owners, who are usually political persons or civil officials. The European Union does not have a single approach to this subject, and there are very few Member States that regulated this issue. For example, Greece has imposed restrictions on the procurement of media outlets by offshore companies, and Georgia amended in 2011 the Audiovisual Law by adding to it a prohibition to grant audiovisual licenses to offshore companies.

It is recommended to discuss, also at the political level, the ownership of media outlets by offshore companies. Any decision that will be adopted, either to limit or ban these practices, should take into consideration at least the following aspects: oftentimes there is a number of companies, which participate in the ownership structure at different levels; the non-retroactive character of the law, which means that the new law is applied only to future situations; the phase, when the intervention is expected (in the future, only at the licensing phase or throughout the duration of the license), as these are distinct issues.

The Moldovan legislation must oblige the entities registered offshore to provide information about the beneficial owners when they found or acquire a media outlet.

A lack of media outlet transparency leads to the media concentration in the hands of a few interested groups; this endangers media pluralism, consumers’ right to information and freedom of speech.

Doina COSTIN

The Impact of the Law on Freedom of Expression

The Law on Freedom of Expression No. 64 of 23 April, 2010 came into force on 9 October, 2010, three months after its publication. The law contains provisions aimed at guaranteeing a balance between the exercise of individuals' right to free expression, on the one hand, and safeguard of honor, dignity, business reputation and private and family life, on the other. The law translates into the national legal system most of the principles resulting from Articles 8 and 10 of the European Convention on Human Rights and of case law from the European Court of Human Rights regarding the safeguard of private life and, therefore, the freedom of expression.

Not only does the law reformulate and clarify certain legal notions, but it also introduces a series of new concepts, such as the mandatory pretrial procedure (preliminary); the shorter term (20 and 30 days) for filing preliminary requests and civil complaints, which did not exist before, for defamation cases; the state fee of 3% of the damage (including moral damages) requested by the plaintiff, compared to symbolic tax of MDL 100 that existed earlier; the plaintiff's obligation to indicate and prove that he/she has defamatory information, etc. These amendments change conceptually the legal protection provided to journalists, and, at the same time, open a clear legal framework for the protection of reputation and private life.

Although this is an absolutely new and superior stage in promoting the freedom of expression, the adoption and coming into force of the law have passed almost unnoticed for both journalists and lawyers, except for those who worked on the development and expert review of the draft law. Many have learned about its existence only due to some defamation-related litigation, while others managed not to notice it even then. This is, to a large extent, the conclusion of a study carried out in October 2012 with the support of the Independent Journalism Center. Such a conclusion is worrisome, also because the



Picture: <http://www.flickr.com/photos/sasaiicco/sets/72157625387188101/with/5225559579/>

Independent Journalism Center has supported the drafting of detailed comments to each article of the law.

The research shows that most of the media outlets have not studied the provisions of the new law and, therefore, have no comment on it. This situation gives rise to misinterpretations of the fundamental notions regulating journalists' activities. Many of the journalists and editorial boards do not know the meaning of *rectification*, *denial*, *reply* and *apology*, which hinders the efficient management of preliminary complaints. Curiously, over 40% of respondents are involved in defamation cases, but only 14% of them have studied the new law. Nevertheless, 42.8% of all respondents say they are dissatisfied with the effects of the new law, while 28.6% acknowledge they have not even heard about the law.

These statistics have an immediate impact on the judicial procedure. An analysis of court judgments in the past two years has revealed a low impact, which also resulted from the lack of information about the existence of the law among judges and trial participants. However, when known and applied, the law produced a significant effect: many judicial solutions were changed and many cases returned or dismissed because of the failure to comply with the preliminary procedure or the failure to pay the state fee. Thus, a relatively high number of cases (18% of all cases) could not be examined on the merits because of the failure to comply with the preliminary procedure. This figure might have been even higher, if the courts had been better informed about the existence of the new legal provisions.

In some cases, the parties learned about the new law during the trial. For instance, one court had been examining a case for seven months, and none of the parties invoked compliance or non-compliance with the preliminary procedure. At the final stage of the case examination, the court brought to discussion the compliance with the preliminary procedure, revealing that the plaintiff did not know the provisions of the law. In

November 2011, the court issued a ruling on dismissal of the complaint. The plaintiff carried out the preliminary procedure and filed many petitions with the court for restoration of the case on the grounds that the omission was due to neglect of the court, which allegedly delayed the examination of the first complaint for seven months. The plaintiff said that if the court had returned the complaint to him immediately, he would have had enough time to conduct the preliminary procedure properly. Having examined the complaint in question, the court considered the plaintiff's arguments ungrounded and rejected the complaint in March 2012 for failing to meet the limited term set by the new law.

The study showed that, as a rule, defendants' lawful claims that plaintiffs failed to comply with the preliminary procedure resulted in dismissal of complaints.

The situation related to the state fee is even more interesting. As mentioned above, the new law imposes a fee of 3% of the claim amount. Consequently, this discourages plaintiffs from claiming millions of lei; many of them give up court actions when the court *ex officio*, or at the defendant's request, brings to discussion the need to pay the state fee for patrimonial claims.

However, the courts and parties are not always aware of this provision. In view of this, on 23 December, 2011 the Disciplinary Board of the High Council of Magistrates applied a disciplinary sanction by giving a warning to a judge for failure to rule the payment of the state fee before dismissal of the complaint.

Curiously, after this judgment, although a court ruled to give time for the plaintiff to pay the state fee for damage claims, the Court of Appeal accepted the plaintiff's appeal on 15 March, 2012. The Court of Appeal regarded the trial as non-patrimonial, even though the complaint included a requirement for compensation of damages.

The new law has not significantly amended judicial practice in terms of solutions on the merits, since courts used to impose judicial solutions based on the provisions of Article 10 of the European Convention on Human Rights, which are largely found

in the new law. Even so, many new institutions of law related to immunity in cases of defamation, exoneration, burden of proof and effect of denial could change judicial practice, once these provisions are known and applied during the examination of cases.

It is important to note that the situation in Chisinau courts does not differ from that in others; nor does it differ with regard to the hierarchical level of the court. Only three out of twelve analyzed judgments of the courts of appeal made reference to the new law, and only one of all the analyzed judgments of the Supreme Court of Justice cited the new provisions.

This analysis has also revealed that judges of the same court may pass divergent decisions; one shows knowledge of the new law, and the other passes judgments only on the grounds of Article 16 of the Civil Code.

When defendants referred to the provisions of the new law, the court usually imposed procedural solutions or made decisions on the merits, on the grounds of this law. Therefore, it seems that failure to apply the new law is not in bad faith, but due to the lack of information.

The Supreme Court of Justice has brought to discussion a draft explanatory decision of the Plenum on Application of the Law on Freedom of Expression. Following the study, it is considered that the adoption of such an explanatory decision by the Plenum of the Supreme Court of Justice would increase the impact of the new law by informing about the existence of these provisions and by explaining them not only to judges and lawyers, but also to the wider public.

Consequently, a positive impact of the new law can be analyzed only after a consistent application of the law during, at least the two coming years. Only through the application of the law could it be identified whether the mechanisms established by it are successful in safeguarding the freedom of expression and private life. It is true that the new law provides more protection for journalists; however, any misuse or unprofessionalism on their part could easily predetermine the amendment of the law.

Janeta HANGANU

National Legislative Framework and International Practices in Social Advertising

“Advertising” and “Social Advertising”: Terminological Confusion

Commercial advertising is an essential element of a market economy. It is not required in a planned, centralized economy. In the former USSR, advertising was not an object of scientific research for many decades. Thus, there appeared a huge deficit of theoretical and applied developments in this field, which is important due to large cash flow passing through it. That deficit had to be filled after the collapse of the planned economy and liberalization of economic relationships.

After gaining independence, the Republic of Moldova needed to create its own legal system to regulate all areas of social activity. To avoid reinventing the wheel while drafting and adopting regulatory acts, the legislators largely resorted to practices already available in the world. However, sometimes they did it in a rush and did not make use of the best ones. Thus, it happened that of the two Romanian terms - *publicitate* and *reclamă* - only one, “*publicitate*,” was and is still being used in legal texts. It seems that it was due to an erroneous translation of an American English term “*publicity*” that means information of high public interest. Americans use the term *advertising* when referring to what we erroneously call *publicitate*.

However, excessive borrowing from other languages entails risk. In our opinion, the specific case related to “*publicitatea*” is the first reason why the current law in this field remains obscure, with unclear and wordy provisions. Dan Stoica, a Romanian university professor, was wondering in this context: “What do we talk about when we discuss *publicitate*? Do we talk about *reclamă* as well? Do we differentiate these two Romanian terms? I think we should clarify this matter by arranging all arguments relating to the concept *publicitate* in this metalinguistic debate. Clear concepts and correct use of terms ensure logical consistency and coherence of scientific discourse. René Thom drew attention to the need of consistency implied by any science and mentioned that this consistency is provided through the use of speech. If speech is used without control, the idea of consistency is compromised, and science in this case is “weak”, if it exists at all.”

The improper use of the term “*publicitate*” gave rise to the phrase *publicitate socială* (“social advertising”). This phrase entered both common and legal language through Russian. In fact, in Russian it is a loan translation from the English term

“social advertising”. It would be more advisable for the legislators to choose other phrases, such as “public service advertising” or “public service announcement” (PSA), often used in the USA. “*Publicitate socială*” (“social advertising”) does not convey accurately enough the meaning of the PSA acronym. It should be noted that the notion of “*publicitate socială*” (“social advertising”) is missing from the legislation of Western countries, as well as of some former soviet countries like Lithuania, Latvia, Estonia. The advertising is categorized as “commercial” and “non-commercial”.

We also notice some other cases of terms that came from the Russian language, which make it difficult to understand the phenomena they define. For instance, the phrases “*jurnalism civic*” (civic journalism) and “*jurnalism cetățenesc*” (citizen journalism), which are two different types of journalism, are rendered into Russian by one phrase “гражданская журналистика” (citizen journalism).

Consequently, there is an urgent need to find a term, which would convey the accurate meaning of what we currently call “*publicitate socială*”. A Russian researcher, Olga Savelieva, rightfully notes that, since all our life is social, there are two levels, two types of discourse, in any type of advertising: one is related to the product/service, the other one to the society. Commercial advertising does not have any sense outside society, so it is social as well. Any type of advertising has an impact on the citizen/customer as part of social structure, and this fact proves once again the need to find another notion to define what, for instance, in the USA is defined as PSA. The object of such a notion should be an idea containing a certain social value.

An accurate notion and a clear definition of the term “social advertising” would facilitate its identification, which is currently difficult.

“Social advertising” can be provided by government agencies, nonprofit organizations, as well as commercial companies. The latter, for obvious reasons, could try using “social advertising” for promotional, commercial or even political purposes. With respect to commercial advertising, legislation provides for a number of restrictions and interdictions in terms of drugs, alcohol, tobacco products, as well as appearance in ad spots, especially in video spots, of some symbols or characters (doctors, children, program anchors/news presenters, etc.). There

are no such restrictions and interdictions for “social advertising”. A producer of spots that carry social messages, on the contrary, has to rely on well-known and reputable characters in order to strengthen the expected impact after broadcasting the spot.

However, in order to prevent potential misuses, it would be necessary to determine what advertising is “social.” For instance, during election campaigns, education and motivational spots for voters, which are actually “social advertising”, are accepted to be broadcast only after the Council of the Central Election Commission confirms that they do not pursue political/electoral goals. Similarly, such a role can be played by the National Agency for Protection of Competition, which must comply with the Law on Advertising. Thus, the preferred solution would be a self-regulatory agency, a National Advertising Council, that would play this function, among others, as is the case in the USA, Germany or Romania.

Whatever institutional form it takes, this agency will have to assess efficiently the nature of advertising as a message, including cases when “social advertising” mentions sponsors. For example, the content of a “social advertising” spot could be: “Gura Cainarului advises you to drink only pure water!” or: “The Green Party invites you to take part in cleaning the Moldovan communities”. These examples contain social messages. At the same time, they promote their sponsors. A dilemma arises: the ban on mentioning sponsors in messages of public interest would discourage sponsors from promoting such messages; meanwhile, lifting the ban would decrease commercial advertising budgets, once the effect can also be achieved through “social advertising”. However, in any case, the authority responsible for approval of “social advertising” needs to be recognized by all “social advertising” producers and have all necessary tools based on the clear rules of law. Therefore, clarity can only come along through the accuracy of words.

“Social Advertising” and National Legal Regulatory Framework

The national legislation regulates in detail the area of commercial advertising. Still “social advertising” is regulated insufficiently and in such a way that there is no incentive to use it for the purposes it could serve.

According to Art. 21 of the Law on Advertising and Art. 288(9) of the Tax Code, “social advertising” *“represents the interests of the public and government related to promotion of healthy lifestyle, health protection and environmental protection, conservation of energy, social protection of the population.”*

We would like to draw your attention to the limited number of areas (5), which presumably have an interest for the society and the state. Hence, if the appeals would refer, let’s say, to social cohesion, cultural and historical heritage, moral and spiritual values, tolerance, civic activism, patriotism, prevention of social plagues, etc., they would be of no interest to the entire society just because they do not fit in the mentioned areas. Definitely, there are many more areas, and it is impossible to make an exhaustive list in a legal document. Therefore, there should be a different approach to this issue, which could ensure that an idea of real social importance would not remain beyond some arbitrary limits.

According to the same articles of the law, “social advertising” *“has no commercial purposes and pursues philanthropic and socially important objectives.”*

On the one hand, “social advertising” is a type of advertising; therefore, it shall be regulated by the Law on Advertising. On the other hand, “social advertising” pursues *“philanthropic objectives”*; therefore, it can be regulated by the Legislation on Philanthropy. Probably, the exclusion of the term “social advertising” from the Law on Advertising and its inclusion in another law, under the name *messages/appeals of public interest*, would solve the current problems. Such a solution would have been justified, also because Art. 22(5) of the Audiovisual Code stipulates:

“The following shall not be regarded as advertising:

- a) Announcements of broadcaster’s own programs and related services;*
- b) Free public notice announcements;*
- c) Calls for charity;*
- d) Spots promoting national campaigns of social importance.”*

The provisions of the Audiovisual Code, drawn up in the spirit of the Audiovisual Media Services Directive (AMSD) 2010/13/EC of the European Parliament and of the Council, determine that commercial advertising is different from “social advertising”.

While “social advertising” is regulated by the Law on Advertising, advertising agencies are involved in its production and broadcasting/dissemination. According to Article 5(1) of this law, *“Advertising agencies (advertisers, ad producers, broadcasters) are individuals and legal entities, regardless of the type of ownership and legal form of organization, which through artistic, technical or psychological methods make public, as appropriate, promotional information in order to generate demand and implement effective sales of goods or services.”* In accordance with this provision, “social advertising” shall be made by someone else, rather than advertising agencies.

In fact, “social advertising” differs too much from commercial advertising to be regulated by the same law. The difference can be seen in many aspects; specifically:

1. According to the definition, “social advertising” is an appeal aimed at highlighting some social problems and some moral and spiritual values.
2. The goal of “social advertising” is humanization of society through formation of spiritual and moral values.
3. The mission of “social advertising” is to foster humanistic behavior in society.
4. “Social advertising” plays, *inter alia*, an educational role.
5. The object of “social advertising” is an idea with a certain social (public) value.
6. The target audience of “social advertising” is the entire society, the citizens (contrary to commercial advertising, targeted at consumers).
7. The providers of “social advertising” are mainly the government and non-commercial institutions.
8. The efficiency of “social advertising”, unlike the efficiency of commercial advertising, cannot be assessed immediately.

“Social advertising” and commercial advertising have one similar aspect: the form of communication. The fact that they are similar in form, but different in essence shows the need for a different approach to these two areas.

According to Article 21(2) of the Law on Advertising: “*The free production and broadcasting of social advertising by advertising agencies, the transfer of assets, including funds, by the advertising agencies to other individuals and legal entities for the production and broadcasting of social advertising shall be considered charity and shall enjoy the benefits provided by the law.*”

The *benefits* are provided by Article 36 of the Tax Code. According to this article, any natural or legal person that makes charitable or sponsorship donations are entitled to benefits, for the purposes provided in the Law on Philanthropy and Sponsorship. A resident taxpayer who during the fiscal year has made documented charitable and/or sponsorship donations shall be entitled to a deduction of the taxable income equal to the value of donation, but not exceeding 10% of the taxable income.

In any case, the taxpayer may benefit through the facilities provided in Article 36 of the Tax Code, only if the donations and/or sponsorships made by him meet jointly three requirements, specifically:

1. Philanthropic donation or sponsorship shall be made disinterestedly for any of the purposes provided by the Law No. 1420/2002 (on Philanthropy and Sponsorship);
2. Philanthropic donations or sponsorship shall be

made in favor of the following potential beneficiaries:

- public authorities or public institutions exempt from income tax (financed from the state budget);
 - family-type children homes;
 - non-commercial organizations referred to in Article 52 of the Tax Code (organizations registered in accordance with the law on public associations and exempt from income tax, provided they have an income tax exemption certificate issued by the territorial body of the State Tax Service);
3. A donation shall be confirmed in accordance with the provisions of Chapter IV of the “Regulation on Confirmation of Donations for Sponsorship and/or Philanthropy” approved by the Government Decision No. 489 of 04.05.1998.

Hence, in order to obtain tax exemptions, a provider/broadcaster of “social advertising” has to ensure that the advertising corresponds to one of the five areas, which “represent the interests of society and the state”, and to obtain recognition of the contribution as a donation complying with the requirements set out in the law. And if, for instance, a businessman and ten private TV broadcasters would like to conduct, free of charge, a social campaign under the slogan “Let’s be tolerant!”, they could not benefit from tax exemptions, since the appeals to tolerance do not “*represent the interests of the society*”, and the “*potential beneficiaries*” are not the “*public authorities, family type children’s homes and non-commercial organizations*”. On the contrary, the production and broadcasting of “social advertising” in the sense of the law means execution of works and provision of services which lead to the creation of some taxable objects and tax liabilities emergence, without taking into account the business gratuity. In other words, the current legislation does not provide for tax incentives to efficiently encourage the production and broadcasting of “social advertising”, particularly by legal entities operating for profit.

International Practices

The notion of “social advertising” is non-existent in the laws of **Lithuania, Latvia and Estonia**. For that reason, the broadcasters of social messages can identify them as commercial advertising. In the end, the media set up their own rules.

In the **Armenian** Law on Advertising, “social advertising” is not defined separately. However, messages of public interest reflect national interests in such areas as the population’s health, environmental issues and social protection and they should be allocated no less than 5% of the annual airtime on a commercial basis.

There is a definition of social advertising in the **Russian** law. Requirements:

- in radio and TV social advertising the length of sponsor-related announcements shall not exceed 3 seconds and, accordingly, 7% of the video space;
- in social advertising of other means the length of sponsor-related announcement shall not exceed 5% of the ads area.

The organizations that produce and broadcast social advertising free of charge are exempt from VAT for these activities, and income taxes are not deducted from the amounts spent on the production or broadcasting of social advertising without any reward for broadcaster.

The **Georgian** Law on Advertising provides that:

- social advertising is the object of public and social interest; it aims at achieving charitable purposes, protection of people's life, health, property, and the environment. The relevant governmental agencies and local public authorities are allowed to broadcast social advertising;
- no commercial organizations and individual entrepreneurs, or any brands of goods shall be mentioned in the social advertising;
- the organizations, the activity of which is fully or partially financed from the state budget, are obliged to broadcast social advertising presented by the government agency free of charge within the limits of no less than 5% of the time/space allotted annually to advertising.

The concept of "social advertising" is non-existent in **Romanian** legislation; however, the Romanian Council's Acts on Advertising, established as a single self-regulatory body in the field, contains regulations on social advertising.

With regard to social campaigns, the Audiovisual Law contains only one provision: "Advertising shall not include the announcements of public interest and charity appeals broadcast free of charge". A decision of the National Audiovisual Council (CNA) reads as follows: "The broadcasting of the announcements of public interest and charity appeals promoting goods and services shall be prohibited".

An action may be broadcast in the form of a social campaign on CNA's approval. If a campaign is recognized to be "social", it has the right (not the obligation) to be broadcast free of charge, especially, at a public broadcaster, and at private broadcasters – within the limits of available space.

In the **UK**, the Government is the broadcaster of "social advertising" and it is financed from the budget. All other issues are controlled through self-regulatory mechanisms of the advertising industry. The Government does not attempt to oblige me-

dia to broadcast social messages free of charge. The so-called Central Office of Information (COI) deals with advertising; it coordinates the activities of the government structures in such areas as communication and relationships with advertising agencies. The office has an annual budget allowing them to promote efficient communication policies and not to search for sponsors. Social messages are largely supported both by the government and commercial and non-commercial sectors. The UK has training centers for the specialists in "social advertising" area. There exist efficient mechanisms to assess the impact produced by social campaigns upon the public.

For media, the COI is a client like all commercial advertising providers. In the UK, nevertheless, it is prestigious to execute orders placed by the government.

In **Germany**, there are no regulatory acts defining "social advertising" or regulating its production and broadcasting. The relationships between the state and civil society are regarded and perceived as relationships between partner and investor. The Government provides significant financing for social projects that they consider important.

Advertising industry companies are part of the so-called "Central Association of the German Advertising Industry" (ZAW), which coordinates the entire advertising activity, including the social one.

The German Government covers up to 75% of the costs related to the production and broadcasting of social advertising.

The **USA** law contains neither a definition of social advertising nor criteria for identifying it. The definition was given by the Advertising Council, which coordinates advertising in general and social advertising in particular. Thus, "social advertising" is that which serves the public interests and its purpose is to draw attention to the need to solve important social issues, and to encourage changes in the public behavior or attitude towards certain issues.

The Council has developed criteria for the identification of the information that can be called "public service announcement" – PSA. The social campaigns, in order to be recognized as such, should not pursue any commercial, political or confessional interests or be aimed at changing any regulations. Public service announcements are broadcast, as a rule, free of charge.

In the USA, similar to the UK, the PSA (public service announcements) are based on elective right, that is, the right to express one's opinion on issues that are considered important. "Social advertising" is necessary, first of all, for the state power

responsible for governance and social climate. Still, it is also an effective tool to influence public opinion, which is available for non-commercial organizations and business environment.

“Social advertising” practices differ from country to country and are circumscribed by regulations and/or self-regulation. A thorough study of them would allow us to take over the best practices suitable for Moldova, including the terminology. Borrowing from the experience in terms of regulations and self-regulations related to public service announcements would provide new mechanisms for the development of a healthy social climate.

References

European Convention on Transfrontier Television (ECTT), Strasbourg, 5.V.1989. European Treaties - No. 132. Text amended according to the provisions of the Protocol (ETS No. 171) which entered into force on March 1, 2002;

Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by legislation, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive), Official Journal of the European Union L 95/1;

Stoica, Dan, *Despre publicitate*, în volumul *Comunicare și cultură: aplicații interdisciplinare* (coordonator, Adela Rogojinaru), București, Tritonic, 2006;

Николайшвили Г. Г., *Социальная реклама: Теория и практика*. – 2-е изд., испр. и доп. – М.: Аспект Пресс, 2008;

Савельева, Ольга, *Введение в социальную рекламу*, „РИП-Холдинг”, 2006;

Doug Newsom, Dean Kruckeberg, Judy Vanslyke, *Totul despre relațiile publice*, Editura Collegium, Polirom, Iași, 2003;

Coman, Cristina, *Relații publice și mass-media*, ediție revăzută și adăugată, Editura Polirom, Iași, 2004.

Ion BUNDUCHI

Digitalization of Broadcasting in the Republic of Moldova: The Zero Moment of Truth, or A New Form of Monopoly on the Broadcasting Market

By June 17, 2015, the Republic of Moldova is committed to switch over from analogue to digital terrestrial broadcasting. Theoretically, this implies TV market liberalization and equal market conditions for all broadcasters. Nevertheless, access to the digital broadcasting networks will be allowed after the amendment of the licensing conditions. Will this be a new form of competition control? We don't know yet. It is certain, however, that the TV channels that will meet the new licensing requirements will be granted the right for digital broadcasting.

The licensing requirements are unknown; also unknown is who will build the emitter network and manage the future multiplexes. *Radiocomunicații*, the state-owned radio communication company which currently manages the public emitter network, declares that it is ready to invest 50 million lei in the construction of the first digital network with national coverage and a multiplex for up to 15 TV channels with SDI (standard definition) transmission. Still, this offer implies the condition that these TV channels must have a broad audience. The second network and the second national multiplex are to be built with private money, which means NEVER, taking into account the small audience and small market share of the remaining TV channels. What should have been the zero moment, has all the chances to be transformed into a simple redivision of the TV broadcasting market, a process where *Radiocomunicații* would play its familiar role of monopolies patron.

Why should we worry about it? The Moldovan TV broadcasting market has been strongly impacted by retransmission of foreign TV channels, and, as a result, has rather a strange character and a strange trajectory. It did not evolve from the audience's need for information to a developed TV broadcasting industry, but actually from the need for political influence on the masses to a controlled and profitable economic instrument. The dominance of politics on the broadcasting market is also manifested by the current lawlessness in the broadcasting field, where no law has any legal force or effect, while the Coordinating Council of Audiovisual (CCA) has become an instrument for exerting pressure against rivals.

The transition to digital broadcasting is an extremely complicated process for the Republic of Moldova. The challenges are not only technical, but also political and economic. *Radiocomunicații*, the state-owned radio communication company, is currently testing its digital broadcasting equipment and the networks are mostly ready for the transition from analog to digital broadcasting. Despite this, no transition strategy has been approved yet. No one knows which channels will have access to the first multiplex and what the conditions of licensing will be. The only criterion that is known is the size of a TV

channel audience. We can assume that *Radiocomunicații* has only one point of view in this regard and recent changes in the broadcast market confirm this. Large operators in the advertising market continue to concentrate their resources to maintain a monopoly on the market.

Here are two curious examples. *Channel3*, an obscure TV channel with a nonexistent audience, has acquired the right to broadcast the Champions League to the disadvantage of *Moldova 1* public TV channel. Moreover, *Channel3* is also going to broadcast the second and third rounds of the Champions League and has notified all other market operators about its exclusive rights to this product. Why would a newly created TV channel insist on having exclusive rights to the most popular product? The answer is simple: to increase their audience size! This very criterion will decide whether a TV channel will get access to the first multiplex. Another example is *Publika TV*, which in just two months managed to get national coverage by buying in other channels' frequency. It seems absurd, but it has its own logic. Two regional channels, *23 Centru* and *Nord*, with 1 kW transmitter capacity each, were ceded by *Euro TV* to *Publika TV*. The same was proposed to Comrat-based *Eni Ai* channel. Interestingly, in recent months *Eni Ai* has increased transmission capacity at *23 South* to 1 kW from 250 W and the output power to 2 kW.

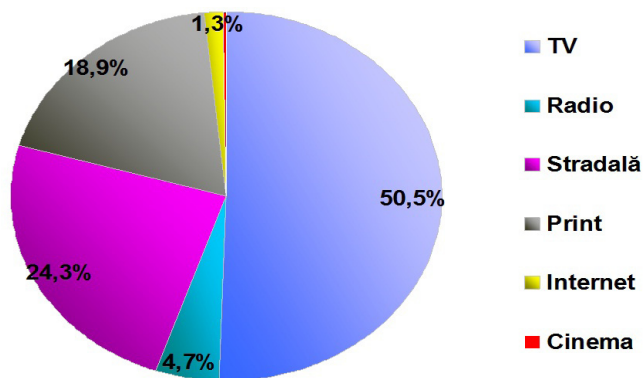
Euro TV channel has ceded frequency on *23 Channel* and currently operates only as a cable broadcaster. Why? Why has *Publika TV*, which couldn't get any local frequency earlier, obtained national coverage in just two months? It has a simple explanation. Probably, the company has become part of a broader practice of market monopolization, and its next goal is to get access to the first multiplex. What was the reason for *Euro TV* management giving up two terrestrial frequencies and thus the opportunity to get access to the first multiplex? The audience size in the Republic of Moldova is associated with terrestrial broadcasting and advertising agencies consider it a primary factor in the awarding of advertising contracts. Consequently, *Euro TV* has given up advertising as well.

We can assume that the money received for the assignment of frequencies will be used for production and wages. It is logical that after two years, *Euro TV* will have no money to participate in the construction of the second multiplex, and it will go bankrupt due to lack of funds, which, naturally, come from advertising. This is a vicious circle. Based on these calculations, *Euro TV* can disappear in a short time. We are witnessing not only the selection of TV channels that must survive the transition to digital broadcasting, but also the redistribution of advertising market. And now the most important question: who is doing this?

The public authority in the audiovisual field (CCA) has so far failed to demonstrate an impartial approach to all broadcasters; moreover, it has been unable to come up with a clear concept of this industry development. The process of market segmentation imposed from the outside was very chaotic and developed as new operators who specialized in specific areas appeared on the local market. The TV market needs rethinking, both in terms of program production and in terms of distribution channels. The transition to digital broadcasting provides a perfect opportunity. Size of the market and, especially, a conceptually wrong approach, did not allow Moldova to create its own advertising market, while the existing one is still perceived as a supplement to the Russian, Romanian or Ukrainian markets. The gap between the Moldovan market and the markets of its neighbors is huge. Moldovan market is more of an advertising platform without any marketing tools.

Moldovan market is highly monopolized and strictly controlled in terms of program distribution and advertising. Out of 16 million euros, which is the current market value, 50% of profits belong to one TV station.

Media	mln. €
TV	16,0 €
Radio	1,5 €
Publicitate stradală	7,7 €
Print	6,0 €
Internet	0,4 €
Cinema	0,1 €
Total	31,7 €



A closer look at the TV market reveals that the 16 million euros, which is the current value of Moldova's TV market, pass through the accounts of three types of operators: advertising agencies (local or international), media sellers (who collect commercial ads and control commercial time at many TV channels) and TV sales departments. The largest operator in the market is the media seller *Casa Media*, which holds 72% of total sales, followed by *Alkasar* with 8.6% and *Nova TV* with 3.6%. TV sales departments generate 15.5% of advertising. Advertising agencies account for more than 70% of the money flows in

the market. Only an insignificant number of companies – usually small producers – interact directly with TV channels, doing it sporadically and without any advertising strategy.

Efficient growth of the media market – and, consequently, its television segment – is due to the relative economic stability in the period of 2004-2007, as well as the growing interest of politicians and business people in this area. Television in particular has become the most attractive area for business. The involvement of politicians in media businesses and the perception of television as a highly profitable area directed the development of the media market from chaos to anarchy. The desire for total and rigorous control over the market manifested by every new market player, among which there are people with great financial and administrative resources, is manifested through the monopolization of distribution of TV programs and TV-audience meters, which are basic criteria for all advertisers.

The last estimate of the advertising market was made in 2009. According to the report of the National Agency for Competition Protection, television segment holds more than half of the market. According to this study, *Casa Media*, which deals with such TV channels as *Prime*, *2 plus*, *Canal 3*, *Muz TV*, and *CTC* controls 72% of the funds available on the Moldovan advertising market. It should be noted, that *Prime TV* audience makes 42-51% of the total audience, and, therefore, this company gets 8 million out of the 16 million euros. Meanwhile, 48% of the market share is not monitored, and not taken into account for advertising purposes.

TV MR MLD (AGB)		IMAS	
MONITORED TV CHANNELS	RP	DR	MONITORED TV CHANNELS
Prime	42.9%	50.1%	Prime
N4	17.0%	5.8%	N4
TNT Bravo	15.5%	10.7%	TNT Bravo
TV7 NTV	15.1%	9.4%	TV7 NTV
NIT	9.8%	20.8%	NIT
Russia RTR	9.4%	4.9%	Russia RTR
CTC	7.7%	8.7%	CTC
Moldova1	4.4%	3.6%	Moldova1
PRO TV	2.7%	19.9%	PRO TV
RUTV Moldova	2.2%	-	RUTV Moldova
EURO TV	1.9%	4.8%	EuroTV
Publika TV	1.6%	7.1%	Publika TV
Muz TV	1.5%	7.5%	MuzTV
Jurnal Tv	1.2%	7.7%	Jurnal Tv
SET Sony	1.0%	-	SET Sony
2Plus	0.7%	5.6%	2Plus
First Music Channel Moldova	0.2%	-	First Music Channel Moldova
		1%	Acasa TV
		1.2%	Animal Planet
		4.1%	Discovery
		2.4%	Euronews
		2.5%	Eurosport
		1.4%	Minimax
		2.9%	MTV
		1.9%	Nashe kino
		2.2%	National geographic
		1.2%	Realitatea TV
		1.9%	Telesport
		1.1%	TVC21
		1.1%	India TV
		3.4%	REN TV
		1.6%	TV3
Other channels	-	17.9%	Other channels

Note: the evaluation period is the same for both measurements

Some TV stations refused from taking part in MR MLD measurements, regarding them as incorrect. According to some sources, AGB Nielsen Media Research (Switzerland), a subsidiary of which the Moldovan company MR MLD claims to be, does not recognize these measurements either. *Jurnal TV*, the television channel that entered the market a few years ago, has challenged the results and is working to bring new TV rating meters to the market. Thus, this autumn, JfK Group (Gesellschaft für Konsumforschung) has announced its appearance on the Moldovan market.

Operators present in the market have expressed their dissatisfaction with the existing measuring standards. This is due to the lack of detailed information about the target audience of some niche channels that are less interested in ratings and more interested in the purchasing power of their audience. They extend due to the representation of rural audience included in a less represented sample, having a proportion of 2:1, while the demographics show that 58% of the population live in rural areas. Some companies admit that the measurement deficiency could be due to too small a number of persons constituting the sample, and claim that the number of actually used “people meters” is less than officially claimed. For example, in the case of *Moldova 1*, the difference between the two surveys is catastrophic: 4.4% according to TV MR MLD and 36% according to IMAS, with direct consequences in terms of advertising sales. The difference between advertising sales results by *PRIME*, which is the market leader, and *Moldova 1*, the next on the list, is inexplicably large: 8:1.

The Republic of Moldova does not currently have a metering system that can ensure free competition on the market. As a functioning market mechanism, the Romanian model is quite good. However, in the absence of a specialized agency for broadcasting and advertising, the government should intervene directly through their regulatory bodies, e.g. Agency for Competition Protection, in order to select appropriate tenders and contribute financially during a 4-year period, aiming at liberalization of advertising market. This is also an issue of national security, information being a key factor for the development of modern

society. Without radical reforms, the Moldovan television market has no chance, and any investment would be short-term and unprofitable. Only very strong investors can afford to operate in Moldovan market conditions. But the question of whether it is possible to do business in the media sector in Moldova is answered by the market itself. And the answer is negative.

Getting back to broadcasting digitalization, I think we need a radical approach to change the situation on the television market. From my point of view, *Radiocomunicații* has a legitimate social obligation to create the first national multiplex. What should it look like and what should it contain? In most countries that have already switched to digital broadcasting, the first national multiplex is public, and the Republic of Moldova should not be an exception. It should be built with public money and meet the information needs of the people considering all political, economic, social and cultural aspects.

This could be a true zero moment of truth for the Moldovan television industry if the first national multiplex, built with public money, brought together only 100% local TV channels broadcasting only in Romanian. And there would be nothing wrong if the first multiplex was not completely filled. That would provide a great stimulus for Moldovan TV channels to focus on original content.

In order to avoid the pressure of the state-run *Radiocomunicații*, for the maintenance of networks it would be wise to charge a fee for access to a digital signal, which should not exceed 10 lei per month. This would allow the company to receive annually about 150 million lei, based on the assumption that there are 1,131,800 households in Moldova. Exemption from fees for broadcast signal for a certain period of time must have as its purpose the support of Moldovan TV channels in their aspiration to create original content and broadcast in Romanian.

The second multiplex, from construction to administration, should be given to commercial TV channels that re-broadcast foreign content. That would be a fair solution that can provide new perspectives for Moldovan television industry and market.

Ion TERGUȚĂ



Journalists waiting for the press briefing of Moldova Prime Minister Vlad Filat and Russian Deputy Prime Minister, the co/chairman of the Moldovan/Russian intergovernmental commission for economic cooperation Dmitry Rogozin, who was on a working visit to Chișinău in November 2012. Source: unimedia.md

Blogging & Journalism: Proximate Genus and Specific Differences

The first Moldovan blogs appeared in late 2002 – early 2003¹. Initially, most of them were written by IT specialists. In March 2008, the first Moldovan Blog Festival, ‘Blogovăţ’, was organized. Blogs have developed into a popular medium of self-expression since 2009. Blogosfera.md, the most popular blog aggregator in Moldova, currently has over 2000 indexed blogs; however, in reality this number is a few times bigger, as it does not include Moldovan bloggers writing in Russian.

Local contexts

In January 2011, Constantin Tanase, director of “Timpul de dimineata” newspaper, made the following statement referring to Moldovan bloggers: *“The cheekiness of these “bloggers” lies in the fact that all of them, without exception, are graphomaniacs rejected by traditional press, losers who want to merge into a cohort of “opinion leaders” and who believe that the world might drown in ignorance, if they don’t speak out their opinion about everything that is happening and not happening around them.”*

This statement caused a storm of emotions in the Moldovan online community, not least due to the circumstance that it was made in a specific context, when traditional media were involved in the battle for defending their honor after offensive claims made by Ion Muruianu, the then Chairman of the Supreme Court of Justice. Some bloggers did not hesitate even to accuse Constantin Tanase of playing the role of Ion Muruianu in the blogosphere³.

Subsequently, journalist Tanase was somehow forced to express *mea culpa*, admitting that his wording was exaggerated and that actually he was referring only to some bloggers, not all of them⁴.

Specific differences

A poignant tone of this mini-confrontation between the blogosphere and journalist community is an incident rather than a general rule for the Moldovan mass media landscape. Usually, they exchange opinions quite peacefully. At the same time, this discussion highlights some misunderstanding and differences between bloggers and traditional journalists.

First, it shows that the blogosphere is looked down on by traditional journalists. The latter perceive bloggers as amateurs who regard themselves as experts and force their way into the private club of opinion makers. Traditional journalists have a

few “legitimate” motives to look down on bloggers. First of all, it is professional training, meaning serious education received at university or under the guidance of experienced journalists, which usually lasts 3-4 years. During this time, future journalists learn to explore and reflect the diversity of perspectives and opinions about what is happening, select the most appropriate forms of written, verbal and non-verbal communication, and take into account the specificity of each kind of media, including printed press, radio and television. Further, they have to get journalistic experience rushing from the office to the filed and back, carefully selecting information, taking into account sensitive issues and provisions of the Code of Ethics.

On the other hand, any person with at least minimal Internet browsing skills can create a blog and immediately start writing. Unlike journalists, bloggers can’t be obliged to investigate and are free to post any type of information on their blogs, including rumors, their own opinions, scandals and libel.

From bloggers’ viewpoint, journalists are mostly arrogant characters, often poorly informed and incompetent, politically engaged or restricted by editorial policy, who are self-proclaimed teachers of the nation. Bloggers take pride in their independence from any institution, as well as their flexibility in approaching any topic and under any conditions.

Secondly, a kind of indifference between journalists and bloggers should be viewed through the prism of relations between the community that has already formed (journalism) and the one that is still in search of its form (bloggers). Nevertheless, the ultimate goal is much higher than a simple territorial instinct, fighting for territory.

In support of their claim to supremacy, journalists refer to the tradition. More precisely, history. The history of battles between publicists, writers and philosophers, on the one hand, and the powers that be - kings, heads of state, party leaders and the church - on the other. In this battle, associated with many victims, there was formed institutional independence of the press, originally provided to newspapers and magazines, and later, together with technical progress, to the radio and television. However, it should be said that for a long time the press collaborated with ruling regimes, thus conducting not only educational and liberating work, but also active propaganda and manipulation of public opinion. Along with figures of well-known journalists such as Bob Woodward and Carl Bernstein, who made some state secrets available to the public, including the Water-

gate scandal, there were also some disgusting personalities such as Goebbels who made full use of the media to brainwash and encourage hatred.

Bloggers, on the other hand, can only draw on short history of the past 15-20 years. At the same time, they can use innovative tools that blogging brings to the public sphere. This is an unlimited amount of democracy in which freedom of expression is not limited by a professional qualification. This is an amazing variety of views and opinions, which are often filtered out of traditional media to create a balanced position. Finally, but not least, blogging brings back subjectivity, personal and sometimes even intimate perception of events, linguistic and rhetorical idiosyncrasies. If traditional journalism strives for objectivity and neutrality in describing events and presenting opinions, the blogosphere consciously promotes and cultivates subjectivity.

Proximate Genus

However, apart from conflicts and contradictions, bloggers and journalists have at least two important things in common.

The first one concerns their common interest in the protection and full realization of the right to freedom of expression. There are serious reasons to believe that the protection of this right is much more important for journalists and bloggers than other citizens. Primarily, this is due to the fact that both bloggers and journalists perform public service in the public interest. Most of the time, public criticism expressed by ordinary people stays within the circle of their friends and acquaintances where it is voiced, while opinions of journalists and bloggers exist in the social environment and influence it. For this reason, provision and guarantee of freedom of expression are vital for the functioning not only of journalism and the blogosphere, but also the democratic state itself. In the long list of journalists and pamphleteers persecuted, killed or imprisoned in recent years there have also appeared some bloggers' names.

Thus, an Egyptian blogger, Kareem Amer, was arrested, expelled from university and sentenced to prison for posting on his blog criticism of Islam and messages that allegedly inflicted moral damage on the country's former president Hosni Mubarak.

Another blogger from Myanmar (Burma), Nay Phone Latt, was sentenced to 20 years in prison for having allegedly posted on his personal blog a caricature of the head of state, the authoritarian General Than Shwe.

Even in the Republic of Moldova, two bloggers - Natalia Morari and Eduard Baghirov - were under investigation on charges of calling for protests and political unrest in connection with the events of April 7, 2009.

In the same row there could have been, though with some reservations, the most famous "digital dissident", an Australian citizen Julian Assange, the founder and leader of WikiLeaks

who was granted asylum in the Ecuadorian Embassy in the UK. WikiLeaks published secret information about U.S. foreign policy and the actions of U.S. troops in Iraq and Afghanistan.

Another common point shared by the two groups is that both journalists and bloggers are active actors who create, change, manipulate or inform public opinion. Here, however, traditional journalists level justifiable criticism at the blogosphere: blog authors fully enjoy freedom of speech, namely, attention of the media and the political class, including their impact on these communities, often without taking any responsibility. This criticism has caused a lively online discussion about the need for a Code of Ethics for bloggers. The lack of this code creates both conceptual and practical difficulties. A traditional journalist is constrained by the professional code and other codes of ethics. His/her reputation is built over a long time, often becoming not only a heavy burden, but also an obstacle to all sorts of temptations. Often, especially during election campaign, a journalist puts at stake his/her personal and professional reputation supporting one of the candidates.

On the other hand, a blogger enjoys the privilege to decide whether to comply with the journalists' Code of Ethics. Moreover, being under the protection of anonymity, he/she can completely ignore any legal and ethical standards. Although it is expected that at the level of principles and beliefs, bloggers as well as journalists should be guided by the norms of morality, fairness and responsibility for the sake of public interest, earthly reality is quite different from the world of sublime ideals. Unfortunately, the blogosphere is riddled with abuse of anonymity and freedom of speech.

For example, in late 2011, the court ordered a US blogger from Montana, Crystal Cox, to pay \$ 2.5 million to a lawyer from Oregon and his company Obsidian Finance Group (OFG)⁵. Cox, who proclaimed herself an investigative journalist and blogger, published on her personal blog misleading information about the activity of OFG and opened a few more blogs in order to damage the reputation of the company. The company appealed to the court in which Crystal Cox lost the case. This case attracted public attention to the issue of veracity of information posted on the Internet.

Another example: Kathy Sierra, a programmer and game developer, in 2007, canceled her participation in an event in San Diego organized by O'Reilly ETech because of death threats posted on her personal blog. Moreover, unknown persons posted some personal information about Kathy, including her social security number. "I have canceled all my conferences. I'm scared to go out. I'll never be the same again," said Kathy Sierra back then. In protest, some of Kathy's colleagues shut down their blogs for a time.

These and other cases led to a discussion about the need for

a blogging netiquette code, whose most ardent apologist was Tim O'Reilly, the founder of O'Reilly Media⁶. The American entrepreneur offered bloggers to voluntarily comply with a set of rules: ensuring security of personal space, privacy, copyright compliance, cancellation of possibility of placing anonymous comments and collective solidarity. There is no doubt that the intention of this etiquette code is good, however the mechanisms of its application are inefficient. The main difficulty lies in the fact that there is no authority that could force bloggers to follow these rules. Moreover, there is no structure that could monitor compliance and, if necessary, apply sanctions.

As in traditional journalism, the only guarantee of a decent and proper behavior of bloggers in the public sphere is personal integrity of each blogger. As in traditional journalism, blogging has to deal with its own challenges, such as trolling, harassment (a National Crime Prevention study⁷ found that almost half of American teenagers are victims of online harassment), spam and other.

Instead of Conclusion

The differences between bloggers and journalists or traditional journalism and blogging are without a doubt conventional. They describe not different fields, but related activities that expose both similarities and differences. Just like newspapers, blogs can be good or bad, manipulative or investigative. Some bloggers can turn into good journalists, blogging being an excellent writing school. As usual, the content counts.

Endnotes

1A detailed historical account can be found in a post from 2006 on Vladislav Namașco's blog - <http://www.namashco.com/blog/2006/11/19/blogging-moldova/>.

Here, there is a quantitative overview of Moldovan blogs posted since March 2008, prepared for the first Moldovan Blogger Festival "Blogovăț" - <http://www.slideshare.net/Namashco/blogosfera-moldoveneasca-statistici>

2 <http://www.timpul.md/articol/valorile-si-principiile-bloggerului-igor-dodon-19205.html>

3 <http://cojocari.ro/2011/01/constantin-tanase-este-ion-muruianu-pentru-foarte-multi-bloggeri/>

Eugen Luchianiu made an index of posts dedicated to Constantin Tănase's statement <http://luchianiu.com/blog/2011/01/06/valorile-%C8%99i-principiile-editorialistului-constantin-tanase/>

4 The full version of the article can be found here <http://www.timpul.md/articol/eu-muruianu-blogosfera-si-arhaismele-19340.html>

5 The entire file of the case can be found under: <http://ia700403.us.archive.org/9/items/gov.uscourts.ord.101036/gov.uscourts.ord.101036.123.0.pdf>

6 The draft of the document can be found under: http://web.archive.org/web/20070416101941/http://radar.oreilly.com/archives/2007/04/draft_bloggers_1.html

7 <http://www.ncpc.org/cyberbullying>

Vitalie SPRÎNCEANĂ

The Strategic Guidelines of the Regional Public Broadcaster “Teleradio-Găgăuzia” (2012-2016)

The Strategic Guidelines of the regional public broadcaster “Teleradio-Gagauzia” for 2012-2016 were discussed during a roundtable meeting in Chisinau, on May 26, 2012. The document was elaborated with the assistance of an international expert, Boris Bergant, within the framework of a Joint Programme between the European Union and the Council of Europe.

The Strategic Guidelines takes into account the best practices of similar European media and is aimed at institutional strengthening of the company and improving the quality of its TV and radio programmes. The “Teleradio-Gagauzia” regional public company (GRT), established in 2007 after a reorganization, is still in the process of modernization, being transformed into a public broadcaster capable of performing its duties and operating in strict compliance with public broadcasting company standards. In this context, *The Strategic Guidelines* is expected to help GRT solve the problems it faces today. According to GRT President, Ecaterina Jecova, it is only natural that the document has been elaborated now, after five years of activity, experience and lessons learned. “During these years we understood the role of public radio and television; why these institutions are necessary and what their mission is. When we realized who we are and who we work for, the document was elaborated. The timing was perfect. This is why I believe *The Strategic Guidelines* has a noble purpose”, Mrs. Jecova said.

According to *The Strategic Guidelines*, GRT is a regional public company, which serves the public interest. Its programmes should be informative and provide relevant content for all ethnic groups in the Autonomous Territorial Unit of Gagauzia (Gagauz-Yeri). Furthermore, GRT also has a special mission, specifically: to promote the Gagauz ethnic and cultural identity and the Gagauz language, as well as the languages of other ethnic groups living in the region. The document also stipulates that GRT should provide assistance in learning the Romanian language in order to ensure the integration of the Gagauz community into Moldovan society. Having analysed *The Strategic Guidelines*, the expert Ion Bunduchi concluded that “GRT has a very important document, and its value lies in the clarity of the mission and strategic goals.”

The Strategic Guidelines provides that GRT should constantly make efforts to produce a more diverse media content, which would meet the interests of different categories of advertisers/sponsors. This is a priority since the battle for audience is getting increasingly fierce in the region. Currently, there are four

TV channels in Comrat. Special emphasis in *The Guidelines* is placed on the implementation of new technologies in the production process and broadcasting, which would significantly reduce production costs. Other strategic tasks are as follows: application of digital technologies, ensuring financial stability through diversification of funding sources, raising team spirit of the GRT employees, developing a close cooperation between the radio and TV to provide content for GRT website, conducting audience research in order to increase the quality of media product, getting feedback from the audience, and gaining public support.

Changing the Organizational Chart

One of the most radical changes stipulated in *The Strategic Guidelines* is the change of the company’s organizational structure. The document proposes a new organizational chart, according to which the public company is to be headed by President/Director General who will be in charge of no less than five departments: Production, Technical, Financial, Legal and the Archives. The second highest-ranking position is Deputy Director (Content Manager), who is in charge of TV/radio/online product quality, editorial policy, and the development of new programme concepts. The new organizational chart does not include the current positions of TV and Radio Directors, with the positions of TV and Radio Producers. Radio and TV producers shall be subordinated to Deputy Director. According to *The Guidelines*, these changes are justified by the need to reduce production costs and avoid overlap in duties and functions. According to the document, there is no other public regional company in Europe, which would have 57 employees and 3 directors. These changes have caused controversial reactions among the current directors of the company, who have a different perception of their role. Vitalie Gaidarji, Director of the public TV station, believes that this “position reduction” aims at strengthening the authority of the current President of the company, who wants to get rid of the two other directors and gain full control over the company.

However, according to Ms. Ecaterina Jecova, the management structure proposed by *The Guidelines* should be accepted, as it will provide more opportunities for efficient company management.

Financial Independence

Another critical issue of the company, according to *The Guidelines*, is provision of financial independence. Article 41 of the

Law on Radio and Television, adopted by the People's Assembly, stipulates that the People's Assembly shall ensure reliable funding for the company's needs. According to the estimates made by the company's management and Supervisory Board, to provide for GRT's normal activity, its annual budget over the past three years should have been about MDL 5,500,000-5,500,300. Nevertheless, this amount, which could have offered a lot of opportunities for development, has never been allocated, Ms. Jecova stated. "We received a budget of MDL 1,500,000, MDL 2,000,000, and MDL 2,150,000 in three consecutive years, that was all," added Ms. Jecova. In this respect, the document proposes a new funding scheme for the public broadcaster, which requires legislative changes. According to *The Strategic Guidelines*, the law should stipulate exactly the company's budget, in particular, 1.5% of ATU Gagauz-Yeri total budget. According to *The Guidelines'* authors, this funding scheme is acceptable for a public institution, as it is transparent enough and provides independence from the authorities' attitude.

Content Quality and Staff Professionalism

The accomplishment of the strategic goals set forth in the document depends on the professionalism of GRT employees. As of May 2012, GRT has 57 employees, of whom 32 are engaged in the production of radio and TV programmes. Over the past years, thanks to a large number of training programs, the professional level of the employees (reporters, camera operators, and video editors) has significantly increased. This was also confirmed by media experts involved in the training of the GRT staff. "The reporters have learnt how to structure the news stories and identify relevant information. The events are presented from the perspective of the citizen interest rather than the official point of view. There is no more political partisanship; television is no longer used as a propaganda tool in the interest of local political leaders or to settle accounts with others. The two-source rule has become a generally accepted principle," Dorin Scobioala, a trainer of a long-term training program for GRT reporters, pointed out.

To ensure the continuity of these good results, media experts recommend periodical training and monitoring of the quality of GRT programmes; this proposal is included in *The Strategic Guidelines* as well. As a public information service, GRT needs well-prepared professional staff whose activity shall be focused on quality and performance.

So far, there has been no study on the quality of GRT media products. There is no information regarding preferences and needs of GRT audience. "There have been no monitoring activities in Gagauzia to find out what people want. But we need such assistance, because if we had some audience research, we would know what people prefer or what they don't want to see on the screen," Ecaterina Jecova said. Subject-matter experts say that

it is unacceptable for a media institution to operate without any audience data. "Many TV broadcasters have started off with numerous programmes, without bothering to do any market research to understand what the audience wants. After a while, they go to the doctor, that is, to sociological companies. It is impossible to create editorial policies and development strategy of a media institution without such data, not knowing the audience expectations," Doru Petruti, IMAS Director, pointed out at a training program for media managers focused on the proper use of audience data.

In this context, *The Strategic Guidelines* are aimed at improving this situation, proposing ongoing qualitative research and analysis of media product, the conclusions and recommendations of which would be of great help to the persons responsible for GRT media product quality. According to the document, it is also necessary to elaborate an internal code of ethics and a style guide for the company.

Legislative Changes

Having the goal of bringing GRT regional public company to a normal path of development, *The Strategic Guidelines* proposes legislative changes as well. GRT currently operates under the Law on Radio and Television, adopted by the People's Assembly on June 10, 2007, with amendments approved on December 16, 2008 and March 1, 2010. On the whole, this law corresponds to the legal system of the Republic of Moldova; nevertheless, some paragraphs should be clarified/defined, such as, for example, those related to company's funding scheme, as described above. It is also necessary to solve the problem of cable transmission of GRT programmes. European standards, as well as the Law on Radio and Television, stipulate that cable operators are obliged to relay the GRT programmes, though in fact, this requirement is not observed. Another legislative aspect highlighted in the document, concerns GRT Supervisory Board. According to the law, the Supervisory Board shall consist of nine members. Currently it is inoperative, as it has only three members and the People's Assembly has failed to elect the other six members. Taking into account the European best practices, the document underlines the need to improve the election procedure of the members of GRT Supervisory Board in order to exclude the risk of political interference. Therefore, civil society should play a bigger role in delegating its members to the Supervisory Board. The document also stipulates the duties of the Supervisory Board, namely: to monitor GRT media content, elect the President/Director General of the company, adopt internal regulations, and approve the annual business plan and activity reports of the company.

The Strategic Guidelines, as a long-term document aimed at helping the regional public company, also tackles other important issues related to its efficient operation: some technical and

technological aspects, facilities management, mobile asset management, cooperation with other media institutions, archives management, public relations, etc.

On October 29, 2012, GRT celebrated its 5th anniversary. According to Ecaterina Jecova, those were difficult years of continuous struggle, the years during which they nevertheless managed to overcome political and financial pressure and the lack of audience trust. *“We have authorities that understand that the public TV and radio service is the people’s spokesperson. No reporter receives instructions on how to write in this company. We have increased the amount of broadcasting in the Gagauz language. Once we call ourselves Teleradio Gagauzia, how can we broadcast programs in the Gagauz language for only 10 minutes, as it was in 2006, for example? We have decreased the duration of programmes in the Russian language. We have started operating according to the law, which requires that 20% of the programmes shall be in the state language”*, added Jecova referring to the five years of the company’s activity. *The Strategic Guidelines* are

aimed at harnessing these results; yet, the document is still to be approved by the GRT Supervisory Board that is currently inoperative. The new members should be appointed by the People’s Assembly, which has changed after the September 2012 election and which, hopefully, will be able to bring the GRT Supervisory Board back to life.

On the other hand, according to Ion Bunduchi, the implementation of *The Strategic Guidelines* has already started; nevertheless, he warns, *“Serious challenges still lie ahead. They could be more easily overcome if the strategy is known, appreciated and recognized by the entire audience, including decision makers. The importance of the public radio and TV service for the development of democracy is generally recognized. In this respect, the way in which the strategy will be implemented will also be a test that measures the level of our commitment to democratic values.”*

Therefore, no one else but citizens will decide whether or not GRT will have become a truly public broadcaster in four years.

Ina GREJDEANU

“CII” Bălți Weekly Newspaper, 18 Years Later

Some 18 years ago, on 7 September 1994, the first issue of *Spros-Predlozhenie*, a classified ads newspaper, was published in Balti. The first issue contained four A4 size pages, that is, one A3 size page, and was only 1/32 of the present-day *GazetaSP*. As usually happens with ‘the first pancake’, the first issue was pretty lumpy: the logo came out green instead of red (our Chisinau partners had messed something up while making newspaper layout and placing a printing order);

the issue came out 2 days later than initially planned and the print was only 600 copies, instead of the planned 1,000. Anyway, only one third of the printed copies sold out through newsstands.

The idea of publishing a *classified ads newspaper* (we didn’t even know the word *classifieds* then) was brought to Balti from Chisinau by Lev Svartman, the-then director of *Asta* co-operative, who later became one of the co-founders of the paper. Former members of KVN (popular Club of the Merry and Resourceful), we readily invented a name for the future newspaper (by transforming the colloquial ‘Buy and Sell’ into a more decorous and business-like *Spros-Predlozhenie* (Demand and Supply)). We published ‘buy’ and ‘sell’ ads in the *Demand* and *Supply* columns respectively. Later we invented our own feature: all column headers (except personal ads) began with two letters: *S* or *P* (standing for *Demand* and *Supply* in Russian). Accordingly, I changed my name from Vyacheslav to Slava (also beginning with letter *S*) and became the chief editor of the newspaper.

I should say that none of the newspaper’s co-founders or staff members had an educational background in journalism or vast journalist experience. Initially, I was not supposed to be the chief editor, my function was to launch the newspaper as a business. In the first few months, the newspaper brought nothing but losses. Despite that, we were stubborn and every day, hour and minute were thinking about what we could do to keep the newspaper afloat. Finally, we came up with a revolutionary



Source: “CII” Bălți Weekly Newspaper

idea to publish TV listings and organize our own network of private distributors that started with 5-6 school-children and 6 months later grew up to 150 people.

After that, things gradually went uphill: newspaper circulation grew by a few hundred copies every week, we witnessed an avalanche increase in the number of free personal ads, and the flow of commercial advertising from start-ups was growing as well (the launch of the paper miraculously coincided with the start-up

boom). We were among the first newspapers in Moldova that had a multicolor cover. The first two years of the newspaper were the time of its intensive development. Still, even then, we were not completely satisfied with publishing only classified ads – it was not very exciting – and longed for something more creative; therefore, we added some other columns, entertainment first, and then journalism. At that time, the newspaper circulation exceeded 10,000 copies, reaching once even 13,000.

Looking back, we can attribute the newspaper’s first success to a number of factors:

1. We accidentally stumbled across a market niche: the people in Balti needed a newspaper with classified personal ads and TV listings, and local advertisers, too, needed a publication to promote their products and businesses. The local paper, *The Voice of Balti*, published by the Town Council, failed to meet those needs.
2. From the very beginning, we treated *GazetaSP* as a business: that is, we wanted to make money from the actual sale of the newspaper itself, from selling advertising and later - from publishing paid classified ads. We invested in advertising and promotion of our newspaper, created the advertising and circulation departments, and conducted, even if non-professionally, newspaper readership research.
3. Our lack of the Soviet-type professional journalism education and negative journalism work-related experience, in my opinion, had a positive impact on the development

of our media product. We were not afraid to experiment, make mistakes and correct them by ourselves, and - most importantly - we were constantly learning.

4. Maybe we have managed to stay so long on the market because we did not start with a journalist style newspaper with its many pages, numerous employees, etc., but we started with a small publication that did not require big expenditures.
5. Publishing classified ads, we gained great experience in running a newspaper business, and later we tried to implement the acquired skills and knowledge in a regular, information-analytical newspaper.

“A New Turn”, or Unequal Struggle for Survival

The co-founders of GazetaSP were creative people who liked experimenting and never stopped going ahead. We managed to find similar people to build our newspaper team. The evolution of GazetaSP and the creative ambitions of its team indicated that sooner or later the newspaper would grow into a full-fledged publication. Events that took place in the spring of 1996 significantly speeded up the process.

The *Makler* classified ads newspaper, which at that time was quite successful in Chisinau, Odessa and Nikolaev, decided to extend its network to Balti as well. For about two or three years we faced tough competition with *Makler* in this market segment and eventually lost the battle. Our competitors won due to the greater experience and higher qualification of their staff, who learned classified advertising techniques and business management strategies from the renowned Russian leader, *The Iz Ruk v Ruki* (“From Hand to Hand”), as well as due to their better editorial equipment. The position of *Makler* was strengthened significantly by the availability of financial resources allowing them to invest over a long period of time in their Balti publication without receiving profit.

Our decision to change the status and content of our newspaper, which we were supposed to have made in some 5-7 years, had to be made much earlier. Through the newspaper, we announced an open call for journalists who would like to work for Gazeta SP; a few young people showed up and formed the core of our team. The editorial policy and mission of the newspaper were revised, new columns were added; the order of articles changed. Now, the first few pages were dedicated to news followed by serious journalistic materials, entertainment, and, finally, personal ads and advertising; we also changed the day of publication to Wednesday from Thursday.

The name of the newspaper changed too: from *Spros-Predlozhenie* to *SP*. Subsequently, the paper was divided into three, and then four sections: “Events, Details” (news, journalistic articles, interviews, etc.); “Take a break” (entertainment), “Fresh List-

ing” (TV listings) and the “Supply and Demand” supplement with personal ads and advertising. The number of pages in the *GazetaSP* reached 52-56 and once even 60 (over 6 months). *GazetaSP* also published weekly supplements dedicated to local people – women, men, children, teenagers, and businessmen.

Though we lost the battle with *Makler* in terms of the number of classified ads and advertising, we did not give up for a long time and continued publishing classified advertising supplements. We followed the Eastern European model of running a leading local newspaper striving to meet the diverse needs of readers. Unfortunately, we had to face other adverse factors: a series of global, regional and local financial crises that forced us to save money, as well as a few unsuccessful experiments to increase the number of classified ads in *GazetaSP*, etc. These factors and the belief that we had already won the hearts of our regular readers looking for news, reports, interviews and journalism in *GazetaSP* in the first place, made us decide to publish classified ads as a separate supplement.

Unfortunately, a decrease in the number of classified ads published in *GazetaSP* was followed by a decrease in circulation and we lost a number of advertisers. For quite a long while, we were hoping that advertisers would feel the advantage of placing advertisements among news and information thus making them ‘stand out’ to readers, and would realize that this way of advertising is much more efficient and prestigious than placing ads in classifieds. Our expectations were largely met. Our readers got used to the fact that the *GazetaSP* turned into an independent newspaper that published mainly news, opinions and analytical articles about life in Balti and the Balti region.

Then, the 2009 crisis began.

“What to Expect: An Abyss or A Wade?”, or Will We Survive Till Our 20-th Anniversary?

With the onset of the crisis and the resulting panic, our advertising revenue started to drop sharply, and we had to reduce the number of pages. That could not but affect the newspaper circulation, which also began to fall. Besides, the circulation was affected by the low purchasing capacity of local residents and the fact that a significant part of our Russian-speaking readers was leaving the city and going abroad. Their place was being taken by a mostly Romanian-speaking population coming from nearby villages and towns and not used to reading newspapers.

At that time, many newspapers closed in Moldova and most of those that survived, even formerly successful ones, had a sharp fall in circulation, by 2-3 times; the number of printed pages reduced too. *GazetaSP* was painfully hit by the crisis in August 2009, when we did not have enough money to pay salaries and make other payments. Nevertheless, we hoped that the crisis

would not last long and believed that we should keep both the paper and the staff. Therefore, we refused to reduce the staff and only cut the already-low salaries of all employees including management of the company by 20%. Unfortunately, the crisis is still dragging on, and we still get our reduced salaries, now paid with delays, after this year's traditionally heavy August.

In fact, GazetaSP could have ceased to exist in the first year of the crisis; it survived only due to certain circumstances. That year, the Association of Independent Press (API) won a grant according to which the Romanian government supplied newspaper for API members. We got several tones of newspaper, too, and that helped us make ends meet somehow. Besides, in 2009-2011 we won several grants from international donors. Another means of support, both for us and for the rest of the media in Moldova, was a series of electoral campaigns in 2009 - 2011 thanks to which we managed to stay afloat.

Currently, Gazeta SP does not use any grant money; the next election campaign will start in a year and a half; the state, although currently run by democratic forces, does not promise any benefits for the independent press; the crisis continues, and, so far, there is no light at the end of this tunnel. Under the circumstances, we can rely only on ourselves: we should minimize costs by taking some (even unpopular) measures; we should also increase our revenues from advertising, newspaper sales, and other activities, if possible. Despite the crisis, we should improve the quality of the newspaper and its website and find ways to monetize their content.

In spite of all these difficulties, in 2011 we managed to launch a new online version of the newspaper — www.esp.md — and even made some money on it, although not much so far. In summer 2012, we completely redesigned the newspaper, including its logo, and changed printing plant, which allowed us to have 8-12 full-color pages in the 32-40-page GazetaSP weekly. Last spring, after conducting a series of training semi-

nars for potential advertising agents, we hired some new staff members for our advertising department and thus made its work more efficient. Last summer, we had to move to a new office. All changes that took place in the spring and summer depleted our already small financial resources.

Today we focus on our ways out of the crisis:

- Every day, together with advertising department, we contact potential advertisers by phone or personally, and positive results are starting to show, albeit slowly;
- We had to reduce some positions and transfer their functions to other employees, who, unfortunately, are not paid overtime;
- We are going to bring back free and paid classified ads to the newspaper and we currently negotiate cooperation with a well-known Moldovan classified ads website;
- We constantly look for potential advertisers among political parties, associations, commercial and industrial structures, etc. to be able to cover the costs of publishing a 40-page weekly. Nowadays GazetaSP has only 32 pages (we can afford a 40-page issue only once a month), and our regular readers complain about the newspapers' reduced size;
- We are looking for new ways to make money from our website content;
- We are looking for grants to launch some interesting projects.

18 years ago, we launched the newspaper as a business; during the last three years, our main goal was to keep it afloat and save the backbone of our team. So far, we have managed to keep on going thanks to our enthusiasm, tenacity, creativity and imagination, as well as due to the support of our readers, advertisers and colleagues. I really hope that all of the above will help us in the future.

P.S. This year, before the celebration of the newspaper's 18th anniversary, a phrase came to my mind characterizing the situation with GazetaSP over the last 5-10 years: "We eke out a proud existence." I hope there will come a time when we will live, not merely exist!

Veaceslav PERUNOV

Documentaries in the Internet Era, or One-Man-Band Films

We live in a time when journalism is like a car rushing along the highway. Very often, journalists press harder on the gas pedal and exceed the speed limit. After two years as a reporter for public television, I am fully aware of the importance of news. At the same time, we should not forget that for TV viewers and online readers news are nothing more than a fast snack they take in a hurry. Therefore, the audience should be treated to something more substantial as often as possible.

In the online era, we have started talking about web documentaries, which differ from traditional TV documentaries in structure through the application of multimedia tools. In videos made for the Internet, medium shots and close-ups are used much more often to highlight details. Like in TV news, this allows us to capture the viewers' attention within the first 15 seconds. Nevertheless, web videos are much shorter compared to TV documentaries. As a rule, web video length does not exceed 2 minutes for the audience not to get bored, since, as we know, Internet users have a different sense of time.

Of course, compared to other journalistic genres a documentary requires much higher financial and intellectual resources. This could be the reason why this journalistic genre has not yet taken wings in Moldova. However, it allows a lot of freedom and creativity.

I am currently involved in a program organized by Radio Free Europe (RFE/RL) and the Ministry of Foreign Affairs of the Republic of Moldova. RFE/RL announced Vaclav Havel Journalism Fellowship for journalists from the former Soviet Union countries, where media have to learn a lot to keep up with mass media in Europe and the USA. Vaclav Havel Journalism Fellowships afford a six-month professional training at RFE/RL's headquarters in Prague. Here we have on-the-job training, and I, as a TV journalist, specialize in everything related to video journalism. RFE/RL broadcasts in 28 languages to 21 countries and has Internet and TV programs. Here I learn how to work

as a "one-man-band", in my case – "one-woman-band." I am the one who thinks about how to make a video and I am the one who shoots and edits it. This is a new approach to journalism today when IT and the Internet play the main role.

To make a good documentary one must have sufficient knowledge and skills in different areas. Given that, however, not every journalist can make a success. First of all, a documentary filmmaker has to be a good news reporter to offer something new and non-trivial to the audience. Besides, he/she has to bring to the forefront someone's personal story or a hidden face of events, inconspicuous at first sight. Besides, they have to carry out journalistic investigations, be able to write good texts and, of course, be able to reach out to the audience through video and sound effects.

A documentary filmmaker is the one who likes to work 'in the field'; moreover, this field should be yet unploughed. He/she is the one who is never satisfied with officials' statements, but always gives a floor to common people, snatching them out from the masses. A documentary filmmaker is the one who can see the unusual or extraordinary in trivial facts or events and present it to viewers. For example, they can breathe life into a story about a fruit vendor or street cleaner and make it a real-life performance.

Every profession has its highest level, or peak. Everyone involved in a profession should make efforts to reach this peak in order to feel professionally fulfilled. In my opinion, documentary films are the highest level of journalism. This is not only because they are at the crossroads of journalism and cinematography, but also because documentaries are the bare nerve of society, a synthesis of all journalistic genres. A documentary is like a picture of society, inserted into a frame to keep it. Unfortunately, so far, there are very few good pictures in Moldova's picture album. Yet this collection could be expanded and enriched if there is an insatiable desire for professional growth.

Irina GOTIȘAN

On the Policies' Internet and Internet Policies

Elective Affinities. The Moldovan audience knows media researcher Evgeny Morozov in at least two different hypostases. First, as a news-media *missionary*, Morozov knocked about the former soviet countries, including Moldova, where he organized a series of trainings, lessons and workshops on the use of new technologies - blogs, social networks, wiki-type portals - in journalism, the public arena and civil society, in particular. The typical audience of these workshops consisted of journalists and activists, meaning people that can make a change. In this position, Evgeny Morozov did not differ at all from dozens of other international consultants who come to Moldova or any other country in this region, trying to familiarize local staff with the solutions that worked in other parts of the world.

The other one (Evgeny Morozov–Moldova relationship) is infinitely much more important, as it had several exciting consequences. This relation originated on a specific date - 7 April 2009, 2:15 p.m. (Washington time), or 9:15 p.m. (Chisinau time). It is the time when the **Moldova's Twitter Revolution**¹ post was placed in Morozov's personal blog at the prestigious Foreign Policy magazine.

In his post, Morozov integrated the Moldovan protest in a series of similar events and actions that took place in Ukraine (The Orange Revolution) and Belarus (the 2006 Revolts), where the technological element - cell phones, social networks - allegedly played a decisive role. Still underway, the bluff of Chisinau² found an international name. That post both represented the birth of the mythology of technology-mediated revolutions and generated a conceptual term, which still has a brilliant career in political studies and mass media: *Twitter Revolution*³. Sometimes journalists, as well as politicians and expert, used this term to describe the unrests in Iran (2010), Tunisia (2010-2011) and Egypt (2011).

The physical and symbolic location of the one who invented a new concept counted a lot: this time Morozov was not a mere

1 http://neteffect.foreignpolicy.com/posts/2009/04/07/moldovas_twitter_revolution

2 A summary of the terminology polemics related to the events of 7 April 2009 can be found at: <http://www.spranceana.com/2009/04/11/o-istorie-terminologica-a-crizei-moldovenesti/>

3 "Twitter revolution" search on Google Scholar returns almost 80 thousand hits, with almost one thousand hits for "twitter revolution Moldova".

Analyses of the Twitter Revolution in Moldova were published in such important magazines and newspapers as The New York Times, The New Yorker, The Washington Post and others.

trainer, but a serious analyst working for an influential publication focused on international relations analysis.

Forget everything I told you before!

For those expecting Evgeny Morozov to become after 2009 a loud and enthusiastic voice promoting the democratic transformation of the world with the help of modern technologies, his book *The Net Delusion: How Not to Liberate the World*, published in 2011, came as a cold shower. As well as a disappointment: the Morozov of 2011 criticizes the Morozov before 2009. The pragmatic guy calls down the idealist one.

That is why reading of the personal key seems more than plausible. In many places the book seems rather like a public self-exorcism, upon the completion of which the enthusiastic guy, who announced Freedom through the Internet, got freed from this blindness, rather than a cold-mind-analysis of the political implications of the Internet technology.

The personal key is perhaps responsible for a certain unilaterality of the book: Morozov insists exclusively on the problematic sides of technologies - manipulation, escapism, naivety, and consumerism. It is of course true, but only partially. Because there is the other side to the Internet, blogs, and social networks - liberating, community-building, and change-promoting.

At the analytical level, Evgeny Morozov considers critically two political attitudes. The first one is the so-called Google Doctrine. It refers to the enthusiastic belief in the liberating power of technology and economic success (p. xiii). The second attitude is the Cyber-utopianism, meaning that online communication is in itself emancipatory and acts in a single direction: dismantling oppressive structures and authoritarian regimes. According to the author, both attitudes were assumed by the US administration, due to different reasons, and were integrated in the foreign policy agenda of the United States.

Morozov refers mainly to a series of remarks on Internet Freedom made by Hillary Clinton in January 2010. The US Secretary of State praised the peace-making potential of online technologies: "*Information freedom supports the peace and security that provides a foundation for global progress. We want to put these tools in the hands of people who will use them to advance democracy and human rights.*"⁴ Clinton also declared that she hopes that "*viral videos and blog posts are becoming the samizdat of our day.*"

4 The remarks can be read in full on the website of the US Department of State at <http://www.state.gov>

Later, the US administration took several times a stance regarding Internet freedom, criticizing the censorship policies applied by the Chinese Government, Russian authorities or governance of some Arabic countries. Apparently innocent, suggests Morozov, this naive belief of US decision-makers in the liberating potential of the Internet is responsible for several errors already, which could compromise the entire goal.

First, the use of such metaphors as ‘electronic samizdat’ or ‘the new Iron Curtain’ makes references to the cold war times. This rhetoric, claims Morozov, is based on a mistaken view of the USSR collapse and the underlying causes. In the opinions of Washington politicians and experts, the winners of the cold war, the Soviet Union fell down under the joint influence of the samizdat and some media efforts of the West, first the Radio Free Europe, as well as Voice of America or BBC, which represented sources of quality information for Soviet citizens.

However, Morozov argues, this vision is rather a suitable *post factum* reconstruction, as things should have been, and not as they were in reality. The USSR, as well as the entire system of satellite states set up by Moscow, collapsed under the pressure of complex constellations of economic, social and political factors, where the samizdat had a marginal influence, limited to only some social groups.

Second, justifies Morozov, Internet technologies entail evolutions that are not only complex, but also contradictory. Logical reductionism of the Internet to a single dynamic - the liberating one - ignores totally the adaptability of online technologies to various cultural, political and religious contexts. Internet tools bring power not only to the oppressed, but also to oppressors. As the old Chinese saying goes, the devil is in the details. Or, the attitude of the world countries towards the Internet should not be perceived only from the traditional perspective: censorship and control. Far from letting themselves be conquered by the liberating energies of the Internet, some authoritarian political regimes learned how to use and manipulate them according to their own interests.

This is what China does, for instance, when it pays to a series of informal agents: bloggers and activists who represent the Chinese Government in the online environment. They send spam messages, disseminate false information and denigrate the opponents. Or, the political leaders of some problematic states use the Internet as a platform for propaganda. This is the case of Dmitri Medvedev, blogger and user of social networks, or Hugo Chavez, very active on Twitter. Thus, the Internet is becoming a tool used by the political power to exert its dominance, impose its viewpoint and minimize the critics’ opinions.

Third, cyber-utopianism commits a factual mistake regarding the users/citizens themselves. The assumption that the online

environment only has a liberating effect falls apart at the first encounter with reality. It is true that the virtual environment maintains some networks of activists that plead for democracy (in all its understandings) and human rights. It is also true that Facebook, Twitter and some portals have become live platforms hosting a kind of global e-society. On the other side, a range of world vices - nationalism, xenophobia, anti-Semitism, religious intolerances, racism and sexism - have successfully passed into the virtual world and were disseminated globally by the online technologies. Besides the global civil society, on the net one may find the global civil counter-society, dominated by reactionism and resentfulness. *“Tweets will not dissolve all of our national, cultural, and religious differences; they may actually accentuate them.”* (p. 247)

Other communities, which are religiously conservative, have resorted to voluntary self-isolation from the ocean of information in order to protect the minds and hearts of their members. The most well-known case of such a self-isolation is offered by a religious community from the US, which developed some software to block the access of their members to certain types of content that could undermine their faith⁵.

Fourth, justifies Morozov, using the Internet for political purposes – organization, mobilization, discussion – is not the only way to navigate the Internet. Other ways, much more attractive and interesting, are much more widespread on the Internet. Consumerism, for instance. Or escapism. The latter refers to taking refuge in the virtual world in order to flee from the burden of the reality.

In case of consumerism, the things are much more complicated: entertainment is not only stealing people’s time, which could be used for political or community construction activities (hypothesis presented in the 1990’s by another American researcher, Robert Putnam⁶), but decreases their interest in politics in general. Under socialism people, states Morozov nicely, *“have such hapless apparatchiks running the entertainment industry. People got bored easily and turned to politics instead. Where new media and the Internet truly excel is in suppressing boredom... In a sense, the Internet has made the entertainment experiences of those living under authoritarianism and those living in a democracy much alike. Today’s Czechs watch the same Hollywood movies as today’s Belarusians— many probably even download them from the same illegally run servers somewhere in Serbia or Ukraine. The only difference is that the Czechs already had a democratic revolution, [...]. Meanwhile, the Belarusians were not as lucky”.* (p.80)

⁵ See here a case relates to the scientological cult <http://www.xenu.net/archive/events/censorship/>

⁶ See Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (2000).

(Post) Political Utopias

It would have been a mistake to regard the cyber-utopianism, attacked by Morozov, only as a variation of naive thinking. On the whole, those who made their money in Silicon Valley can be called whatever, but not naive or idealists. On the contrary, this type of thinking is inspired by a certain type of pragmatism with old roots in the political philosophies of the continent. Both the Google Doctrine and cyber-utopianism are the most legitimate heirs of the theories that announced in one way or another the arrival of the post-political era. That philosophic fashion had a number of names, *technocratism* being the best known one.

More recently, cyber-utopianism obtained new allies in the ideology on the End of Ideology (the term belongs to Daniel Bell) or End of History (Francis Fukuyama). In all these cases a good intention was implemented very badly. The good intention was to overcome the ideological separation, eliminate abuses and install some forms of democratic governance in accordance with human rights. The doctrine is inspired by the fear of recurrence of the horrors of ideological confrontations of the 20th century, from an elitist perspective on technology, believing that technology is not only apolitical, but as any supra-politics can condition and determine political developments.

The bad implementation relates to the fact that the conflict generated by the fear of politics and political is resolved mainly by ignoring totally or even annihilating the politics. Or, political divisions are real divisions and conflicts. And in the Internet epoch, ideological conflicts should be solved only through ideological polemics and understandings. Neither the Internet, nor any other technology can be a magic wand that would solve all social conflicts.

Instead of Conclusion

Eventually, any generalization in terms of the Internet risks being a poor and over-simplistic reflection of reality. Because the Internet is not a finite or closed process, but a universe (techno-political-economic-scientific formation) under development, whose future is still unclear. One thing is for sure: the Internet and related technologies will not produce social and political changes on their own, will not overcome totalitarian regimes and will not encourage political mobilizations. The technologies are not operated in a void, but in society. The virtual world cannot replace politics or economics. It is only their extension.

Vitalie SPRÎNCEANĂ

Journalists and Times in Three Portraits

A PORTRAIT OF THE AGED JOURNALIST. He works in print media, at the same newspaper forever.

Worn out shoes. A suit two sizes too big. An outdated tie. A shabby shirt with a frayed collar. He reads *Literatura și arta* (Literature and Arts) newspaper. In his pockets, you can find old trolleybus tickets punched in 1992. He owns a two-room apartment in Dokuceaev St. Has one child. Owns a three-room apartment in Dokuceaev St. Has two children. The toilet is out of order. He has read Tolstoy. "Eminescu is a big name too." His personal library was collected when he was a student. He hasn't bought any books since 1993. He doesn't read. Doesn't go to the theater. Doesn't enter bookstores. He drinks cheap wine and vodka. Smokes Doina. Watches Mesager evening newscast. Comments on the news. He asks many rhetorical questions. He has a wife who cheated on him with an old caricaturist. He reads Tănase's articles. Agrees with him. He is proud of him. He eats three-times-reheated soup. Alone. His wife is on the phone.

He wasted his life. And he is sad.

He does not have a gun.

Fishing tackle is left in the closet. Piled up and dusty.

A PORTRAIT OF THE MIDDLE-AGED JOURNALIST. He works in print media. He has worked at almost every newspaper in Chisinau.

He has never worn a tie in his life. He wears a T-shirt in summer. A sweater in winter. Sneakers in winter and in summer. He adores Tolstoy. In public, however, he claims to be a fan of Dostoevsky. He has read Kafka, Roland Barthes, Sartre and Camus. In the reading room of Foreign Literature Department of Krupskaya Library. Or under the desk at the university. Books released by the *Univers* publishing house, carefully wrapped in *Komsomolskaya Pravda* newspaper. He attended National Liberation rallies. He was kneeling in the Great National Assembly Square. He rejoiced when the tricolour flag was flown over Chisinau. He is a unionist. A staunch anti-Communist. He lives in a rented flat. His wife left him. For a more success-

ful man who is a doctor. His child, his only child, studies in France. He received a scholarship. For merits. He did not read anything in a long time. He doesn't watch TV. He smokes red *Bond* cigarettes. He drinks *Spicușor* vodka. Once in a while, he spends a night with a random Christian woman.

He has no hobbies.

He wishes he had gone abroad. No matter where. To do something else. No matter what.

He thinks he will go, someday. To Italy. Or, maybe, to Portugal. However, the crisis has reached there, too. And he stays in the period of transition. For over 20 years now.

A PORTRAIT OF THE YOUNG JOURNALIST. He works for a private TV station.

He wears slim fit trousers. He smells of Issey Miyake's fashionable perfume. He has a tattoo on his side. Just below his liver. His parents moved to Italy 12 years ago and they regularly send him money and parcels. He has read *The Alchemist* by Coelho. He has heard something about Cartarescu who wrote *Why we love women*. He knows what *possessive pronouns* and *adjectives* are. Though not from the Romanian Grammar. He has an iPhone. He has an iPad. He has downloaded an entire library of digital books. Someday he will read them. He has a girlfriend. But he is kind of bored with her. He will have to find a new one. He is not a unionist. He is not a communist. He is indifferent to politics.

He lives in a rented apartment. But he doesn't mind.

He has a blog.

He has pushfulness.

He has a future.

Gheorghe ERIZANU

Guidelines of Best Practices on Mass Media Ownership Transparency

Media pluralism and diversity are vital elements in the democracy-building process. In maintaining media pluralism, the economic factors play a role as important as the political ones, so it is necessary that mass media ownership is transparent, thus creating a map of media ownership in Moldova.

Transparency of ownership structures will allow to identify and eliminate potential monopoly positions on the market, as well, possible conflicts of interests. Also, it will enable media products consumers to critically process the provided information, taking also into account the media outlet owner, leading over time to lower chances of public being easily manipulated.

Caring about the transparency of mass media ownership structures is a topic of European interest, it is viewed as an important element for ensuring a pluralistic and independent media landscape in all European countries.

Before adopting any legislative actions on the transparency of ownership structures and prevention of excessive concentration of mass media ownership, including actions against cross-ownership, to prevent cartel-like agreements or abuse of dominant position, it is necessary that industry acts in a proactive way and voluntarily sets its own standards in the field.

These Guidelines on Best Practices on Mass Media Ownership Transparency provides information about the criteria and the set of data that media outlets have to disclose to the public, in order to build confidence of the public, and, thus, help to strengthen media sector.

Members of the Association of Independent Press (API) in the Republic of Moldova commit to these Guidelines of Best Practices, undertake to ensure observance of its provisions and friendly recommend it to all media outlets in the Republic of Moldova.

GENERAL PRINCIPLES TO ENSURE TRANSPARENCY OF OWNERSHIP STRUCTURES

Media outlets members of API commit themselves to make public, of its own motion, the following information about their companies:

1. Tax identification data:

- Name of the company owning the media outlet;
- Form of legal registration of the company;

- Legal and actual address of the company;
- Addresses of the subsidiaries/working points of the company;

2. Registration number of other similar means of identification, included in the State Registry of Enterprises and Organizations, the State Journal Registry or in other similar public registry.

3. If the company owns/managers broadcast media – there will be published information on license holding, number and date of decision making on granting the license.

4. Other firms owned by the company (name, field of activity, other relevant information, link to the company's webpage).

5. Shareholder structure of the company on the level of physical and legal person, associate and shareholder, regardless of the number of shares held, including:

- last name, first name, patronymic;
- share of the capital owned in the company;
- other businesses owned and share of the capital owned.

6. Structure of the Board of the company, including:

- last name, first name, patronymic of the Board members;
- position (president, vice president, member etc) duration of mandate (since-until);
- declaration on personal interests of the company Board members including the following type of data:
 - a) associate or shareholder of the trading company, national company, crediting institution, economic interest group, member of associations, foundations or other NGOs (*status held, number of shares, total value of the shares*);
 - b) membership in the decision-making, administration and control bodies of the commercial entities, autonomous structures, national companies, crediting institution, economic interest group, member of associations, foundations or other NGOs (*status held, value of the benefits - optional*);
 - c) membership within professional associations and/or trades unions;
 - d) membership in the decision making, administration and control bodies, paid or unpaid, within political parties, position held and name of the political party.

7. Legal representative of the company (name, position, interest declaration pursuant to point 6, contact information).

8. Contact information of media outlet (media services provider), where it can be contacted rapidly, directly and

efficiently: (telephone number, fax, email and any other necessary information to get in touch with).

9. Financial situation of the company clearly described, including:

- relevant financial indicators (balance sheet and income and spending account);
- if necessary, information about property disputes, insolvency proceedings, etc.

10. Name and contact information of the persons in charge of content and business (editorial director, editor in chief etc. / general director, manager etc.).

According to the general principles of ensuring transparency of the ownership structures, presented in points 1-10 of these Guidelines of Best Practices, API will develop a model of Ownership Declaration that will be filled out and posted on the of-

ficial websites of the media outlets API members, this Declaration will be updated whenever it will be necessary (when changes occur in the shareholder structure or in the personal interest declaration). Ownership Declaration will be annually published in their own publications, after submitting the balance sheets to the state authorities.

A complete set of information will be sent to API, we, in turn will publish this information on our official webpage.

API undertakes to follow that the information on ownership structure of media outlets members of API is continuously updated.

Note. Observance of the provisions of these Guidelines does not exempt media companies from their transparency obligation imposed by means of the Press Law No 243-XIII of 26.10.1994.