

Press Freedom Report

Republic of Moldova 2014



This report comprises a brief account of all significant events that marked mass media in Moldova in 2014. It also includes a chapter dedicated to the media situation in the Transnistrian region. The report is available in Romanian, English and Russian. The publication was developed by Doina Costin at the request of the Independent Journalism Center (IJC), with financial support from Civil Rights Defenders, Sweden. The opinions in this report belong to the IJC and do not engage the donors' responsibility.

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I. Review of year 2014

Preliminary conclusions

Conclusions for 2014 can be inferred from the forecasts made by the Independent Journalism Center experts in the Press Freedom Report Republic of Moldova 2013¹. Forecasts came true. We can say that some pessimistic expectations were even exceeded. For example, some experts believed that in 2014 members of the Supervisory Board (SB) of the *Teleradio-Moldova* company would be appointed according to political criteria. The six members, however, eventually failed to be selected by the Parliament because these positions could not be shared for political reasons, and this fact was later admitted by a member of the specialized parliamentary committee. The six positions remained vacant until the end of 2013, and the Broadcasting Coordinating Council (BCC) presented to the Parliament 12 candidates in December 2013. For over a year the SB was non-functional.

In November 2014, Parliamentary elections were held in Moldova, and local elections are to take place in 2015. Electoral years in our country are predictable in terms of the behavior of both mass media and authorities. Since the government's commitments in the field of mass media failed to be fulfilled in the first three years, the two possible scenarios for the last year of the government's mandate consisted in the urgent adoption of some draft laws proposed by the civil society, which do not involve great dangers for its image or great reforms, or the freezing of discussions and projects in the Parliament. By the end of the mandate, the majority of commitments in the field of mass media, made in 2011, remained unsettled.

Through the agency of authorities, a new broadcasting code was submitted to the Parliament in 2011, but despite the fact that its adoption was planned in the government program, this legislative proposal remained on the shelves of the parliamentary committee for culture, education, research, sport and mass media. In 2013, another draft law on modifying the Broadcasting Code was presented, this time by the civil society, trying to partially fill a gap in the legislation concerning media ownership transparency. Although forecasts for its adoption before elections were optimistic, given that it would not produce immediate effects on the MPs that are owners of media outlets, the draft was not voted in the second reading. The Ministry of Justice produced a draft law on advertising, but it has not been voted by the Parliament yet. Other commitments that involve legislative modifications, such as "ensuring the autonomy and efficiency of the BCC" or "creating equal conditions for mass media through the regulation of the rebroadcasting of foreign channels", were not materialized into laws. We still have no strategy for the development of broadcasting, which would "stimulate the stable development of independent mass media in Moldova", and the program of transition from analog to digital television, approved by the Government in May 2014, has not yet been published, although transition to digital television must be realized by June 2015.

Next to the parliamentary elections, the events that took place in 2014, related to the signing of the Association Agreement with the EU and the Deep and Comprehensive Free Trade

¹ <http://media-azi.md/ro/publicatii/raport-asupra-situa%C8%9Biei-presei-%C3%AEn-republica-moldova-%C3%AEn-anul-2013>

Agreement with the EU, as well as the conflict between Russia and Ukraine, created an objective image of the information in national mass media, especially the information penetrating the Moldovan information space from outside, particularly from the Russian Federation. The conclusion of various monitoring reports is that both sources manipulated information. While national mass media manipulated the message by allowing biased attitude of the anchorperson and unequal airtimes or by favoring some protagonists to the detriment of others, the Russian media were engaged in real information warfare, using aggressive arsenal. The effects of manipulation with the information related to the signing of the Association Agreement with the EU, including the conflict in Ukraine, by Russian televisions affected Gagauz and Bulgarian communities, which are massive consumers of the Russian mass media that are rebroadcast in Moldova. One can also speak that the BCC's regulatory capacities in relation to law violations committed by national and foreign mass media are different. For example, the BCC decision to suspend the rebroadcasting of the Russian television *Rossia 24* in Moldova was ineffective, because the channel's rebroadcasting continued².

The recent horrors that shook France in January 2015 are suggestive of an erosion of good coexistence of different cultures and peoples on the same territory. Satirical magazine *Charlie Hebdo* became the target of a terrorist attack in January 2015, when 12 people were killed, including journalists. Later, 4 people were killed in another terrorist attack in a Jewish store in Paris. In the neighborhood of Moldova, in Ukraine, the war for eastern Ukrainian territories did not stop. Fight restarted in the Donbas region. The situation in Moldova, although contextually incomparable with the situation in France, is suggestive of a deepening ethnic gap in this territory. Gagauz authorities adopted an ostentatious language towards the Chisinau authorities, and their actions in 2014, beginning with the referendum in February, emphasized the conflict between the interests and visions of central and Gagauz authorities. In relation to that event (the signing of the Association Agreement with the EU, which caused secessionist speeches and actions), the Bulgarian minority in Taraclia, through the voice of the administration, took into consideration the possibility of seceding from the Republic of Moldova.³

The polarization of society in Moldova is directly proportional to and often caused by the media manipulation. The manipulation with information is caused by the publications' editorial policies, which are, in their turn, caused by the interests of some known or unknown owners, while the distortion of information is tolerated due to the interests of those owners, who influence the private and public processes in the field of mass media.

Key events in mass media

The Association Agreement with the EU and the Deep and Comprehensive Free Trade Agreement with the EU were initialed at the end of 2013, and Moldovan authorities and EU representatives signed them in June 2014. The two documents practically prepare the EU accession process. Georgia and Ukraine signed similar agreements.

² <http://www.media-azi.md/ro/stiri/petru-macovei-decizia-cca-de-penaliza-c%C3%A2teva-posturi-tv-ce-retransmit-televiziuni-ruse%C5%9Fti-nu>

³ <http://abcnews.md/noi-declaratii-secesioniste-administratia-de-la-taraclia-vorbeste-despre-iesirea-din-componenta-republicii-moldova/>, http://independent.md/serghei-filipov-taraclia-va-intra-in-componenta-gagauziei-daca-parlamentul-nu-i-va-acorda-un-statul-special/#.VL5_t0esV11

Moscow's reaction in the context of signing the two agreements was less hard in relation to Moldova than in relation to Ukraine. Besides the diplomatic and economic measures of Russia against Moldova, the Russian media started an information warfare, which had significant consequences among the Russian-speaking population. The main manipulating idea of this warfare was unification with Romania and the "voluntary slavery" that will follow the signing of the agreement. Magnified by pro-Russian politicians in Chisinau, the idea gave rise to hysterical reactions in the Gagauz autonomy, which organized a local referendum in February 2014. Despite the legal measures of the Chisinau authorities, they could not stop the referendum, which was intended to legitimize the further actions of the autonomy's authorities. Meanwhile, the language used by Comrat in relation to Chisinau became more provocative; Gagauz authorities initiated the modification of the autonomy's legal framework, introduced police stations at the entry points into autonomy, intended to change the procedure of appointment of the heads of the region's law enforcement authorities by conferring greater decision-making autonomy, and to be granted the right to issue broadcasting licenses. Representatives of the region's People's Assembly threatened with secession from Moldova if Chisinau authorities fail to change the legislation of the Republic of Moldova according to their demands⁴.

Under the pretext of an extensive interpretation of legal provisions, several Moldovan televisions and the public television started broadcasting political advertising for the Party of Socialists (PSRM), in which integration into the Customs Union was presented as a fortunate alternative to the Association Agreement with the EU. Later, other parties started placing political advertising on local televisions. Thus, the society, including mass media, was divided into two camps. The situation worsened with the escalation of the conflict in Ukraine and virulent manipulation of information about it by the Russian media rebroadcast in Moldova. After the monitoring, in April, of five televisions rebroadcast from Russia⁵, the Broadcasting Coordinating Council (BCC) found that they used aggressive propaganda, manipulation by means of text and image, editing tricks, labeling and invectives in their programs about the conflict in Ukraine. From the perspective of the monitored mass media, the conflict in Ukraine is a consequence of initialing the Association Agreement with the EU, and Moldova is risking the same consequences⁶. The BCC applied sanctions against the monitored televisions for failure to comply with social and political balance, neutrality and objectivity. *Rossia 24* television was sanctioned with suspension of rebroadcasting for 6 months, but Gagauz authorities objected the execution of this BCC decision, invoking the right of hundreds of thousands Russian-speaking citizens to receive critical information about the Chisinau government. In fact, in other regions of the country the rebroadcasting of *Rossia 24* was not suspended, either.

Given the events in the first half of 2014, the parliamentary elections of November took place in a context where society was already divided between the two options of political and economic orientation. The same state of things was characteristic to Moldovan mass media.

Mass media during the electoral campaign

⁴ <http://epresa.md/stirile-zilei/ultimatumul-deputatilor-din-gagauzia>

⁵ *Pervy Kanal, NTV, RTR, Ren TV and Rossia 24*

⁶ For examples of manipulation, see <http://api.md/upload/files/Activ-3%2858%29-rom-web.pdf>

The electoral campaign for the parliamentary elections of 30 November 2014 started on 1 October. The monitoring of mass media behavior during the electoral campaign was traditionally conducted by the Civic Coalition for Free and Fair Elections, through the Independent Journalism Center (IJC), the Association of Independent Press (AIP) and the Electronic Press Association (APEL), which monitored 13 broadcasters for over one month, beginning on 22 October. The regulatory authority (BCC) only monitored newscasts on televisions. In parallel to that, the International Election Observation Mission of the OSCE/ODIHR monitored 20 media organizations in Moldova.

Overall, the conclusions of these three categories of observers are very close in terms of the media coverage of the electoral campaign in Moldova⁷. The situation is as follows: the country's mass media are pluralistic, but largely divided according to party criteria.

The national public television came within the limits of balanced coverage of electoral actors, but with a small number of analytical/conflicting/critical programs; *Pro TV Chisinau* covered the electoral campaign in a balanced manner, and was even the most adequate among all monitored broadcasters, according to NGOs and the BCC; *Jurnal TV* did not favor any electoral contestant, but openly disfavored the Democratic Party (PDM); four out of the five national broadcasters (*Prime TV*, *Publika TV*, *Canal 2* and *Canal 3*), which are presented together in monitoring reports, covered the campaign in a clearly unbalanced manner, in favor of the Democratic Party (PDM)⁸; *N4* and *TV 7* favored in their programs the Liberal Democratic Party (PLDM); *Accent TV* openly favored and promoted the „Patria (Homeland)” Party (PP) and its leader. According to the monitoring NGOs, the regional public broadcaster, *GRT*, covered the electoral campaign improperly and in a summarizing manner.

According to the report of the Civic Coalition, *Radio Moldova*, *Radio Noroc* and *Russkoe Radio* did not clearly favor or disfavor any electoral contestant, while *Radio Plai* favored the PDM and *Radio Vocea Basarabiei* favored the PLDM.

In print media, political affiliation has been as follows: *Timpul* favored the PDM, *Panorama* clearly favored the Party of Socialists (PSRM) and the PP, *Komsomolskaia pravda v Moldove* slightly favored the PP, *Nezavisimaia Moldova* “was the electoral agent of the Party of Communists (PCRM)”, *Moldova Suverana* and *Ziarul National* favored the PLDM, and *Jurnal de Chisinau* did not favor any electoral contestant, but disfavored the PSRM.

In online media, *Unimedia.info* and *Realitatea.md* covered the electoral campaign in a balanced manner, *Omg.md* favored the PP, *Politik.md* – the PP and the People's Party (PPRM), and *Newsmaker.md* slightly favored the PSRM. *Jurnal.md* massively disfavored the PDM. About *Noi.md*, the OSCE mission believes that it covered the campaign in a balanced manner, while the Civil Coalition found that it favored the PCRM during the electoral campaign.

⁷ <http://www.media-azi.md/ro/publicatii/raport-final-monitorizarea-mass-media-%C3%AEn-campania-electoral%C4%83-pentru-alegerile>
[http://cca.md/files/PLURALISM%20TV%202014%2020.10%20-%2030.11.2014%20\(general\).pdf](http://cca.md/files/PLURALISM%20TV%202014%2020.10%20-%2030.11.2014%20(general).pdf)
<http://www.e-democracy.md/files/elections/parliamentary2014/preliminary-statementent-osce-elections-2014-ro.pdf>

⁸ “Reports about the campaign of the PDM were often presented in a special section dedicated to the coverage of elections,” according to the EOM OSCE/ODIHR

Media market

One of the most significant events on the media market in 2014 was the cessation of the print version of the *Adevarul Moldova* newspaper and the withdrawal of the journalists' team from this project. On 1 September, in a social network, the editor-in-chief of this Chisinau publication announced about leaving his position, and on 12 September one of the journalists dissociated on behalf of the team from the *Adevarul* brand. The situation is related to the process of financial insolvency of the mother-company, *Adevarul Holding*, in Romania at the end of 2012. In May 2014, the company entered a process of reorganization, with a total debt of 405 million Romanian lei, leaving 175 creditors damaged⁹. The *Adevarul Holding* trust was founded in 2006 by Dinu Patriciu, and in 2012 it was sold to businessman Cristian Burci. In May, four years after its launch, the publication in Moldova also entered the process of insolvency. *Adevarul Moldova* constantly published journalistic investigations about corruption, which involved public persons and institutions. The *Omega* news portal¹⁰ wrote in September that the new owner of *Adevarul Moldova* is Vladimir Plahotniuc, and that George Damian, political commentator for the *Timpul de dimineata* newspaper, became its new editor-in-chief. The print version was resumed around the parliamentary elections.

Other two televisions in insolvency, *Euro TV*¹¹ and *Alt TV* were taken over by new owners. Some online resources refer to millionaire Ilan Shor¹², although the *Novosti-Moldova* agency contradicted this information¹³. Vladimir Novosadiuc, head of the *RIA Novosti* agency in Moldova and former employee of the *NIT* television and of *Novosti-Moldova*¹⁴, openly appears in the management of the former municipal television. His name also appears in the list of the members of the "Banca Sociala" bank's board of administration. Moldovan media wrote that Shor controlled the "Banca de Economii" bank and the Chisinau International Airport, which the state lost in 2013 as a result of some controversial transactions¹⁵.

Also for financial reasons, another publication – *Kommersant.md* – announced in August about cessation of its work. The media, however, mentioned the reason that the Russian publication *Kommersant* prohibited to the Moldovan website to use its name¹⁶. The website's team launched the *Newsmaker.md* portal instead.

There were several appearances on the media market in 2014. First, party media grew in number, as it should have been expected in an electoral year. The PDM launched the "PDM Express – Voice of Moldova", and the Liberal Party (PL) launched its own publication, *Libertate*.

⁹ http://economie.hotnews.ro/stiri-media_publicitate-17263884-tolontan-fost-aprobata-reorganizarea-adevarul-holding-printre-pagubiti-bcr-pro-fiscul-brandul-click-estimat-3-1-milioane-euro.htm

¹⁰ <http://omg.md/index.php?newsid=4392&jdfwkey=d9dmf3>

¹¹ Former municipal television, which was privatized in 2008 with legal violations as a result of a Municipal Council decision. There is a *Euro TV* case at the European Court of Human Rights.

¹² <http://deschide.md/ro/news/social/4850/M%C3%82NA-MOSCOVEI-a-pus-M%C3%82NA-pe--EuroTV--Noul-investitor-este-Ilan-Shor.htm>

¹³ <http://newsmoldova.md/03092014/lenta-novostej/50089.htm>

¹⁴ Television affiliated to the Party of Communists (PCR), whose broadcasting license was withdrawn in 2011 for repeated violations of the broadcasting legislation.

¹⁵ Chisinau International Airport was ceded for 49 years to a Russian company, and "Banca de Economii" was allegedly the target of a raider attack, as a result of which the state lost the majority share to minority shareholders.

¹⁶ <http://www.media-azi.md/ro/stiri/newsmakermd-substituit-kommersantmd>

Secondly, several projects were launched in the field of specialized journalism: *Agora.md* – online portal of economic news and analyses; *Mednews* – news agency in the medical field; *Moldova Sport* – television dedicated exclusively to sports events in Moldova; *Moldavian Business Channel* – television launched by former minister of defense Valeriu Plesca, which will broadcast programs on economy topics. Former director of *Publika TV*, Dumitru Tira, launched the *Realitatea* press group in March¹⁷. In April, *Realitatea TV* obtained a broadcasting license for general content. Tira denied any connection with the Romanian *Realitatea TV*.

Advertising, ownership transparency and monopoly on the media market need to be addressed together. There is also some connection between them and the issue of digitalization, or transition from analog to digital broadcasting. The existence of monopoly on the media market was constantly reported about during the communist government and after it changed. Currently, like in the past, affiliations are based on suppositions, as media ownership is an extremely obscure field, the same as the “fiscal paradises” where owners register their companies that are founders of mass media. *Prime TV*, *Publika TV*, *Canal 2* and *Canal 3*, four broadcasters out of the five with national coverage, are allegedly owned by Vlad Plahotniuc¹⁸. *APPOLO* has proven by means of documents the connection between the founding company of the *PRIME* trust and Plahotniuc. According to the Press Freedom Index¹⁹, the exact value of the advertising market is unknown, while the imperfect legislation maintained the earlier chaos in this segment, and this situation was used in the electoral year by advertising agencies and by some political parties. Although media ownership is not transparent, editorial policies during the electoral campaign are clear enough so as to see who dictates them, just as monitoring results show it, too. As for digitalization, it remains to be a “terra incognita” for the most. A plan of transition to digital broadcasting was approved by the Government in May, but the document remained in the works of the relevant ministries and has not been published yet. Persons knowledgeable in the field doubt that authorities will manage to start, conduct and support an efficient, fair and open process of transition to digital broadcasting by June 2015, when analog broadcasting is to be stopped²⁰.

II. Public broadcasting sector

Broadcasting Coordinating Council (BCC)

In April and November 2014, the terms in office of three BCC members expired, including the term of former BCC chairman Marian Pocaznoi, who resigned from this position before the electoral campaign for the parliamentary elections. Dinu Ciocan, who had been a member of the BCC since 2011, became the new BCC chairman²¹. The three members continued their work within the BCC after the expiry of their terms. The Broadcasting Code provides for a six-year

¹⁷ Online, it includes several platforms: www.realitatea.md, www.golos.md, www.bani.md, www.stireata.md, www.topmedia.md, www.kankan.md

¹⁸ *APPOLO* also attributed to Vlad Plahotniuc two radio stations with national coverage – *Maestro FM* and *Prime FM*. According to *APPOLO*, the broadcasters controlled by Plahotniuc are holding 1/3 of the advertising on the media market. http://aoapollo.md/?page_id=233

¹⁹ http://media-azi.md/sites/default/files/styles/publicatie/public/indicile_libertatii_presei_ed_2014.JPG?itok=O6iJo_QN

²⁰ For documentation, see <http://www.media-azi.md/ro/stiri/misterele-tranzi%C5%A3iei-la-televiziunea-digital%C4%83>, <https://alexandrumachedon.wordpress.com/tag/televiziune-digitala/>

²¹ Ciocan had been an employee of the Expertise, Licensing and Monitoring Office of the BCC since 2004.

membership in the BCC, while the Law on Public Office requires that an official shall continue to exercise his duties until the position is taken by his successor in competence. *Jurnal TV* sent a formal notice to the BCC, asking for the dismissal of the three members, because, according to it, BCC members do not fall under this law²². Later, the issue got onto the agenda of the National Anticorruption Center²³ and the National Integrity Commission²⁴, which have not adopted a decision on this issue yet.

In September 2014, the Supreme Court of Justice (SCJ) ended a litigation initiated by 13 broadcasters. The BCC was brought to court in 2012 following the adoption of a decision that required national broadcasters to ensure 30% of their weekly airtime with local programs in the Romanian language, half of which had to be in prime time. Only about three years after the adoption of that decision, the BCC can verify broadcasters' compliance with it and eventually apply sanctions for its violation. The SCJ ruled on the inadmissibility of the broadcasters' appeal against the decision of the Centru Court, which found that "the BCC issued the challenged decision in compliance with legal provisions, in order to protect the language and national culture within legal provisions"²⁵. According to expert Ion Bunduchi, the problem of the 30% of programs is a false one: "Broadcasters were asked, by a separate decision of the BCC, to meet the commitments that they had taken upon obtaining broadcasting licenses. There was no need in a special decision of the BCC; instead, it was necessary to control the work of broadcasters."²⁶

The SCJ also ended litigation between the BCC and the StarNet company. On 2 April, the SCJ rejected the appeal of the BCC, leaving in force the decision of the Centru Court, which annulled the BCC decision of March 2012 on withdrawal of StarNet's rebroadcasting license. Although litigation was ended, the conflict between the two parties increased over time. In 2013, StarNet asked the BCC to annul the rebroadcasting authorization. At the same time, TV-BOX SRL obtained from the BCC a rebroadcasting license and is rebroadcasting, in partnership with StarNet, 151 programs through the Internet, which is, according to them, an area that is not regulated by the broadcasting law, and so in this case an authorization for rebroadcasting is unnecessary. On the other hand, the BCC invokes article 2 (b) of the Broadcasting Code, according to which rebroadcasting shall be done by any technical means; it also claims that this form of broadcasting is subject to authorization as well²⁷. At the same time, the country's cable operators, through the voice of Broadcasters Association, accused StarNet of unfair competition. In June 2014, StarNet notified the parliamentary committee on culture, education, research, youth, sport and mass media, claiming that it is only an Internet service provider. Eventually, the parliamentary committee decided to create a working group in order to eliminate ambiguities in the broadcasting legislation, which led to this conflict. To confirm the neutrality and freedom of

²² *Jurnal TV* invokes two decisions of the Supreme Court of Justice, in which the court found that the Law on Public Office does not apply to members of the BCC.

²³ <http://jurnal.md/ro/social/2015/1/18/membri-cca-in-vizorul-cna-si-cni/>

²⁴ The National Integrity Commission is to verify the three BCC members in terms of an eventual violation of legality in declaration of income and property, and it is also to verify Marian Pocaznoi in terms of unsuitability for the position. "In case of BCC members, grounds for initiation were the preliminary control by the Commission, which found some faults in their income and property statements." (<http://cni.md/?p=1491>)

²⁵ http://jurisprudenta.csj.md/search_col_civil.php?id=12827

²⁶ <http://media-azi.md/ro/stiri/curtea-de-apel-chi%C8%99in%C4%83u-respins-cererea-radiodifuzorilor-privind-anularea-deciziei-cca-care-i>

²⁷ For further details, see <http://moldova24.info/economic/cca-nota-informatva-cu-privire-la-situatia-companiei-starnet-srl/#>

the Internet, the parliamentary committee adopted a declaration in this sense in July. The declaration shall be examined in the plenum of the Parliament.

The Association for the Protection of Copyright and Related Rights (APOLLO) repeatedly summoned the BCC to court, mainly for issues of copyright and related rights. In March, the court asked the BCC to present evidence that led to the decision of rejecting APOLLO's notification of 2012, in which it asked to confirm that Vlad Plahotniuc and Dan Lozovan²⁸ are illegally final beneficiaries of more broadcasters than the Broadcasting Code allows, to withdraw these outlets' broadcasting licenses and to punish their anti-competition actions. The court's solution in this case is expected in the middle of January 2015. Also in 2014, the SCJ ended another conflict between APOLLO and the BCC, confirming the decision of the first instance court, which found that the BCC refusal to provide information about the activity of some broadcasters, invoking trade secret, was ill-founded.

We shall mention also the conflict around the BCC, when it applied fines to the Russian televisions rebroadcast in Moldova and suspended the rebroadcasting of *Rossia 24* channel for six months. In addition to reactions from Gagauz and Bulgarian communities, the BCC decision caused Moscow's criticism and a civil case in court. The Ministry of External Affairs of the Russian Federation issued a press release, showing its indignation at the BCC decision and warning authorities that the decision would have a negative impact on the Moldova-Russia relations. In connection with this BCC decision, in August, Party of Socialists (PSRM) leader Grigore Petrenco filed a lawsuit, and the court is to pronounce a decision about its validity in the middle of January 2015.

National Public Broadcaster Teleradio-Moldova (TRM)

In 2014, the national broadcaster worked without the Supervisory Board (SB), which is the institution's supreme governing body. The SB has nine members, but since December 2013, only three of them had valid terms of office. After a first meeting of the specialized parliamentary committee in April, when the 12 candidates selected by the BCC presented their programs, the head of the committee announced that SB members would be appointed after candidates are discussed in parliamentary party groups. Communist MPs refused to participate in the hearing of candidates for the reason that "the contest is a mockery, and its results are already known"²⁹. Media experts find that the delay in the election of the six SB members is based on political reasons.³⁰ In July, media NGOs published a declaration, asking the Parliament to speed up the process of selection and appointment of SB members, so as to ensure the functionality of this body.³¹ The seven signatory organizations notified that the delay in the election of SB members caused some problems in the institutional organization and assessment of TRM and that it might severely affect the work of the public broadcaster.

²⁸ According to APOLLO, Vlad Plahotniuc and Dan Lozovan control 6 and 7 televisions and radios, respectively.

²⁹ http://www.noi.md/md/news_id/38495

³⁰ <http://www.media-azi.md/ro/stiri/potrivit-exper%C5%A3ilor-media-tergiversarea-nominaliz%C4%83rii-membrilor-%C3%AEn-consiliul-de-observatori-al>

³¹ <http://www.media-azi.md/ro/stiri/ong-urile-de-media-cer-parlamentului-s%C4%83-numeasc%C4%83-%C3%AEn-func%C8%9Bie-membrii-consiliului-de-observatori>

In February, the SCJ issued a final decision in the lawsuit initiated against TRM by a candidate in the contest for the position of director of news and debates on *Moldova 1* channel, which took place in February 2013. Cornelia Stefoglu challenged in court the results of the contest, according to which Vitalie Gutu became director of news and debates. The SCJ found that the first instance court annulled the decision on Gutu's appointment with good reason. TRM had to pay to the complainant legal expenses in the amount of MDL 8,130. Subsequently, TRM leadership announced a new contest for the position of director of news and debates on *Moldova 1*, and in March this position was taken by Ecaterina Stratan.

In June, the agreement between the governments of Romania and Moldova on collaboration in the field of rebroadcasting of program services by public broadcasters entered into force. According to this agreement, cable operators in Moldova have the obligation to broadcast the Romanian public channel, without imposing any conditions, without a license or preliminary authorization, and Romanian cable operators shall mandatorily broadcast the public channel *Moldova 1*. Romanian Television (TVR) restarted broadcasts in Moldova on 1 December 2013, after amicable settlement of the complaint filed to the ECHR. In October, TVR channel opened a branch in Moldova, which will conduct radio and television activities, broadcasting, production and dissemination of programs, advertising and production of films and video.

In July, TRM signed a collaboration agreement with the regional public broadcaster Teleradio-Gagauzia, according to which the two parties will produce joint programs, share programs, specialists and information, and participate in training activities and in development of strategic documents.

Back in 2011, TRM was planning to establish an ombudsman service, but it was achieved only in April 2014. According to the Rules of the Ombudsman Service, it is an autonomous entity and a mechanism of self-regulation of TRM; it is an objective mediator between the company and the public, between the company's employees and between employees and management. The goal of this service is to maintain and strengthen public trust towards the public broadcaster. TRM Ombudsman is Carmelia Albu, who had been a member of the BCC until 2010. So far, the media have made no references about the activity of this service.

At the end of 2014, TRM president Constantin Marin resigned. Marin had been elected by the SB for this position in 2010 for a five-year term. He invoked a personal project as the reason for this decision. Marin had been part of the first management team chosen at TRM after the installment of democratic government in 2009, together with Alexandru Dorogan and Angela Sirbu. During his presidency at TRM, deep reforms and radical restructuring of the public broadcaster could not be achieved, largely due to financial dependence from the government, adverse legislation and weak autonomy. In addition, lack of willpower or personal autonomy and maybe antagonistic interests of the company's management often restrained the enthusiasm and ambition of reforms for the advantage of "conservators" in TRM, who opposed reforms.³² A document published by TRM, "Fulfillment of objectives of the Strategic Development Directions

³² In 2012, Angela Sirbu resigned from the position of director of public television on the grounds that she had no support from the company's leadership in the reforming of the public television, specifying that the "leadership", instead of encouraging reform with at least some good words, was concerned with the comfort of those who opposed reform for the sake of comfortable positions." <http://media-azi.md/ro/publicatii/raport-anual-privind-situa%C8%9Bia-presei-%C3%AEen-republica-moldova-2012>

of the National Public Broadcaster Teleradio-Moldova for 2010–2015”, updated for June 2014, shows that the company’s revenue from advertising and sponsorship decreased with about 40% in comparison with 2010. In 2014, the company’s budget was about one million dollars smaller than in 2013³³.

According to the reports on monitoring mass media during the electoral campaign³⁴, the public broadcaster ensured the social and political balance in its programs dedicated to parliamentary elections, but observers found a lack of analytical programs or programs on conflicting or critical topics.

Regional Public Broadcaster Teleradio-Gagauzia (TRG)

Like in previous years, in 2014 TRG was eaten by conflicts between its governing bodies, namely between the Supervisory Board (SB) and the TRG president and between the TRG president and the director of public television. After three failed attempts to elect the director of the regional public television, the SB finally managed to appoint Stepan Piron to this position in September. Several days later, however, the court suspended him from this position at the request of two counter-candidates in the contest for the position of director of television, who challenged in court the SB decision on Piron’s appointment. Piron accused Ana Harlamenco, TRG president, of initiation of a campaign aimed to discredit him. In her turn, Ana Harlamenco “claims that the vote of the SB members who chose Piron had been politically influenced by the People’s Assembly of Gagauzia and was intended to destroy this public institution”³⁵.

Ana Harlamenco was elected for the position of TRG president in September 2013, after the SB dismissed Ecaterina Jekova from this position. The latter won a case in court against TRG for the reason of illegal dismissal, and the company had to pay her over MDL 40 thousand as unpaid salary and moral damages. As a result, an officer of the court blocked the company’s bank accounts. At the beginning of October, at the initiative of the People’s Assembly, the Court of Accounts began a verification of the financial activities of the TRG management. The speaker of the People’s Assembly explained that this verification was ordered due to letters from the SB, which notified that Harlamenco refused to present a report about the company’s financial activities. And somewhat earlier, in August, Harlamenco had been involved in a censorship scandal at TRG³⁶. As a reply, at a press conference, the company’s president asked for police protection, claiming that she was intimidated by the Party of Socialists and by the chairman of the People’s Assembly, Dmitrii Konstantinov. At the same time, Harlamenco said that some SB members were under the political influence of the People’s Assembly, and the fact that the meetings of SB are being held in the building of the People’s Assembly is an evidence of that. On the other hand, the SB leadership said that SB members are subjected to pressure “from

³³ These financial difficulties led to the situation when, on the verge of cessation of analog broadcasting, digitalization of public radio reached only 75%, although it was planned to be finalized by January 2012, and *Moldova 1* has been digitalized in the proportion of only 45%. [http://trm.md/files/documente-co/GRAD%20REALIZ%C4%82RI%20STRTEGICE%20%20OBIECTIVE%20STRATEGICE%202010-2015%20\(2\).doc](http://trm.md/files/documente-co/GRAD%20REALIZ%C4%82RI%20STRTEGICE%20%20OBIECTIVE%20STRATEGICE%202010-2015%20(2).doc)

³⁴ See Chapter I.

³⁵ <http://www.media-azi.md/ro/stiri/scandal-la-grt-cauzat-de-suspendarea-din-func%C5%A3ie-noului-director>

³⁶ Igor Dodon, leader of the Party of Socialists (PSRM), notified the People’s Assembly about censorship of a program aired by TRG. The censored parts appeared online, and they relate to the current mayor of Comrat, Nicolae Dudoglo, and the Democratic Party (PD). <http://gagauzinfo.md/index.php?newsid=14130>

outside the People's Assembly"³⁷. In November, the company's technical director filed a complaint to the SB, saying that Ana Harlamenco exercises pressure on him and gives him impossible tasks. In December, the SB issued a warning to the president on the grounds that she failed to submit on time the documents requested by the SB, namely the specification of TRG tasks for 2015. By the end of 2014, the SB of TRG had not yet voted the specification of the company's tasks, including its budget for 2015. The opinions of SB members about the content of the document presented by Harlamenco were divided, and for this reason they postponed the issue until the following meeting.

The situation of the regional public broadcaster is strongly influenced by the political fight before the elections of the autonomy's governor (bashkan), which are to take place in March 2015. Ana Harlamenco publicly announced that she would suspend her TRG presidency for the period of the bashkan's elections, because of the family relationships with a candidate for the position of bashkan, Nicolae Dudoglu. According to the reports on monitoring the media coverage of parliamentary elections in Moldova, TRG provided very little coverage of the electoral events.

III. Freedom of expression and access to information in 2014

Legislative developments

Considering the strongly electoral nature of 2014, this year we might rather speak about electoral devolution in terms of freedom of expression and mass media.

In January 2014, the Liberal Party (PL) registered in the Parliament a draft broadcasting code, claiming that it is needed due to the current situation on the country's media market, which proves the deficiency of the current legislation. The Electronic Press Association (APEL) launched a draft broadcasting code in May 2011; its need had been discussed at several public events between 2006 and 2010. The government that came to power in Chisinau in 2009 committed to adopt a new broadcasting code, but its draft did not progress further than superficial discussions in the specialized parliamentary committee.

Also in January, another legislative initiative on modifying the Broadcasting Code was registered in the Parliament, as a reaction to some recent events on the media market. Communist MPs proposed supplementing Article 19 with the obligation for service providers to include into their basic offers, for free, along with the programs of public broadcasters, the programs of private broadcasters that offer free local information and analysis programs. This proposal was made after some service providers excluded *Jurnal TV*, *Accent TV* and *RTR Moldova* "over night" from their lists of programs³⁸. Another proposal of communists concerned Article 42 and referred to the reintroduction of the quorum of 3/5 of MPs for the election of members for the

³⁷ Sofia Surina, chairperson of the SB, claimed that she had been telephoned by a high-ranked person from outside the People's Assembly, who asked her why she bothered Ana Harlamenco and asked her to inform them about any movements of the SB. <http://gagauzinfo.md/index.php?newsid=14847>

³⁸ Moldtelecom withdrew *Accent TV* from its offer on 31 December 2013 and *RTR Moldova* on 4 January 2014 on the grounds that the terms of collaboration agreements had not been extended; on 13 January, 120 cable operators stopped the broadcasting of *Jurnal TV*, motivating it by not receiving the satellite signal; Sun TV issued a press release, saying that the *Jurnal TV* offer had been transferred to other "packages", and the following day *Jurnal TV* and *Accent TV* were returned into the basic package. The BCC claimed that *Jurnal TV* had speculated on this issue.

Broadcasting Coordinating Council (BCC). The first Alliance for European Integration (AEI-1) modified this article in 2010 in order to appoint a new BCC member by Parliament decision, when the position remained vacant after the conviction of Ruslan Plesca in a bribery case. Since the governing coalition did not have the 3/5 quorum required by law, the AEI proceeded to modify the law. Communists also proposed returning to the original text of article 66 (3), which had been modified by the AEI in 2010 and led, according to authors, to the monopolization of Moldovan broadcasting. In 2010, the AEI modified this paragraph so that a person could hold five broadcasting licenses in an administrative territorial unit instead of two. Communists came with a solution for the monopoly on the advertising market, proposing the mandatory existence of at least two audience measuring operators³⁹. The draft was voted by only four members of the specialized parliamentary commission.

In February 2014, the Liberal Reformatory Party (PLR) proposed modifications for articles 19 and 28 of the Broadcasting Code⁴⁰, according to which advertising and teleshopping should be broadcast in the Romanian language in the proportion of 80% from total airtime, and advertising in other languages should be subtitled in the Romanian language. According to the draft, the number of channels rebroadcast in Moldova in the Romanian language must make up 80%. At the same time, the channels rebroadcast in a different language should be provided with Romanian subtitles. The party motivated this initiative by the need to develop the population's language abilities, in the situation when the country's information space is dominated by televisions and radios in the Russian language.

Other modifications for the Broadcasting Code were proposed by the Liberal Democratic Party (PLDM) in April. Their proposal included introducing into the broadcasting legislation and advertising legislation the notion of "political advertising" as "any form of communication with the declared goal of changing the attitudes of some persons towards a political party, politician or political message" and, in addition, introducing an express prohibition of political advertising outside electoral campaigns. The draft document is directly related to the fact that the Party of Socialists (PSRM), and some other parties later, began airing political spots much in advance of the electoral campaign. Also in April, MPs representing the PLR proposed amending several articles of the Broadcasting Code. The proposals referred to the interdiction of propaganda of foreign channels rebroadcast in Moldova, rules for audience measurement, reduction of the number of broadcasting licenses held by a person and access to information about broadcasters' owners.

In June, the IJC sent to the Parliament, the President and the Government for examination a set of proposals for modifying the Law on Access to Information and the Code of Contraventions. Proposals related to the reduction of the terms for presentation of information to 10 days and harsher punishment for violation of access to information for persons responsible for presentation of information. The draft law was registered in the Parliament by several MPs of the PLR.

³⁹ In January 2014, APOLLO issued an appeal to businesses in Moldova, claiming that AGB Moldova, the only audience measuring operator in Moldova, provided false data. <http://www.media-azi.md/ro/stiri/agb-moldova-acuza%20de-furnizarea-unor-date-de-audien%20fals%C4%83-tv-false>

⁴⁰ <http://www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/2180/language/RO/Default.aspx>

In July, the Parliament voted in the first reading on a draft law on combating extremism, proposed in October 2013 by the General Prosecutor's Office and the Information and Security Service (ISS), but withdrawn later under the pressure of national providers, information portals, mobile telephony operators, Internet service providers, mass media, etc. Article 8 of the draft law caused criticism from the civil society and mass media. According to it, the ISS would have the right to block any news website, social network or other media of this kind, which contain comments of an extremist nature. *Unimedia.info* and *Privesc.EU* issued a declaration asking the Parliament to exclude Article 8 from the draft law on extremism, because it subjects Internet freedom to censorship. The declaration was supported by media NGOs.⁴¹

Also in July, the Parliament adopted in the first reading a draft law on modifying the Broadcasting Code, developed by the IJC and registered in the Parliament by several MPs of the Liberal Democratic Party (PLDM). The draft concerns media ownership transparency. An MP of the Liberal Party (PL) proposed to supplement the draft with an express interdiction for off-shore companies to hold broadcasting licenses. Initially, there were discussions about its adoption in the second reading in October, before the electoral campaign, but the Parliament held no more public meetings.

In September, another draft law on modifying the Broadcasting Code was registered in the Parliament. This time, the draft law referred to the digitalization of broadcasting and was proposed by the Government. According to an informative note, the draft had been discussed at two international events in 2008 with the participation of specialized authorities and institutions, broadcasters, NGOs and international experts.

In early November, the People's Assembly of Gagauzia adopted modifications for the law on radio and television. According to modifications, broadcasting licenses and rebroadcasting authorizations⁴² shall be issued by a local structure similar to the BCC, which would work under the executive committee of the People's Assembly. The BCC found this decision to be an attempt of undermining the territorial integrity of Moldova⁴³. Previously, media NGOs criticized this proposal. Also, after modifications, cable operators will have to rebroadcast the regional public channel and the programs of local broadcasters, and TRG will have to broadcast for free the weekly information programs of the region's private broadcasters and cable operators. The modifications adopted by the People's Assembly will enter into force only after the autonomy's bashkan (governor) signs the draft law.

Lawsuits against media

Moldinconbank v. Adevarul: In January 2014, the Balti Court of Appeal rejected the action of Moldinconbank against the *Adevarul* newspaper, in which the bank demanded MDL 200,000 for

⁴¹ Later, OSCE Representative on Freedom of the Media Dunja Mijatović expressed her concern with the fact that an administrative institution might have the discretionary power able to block access to online information without good reason. Mijatović called to authorities to eliminate these provisions.

⁴² For several years, the executive committee had been illegally issuing rebroadcasting authorizations to service providers in Gagauzia. Although notified by the BCC, authorities in Chisinau could not stop this practice.

⁴³ In connection with the adoption of these modifications, the BCC filed notifications to the General Prosecutor's Office, Ministry of Internal Affairs, Parliament, Presidency, Constitutional Court and Information and Security Service.

damages. The conflict began in 2012, when the newspaper published an investigation about the bank credits taken by Ion Plesca, chairman of the Chisinau Court of Appeal⁴⁴.

Criminal proceedings against Vadim Ungureanu for “forcing to conclude a transaction or to refuse conclusion of a transaction” and “active corruption”: In May, the Ministry of Internal Affairs (MIA) detained Vadim Ungureanu, intern at *Deschide.md*, for 72 hours. The portal’s editorial board qualified the incident as “a well-thought and prepared act of revenge” by the Ministry, claiming that “these proceedings are an attempt to intimidate the editorial board of *Deschide.md*.” Earlier, the portal published several investigations concerning the MIA. In a press release, the MIA announced that Ungureanu’s detention was “the finalization of an operation that included investigation of blackmailing and controlled delivery of false compromising materials, which were later published by the suspect in a media outlet.” The reporter was released from custody and is being investigated at liberty.

Ruslan Popa v. Accent TV: In July 2014, the Buiucani district court admitted the action against *Accent TV*, affiliated to the Party of Communists (PCRM), filed by Ruslan Popa, chairman of the Reformatory Communist Party (PCR). After being accused in a program of having sold himself in order to discredit the PCRM, Ruslan Popa demanded compensation of moral damages for the dissemination of defamatory information, and the court partially admitted the appeal and obliged the television to pay MDL 130 thousand to Popa. The channel said it would challenge the decision of the first instance.

Parmato Grup v. Ziarul de Garda (ZdG): Parmato Grup brought an action against ZdG in 2013 for publication of the article titled “Tourism with fraud in Chisinau” [„Turism cu escrocherie la Chişinău”]. In March 2014, judge Ion Busuioc was disqualified (he had earlier obliged ZdG to pay damages of MDL 500,000 to two prosecutors in another civil case). In September, Parmato Grup’s action was discontinued as a result of non-presentation at a court hearing.

Popovici Vladislav v. Panorama and journalist Svetlana Salberova: Former police officer considered himself defamed by the publication of an article written by Svetlana Salberova in 2012 and demanded damages of MDL 50,000. The cause is under examination at the Court of Appeal, after the first instance rejected the action as tardy in March 2014.

“Balti” housing and utilities enterprise v. Cerere si Oferta: The municipal enterprise brought an action against the newspaper after the publication of an article about the enterprise’s failure to comply with its legal duties. The applicant demanded MDL 100,000 for moral damages. The action was discontinued in May 2014 because the applicant failed to pay the state tax of 3% of the claimed moral and material damages.

Sergiu Mocanu v. Badarau Maria, Colesnicenco Eugen and Ziarul de Garda: Lawyer Mocanu brought an action against the newspaper for publication of the article “A lawyer with several victims” [„Un avocat cu mai multe victime”], demanding MDL 40,000 for moral damages. In April the Centru Court rejected the action as unfounded. The case is pending at the Chisinau Court of Appeal.

⁴⁴ “A judge with a debt of dozens million lei in banks” [„Judecătorul cu datorii de zeci de milioane de lei la bănci”], http://adevarul.ro/moldova/actualitate/judecatorul-datorii-zeci-milioane-lei-banci-1_50aef2247c42d5a663a1d5d8/index.html

Gheorghe Straisteanu v. Oleg Brega: Former MP brought an action against Brega in April, demanding MDL 13,000 for moral damages caused by the fact that the latter showed in a video faults in the repair works at the canteen of the Buiucani district administration. The cause is being examined at the Sangerei Court.

Violations of journalists' rights

In February, journalists of *Pervy Pridnestrovski* (official Transnistrian television) said they had been forbidden to enter Gagauzia due to the lack of accreditation. Journalists were escorted back to the checkpoint. They were going to Comrat to cover the referendum organized illegally by the autonomy's authorities. The incident, however, was not confirmed by the local police.

Also in February, *deschide.md* reporter Vadim Ungureanu was physically assaulted by a driver after he had been seen driving on a street in Chisinau in violation of the rules. The attacker proved to be a teacher of the Law Department of the Moldova State University.

In March, a *ProTV* team was attacked by the driver of a luxury car involved in an accident. The incident was allegedly witnessed by a patrol team that had been at the place, but they did not intervene.

In April, editorialist Constantin Cheianu announced via Facebook that his colleague in the "Hour of laughter" [„Ora de ras”] show, Anatol Durbala, had been threatened by Renato Usatii, leader of the "Patria (Homeland)" Party, which was excluded by the Central Electoral Commission from the electoral campaign for the parliamentary elections of November 2014 for the reason of using money from abroad for the campaign.

In June, journalist Oleg Brega of *Curaj.tv* was attacked by a group of persons in masks, who allegedly sprayed him in the eyes and hit him with their feet. On the day following the attack, Brega claimed to have been insulted and physically assaulted by the driver of the official car of communist MP Maria Postoico while he was filming the car being used for the MP's personal purposes.

Also in June, searches were conducted at the office of *deschide.md* within the criminal proceedings against Vadim Ungureanu. *Deschide.md* had over time published several investigations about the violations committed by the Ministry of Internal Affairs.

In August, investigative journalists of RISE Moldova, a local branch of the RISE international project, which reveals schemes of corruption, money laundering and organized crime at international level, declared that they had been threatened by the persons mentioned in the investigation "Russian Laundromat: Moscow–Riga via Chisinau" [„Spălătoria rusească: Moscova – Riga via Chişinău”], in which they described money laundering schemes in Eastern Europe.

A team of *Publika TV* was not allowed to enter the Transnistrian region in August in order to cover the meetings with Dmitry Rogozin. The Russian deputy prime minister met Transnistrian leader Yevgeny Shevchuk in August and participated in the events organized on the occasion of the 70th anniversary of the Iasi-Chisinau operation. Representatives of the Bureau for Reintegration said that the right to free circulation of citizens had been violated.

In September, *Ziarul de Garda* announced that it had been threatened after the publication of the article “The luxury house and the woman behind His Eminence Vladimir” [„Casa de lux și femeia din spatele ÎPS Vladimir”]. The article spoke about the property and travels of the Metropolitan of Moldova.

Also in September, a team of *Publika TV* journalists was intimidated and threatened while trying to film the Transnistrian militia at the ceremony dedicated to the beginning of school year at the middle school in Corjova village.

Jurnal TV and *deschide.md* journalists were intimidated in August at the Chisinau International Airport by the escort of Transnistrian leader Shevchuk, who was about to take a flight to Moscow for a press conference about the “blockade” set by Moldova against the Transnistrian region.

In November, the head of the Romania’s PSD in Chisinau, Victor Alexeev, hit a *Curaj.tv* reporter for recording his electoral campaigning at a voting location in Chisinau, and the head of voting location no. 147 in Chisinau prohibited a *Ziarul de Garda* reporter to take photos inside its building.

IV. Press freedom in the Transnistrian region

Mass media have always been one of the main parts of life in the Transnistrian region. They are forming the information field, which has an important ideological role in conditions of the region’s non-recognized status.

At the moment of the monitoring, according to the region’s state service of communication and mass media, the following outlets were officially registered in 2014: 5 newspapers (*Moi dom*; *Avtogid*; newsletter of the public movement *Narodnoe Edinstvo (People’s Solidarity)*; *Dnestr* (town of Camenca, re-registered); *Adevarul Nistrean* (Tiraspol, re-registered)); 1 radio station (*Bit FM*, Ribnita); 3 online media outlets (*Agora* social and economic Internet digest, founded by an NGO; *GMarkov* information blog, founded by a private person; *Vesti PMR* news agency, founded by the region’s leader).

In 2014, official media outlets, such as *Pridnestrovie*, *Adevarul Nistrean* (Romanian language, Cyrillic alphabet), *Gomin* (Ukrainian language), *Novoe Vremya* (Bender) and some others, changed the form in which their presented materials; in some cases the format of newspapers was changed, as well as their structure and legal form.

The only newspaper that positioned itself in the opposition – *Chelovek i ego prava* – stopped being issued for economic reasons. According to its editor, the newspaper might restart working at the end of 2014.

We shall mention that according to the local legislation, print media with a circulation of less than one thousand copies need no registration. That is why the number of newspapers can be

higher. Today, however, it is not a determining factor for the assessment of the Transnistrian media market.

The most popular are electronic media. Their influence on the public is important and constantly growing. Among televisions, we shall mention the following channels: *TSV* (“Television of free choice”), owned by the Sheriff company; *Pervy Respublikanski* (former *TV PRM*), official media; *BTV* (Bender television), founded by the Bender authorities.

Among radio stations that produce newscasts we shall mention *Inter FM* (owned by the Sheriff company), *Novaya Volna* (private founder, *Novaya Volna* broadcasting company).

Overall, like in the entire world, the region’s interest for Internet resources has been growing. The most popular are the information and news websites. In 2014, some websites appeared that often publish the official position of the region’s authorities.

Back in May 2013, local providers closed access to some websites. They include the websites of the local “Rodina” party (www.rodinapmr.ru), *Lenta PMR* news agency (www.tiras.ru), *Dnestr* news agency (www.dniester.ru), Social and Political Forum (www.forum.dnestra.com), Open Forum (www.openpmr.info), *Pridnestrovie and Russia* forum (www.pmr-rf.ru), Free Forum (www.forum.pridnestrovie.ru), as well as www.nistru.net and www.forum-pmr.net.

The main reason was the appearance in the Internet of anonymous compromising materials, primarily against high-ranked officials, many of which were invented and impossible to prove. Transnistrian authorities believed that “the republic doesn’t need an ‘anonymous trash can’”, and proposed to Internet forums to become registered as mass media. Today, access to the above resources is possible through anonymizers, and only a small portion of users does it.

Dnestr TV online television, which belongs to the *Novaya Volna* broadcasting company, gained popularity. The possibility to show almost anything and to break television standards was appreciated by Internet users, 80% of whom are residents of Moldova (including users in the Transnistrian region).

We shall mention that the online televisions *Dnestr TV* in Bender and *Lik TV* in Ribnita are members of the *Meridian* Association, which created the *Canal regional* television in Moldova. Within this channel, TV programs are shared by local stations, allowing to see life on both banks of River Nistru and to make conclusions about the creation of a common information space in Moldova at regional level.

Violations of journalists’ rights

1. Around the beginning of 2014, complex verification of all media outlets in the Transnistrian region began. It was conducted at the indication of the region’s president.

Tax authorities were also included into this process. Even the media outlets that had been thoroughly checked in 2013 (*Profsoyuznye vesti*, *Novaya Volna* broadcasting company) were checked again. There were no important objections that could have seriously affected the work of the verified outlets. It should be mentioned that the Transnistrian legislation sets the conditions for such verifications and their terms. Some specialists believe that these actions are incompatible with regulatory documents.

2. Citizen Sergey Shmatok (employee of the Transnistrian ministry of internal affairs – author’s note) filed a complaint against the *Chelovek i ego prava* newspaper to the Tiraspol court in September 2014. He considered that the information presented by the newspaper in the article titled “Torture as a norm of investigation” (“Пытки как норма следствия”) on 14 May 2014 was not true in some points indicated in his complaint. The complainant requested publication of a disproof and payment to him of moral damages in the amount of 10,000 Transnistrian rubles (about USD 900).

3. On 18 July 2014, the director of the *Novaya Volna* broadcasting company was invited to the Transnistrian prosecutor’s office, where he was asked to answer some questions about the TV reportage titled “Parcani. Good news behind closed doors...” (“Парканы. Хорошие новости за закрытыми дверями...”). Transnistrian minister Bulanova sent a letter to the Transnistrian prosecutor’s office with the request to hold administratively liable the editorial board of *Dnestr TV* for the reportage about the situation in the orphanage in the village of Parcani, which allegedly rose a wave of discussions and critical comments against her ministry and allowed negative judgments about the ministry, and it is defamation.

Representatives of the editorial board said that this request by the minister is an “infringement of the freedom of mass media” and that according to article 58 of the local law on mass media, infringement of the freedom of mass media is punishable according to legislation.

Transnistrian prosecution conducted investigation in response to her application, but after the explanation of the broadcasting company, the prosecutor could not find grounds to make the head of the outlet administratively liable.

4. According to Nicolai Buchatski, editor of *Chelovek i ego prava*, in the program “Transnistrian mass media: the past and the present” (“СМИ Приднестровья: Прошлое и настоящее”, <https://www.youtube.com/watch?v=TmdlxcE86d0>), his newspaper did not appear on 10 September this year because some layout designers that he had asked to prepare the newspaper’s layout “were recommended by serious guys not to do it.” From that, he came to the conclusion that he was dealing with the closure of the newspaper.

However, the actions of the Transnistrian leader’s mass media counselor Nicolai Lizunov negate the above. Speaking at the congress of Transnistrian journalists, he offered to help the newspaper and instructed the editor-in-chief of the official newspaper *Pridnestrovie* to send a layout specialist for help. Despite that, the opposition publication still does not appear, and one can

guess that this situation has economic reasons, which the editorial board hopes to solve by the end of this year.

5. Special interest was focused on the situation around the closure of the correspondent office of *Novy Region – Pridnestrovie* at the end of 2013 and the beginning of 2014.

At his press conference on 26 December 2013, Transnistrian leader Yevgeny Shevchuk asked about the presence of the *Novy Region* representative in the room, and, after asking him some questions, promised to come to their office “for a cup of tea”.

After that, Transnistrian prosecutor’s office began checking nearly all Transnistrian media outlets for compliance with legislation.

Prosecutor’s assistant had a short discussion with the employees of the *Novy Region* office in Tiraspol, and on 28 December 2013 it came to public knowledge that the *Novy Region* office was closing because journalists failed to receive accreditation for 2014.

Later, the website of the Transnistrian prosecutor’s office published the declaration that said: “The verification of media outlets on the territory of the PMR showed that the *Novy Region* news agency worked on the Transnistrian territory in violation of the current legislation...”

While this justification can be explained by local legislation, the following part of the declaration can be seen as an interference with the work of journalists: “The PMR prosecutor’s office points out at the methods and ways used by the *Novy Region* news agency when covering the events that are taking place in Ukraine, and it will not admit such actions on the territory of Transnistria and will take legally prescribed measures in order not to admit illegal actions on the territory of the PMR.”

Violations of legislation

1. On 9 April 2014, the Transnistrian service of communication, information and mass media issued order no. 122 “on provision of information by non-governmental mass media and representative offices of foreign mass media.” According to this order, non-governmental Transnistrian mass media and the representative offices of foreign mass media had to submit, on a monthly basis, three additional reports:

- Information about the property, number of employees and sources of funding;
- Information about the income and taxes paid by the employees of media outlets;
- Information about the property, number of employees, sources of funding and amount of income.

There are practically new reporting requirements, although mass media already submit many of these data to tax and other authorities. Official mass media are free from it. By this, Transnistrian

executive authorities are trying to see, on a monthly basis, the funding sources of non-governmental media and to have more control over them.

2. In 2014, the Bender state administration allowed non-governmental mass media to work with the representatives of official bodies and municipal structures only after written coordination of the issue with the head of such a body or structure or with authorized persons. At the same time, this rule did not refer to official mass media.

News, legislative amendments

1. On 5 December 2013, the Transnistrian leader issued an order that approved the “Rules on the order of interaction of the Transnistrian executive authorities with the state and municipal mass media of Transnistria.” It particularly regulated the creation of an information system for the monitoring of the region’s executive body. In addition, it regulated the strengthening of contacts between the executive authorities and the population through official mass media and introduced a system of control. It introduced constant monitoring and collection of relevant media materials and operation of the information system for the monitoring of the state executive authorities. The data of the monitoring were presented on a monthly basis to the head of the executive authority and to the authorized authority.

2. Transnistrian leader Yevgeny Shevchuk issued Decree no. 341 of 5 August 2014, which prescribed liability for: “... public defamation against a person in a public office of the Transnistrian Moldovan Republic or a public office in the bodies of the local government and local self-administration of the Transnistrian Moldovan Republic, while in the execution of their official duties or in connection with their execution, combined with the accusation of this person of the acts indicated in this Decree, on the condition that the fact of defamation is established by judicial procedure.”

3. “Decision of the Public Chamber based on the results of monitoring the information security in the PMR”:

Having examined the issue of information security monitoring, this public body found that the threats and risks in the information security of the Transnistrian region had increased, and it established an increase in the activity of foreign mass media, primarily electronic, spread on the territory of Transnistria, which promote the solution of the Moldova-Transnistria conflict within a single territorially integral Republic of Moldova and the pro-EU choice of this country.

The decision expressed concern that “... these actions do not always find an adequate response in the Transnistrian mass media.”

To strengthen work in the field of information security, it was proposed to develop a draft law on the concept of the state information policy and to approve activities for ensuring information security in the Transnistrian region.

4. Within 9 months of 2014, the state service of communication, information and mass media of the Transnistrian region prepared and accredited 351 foreign journalists and adopted and prepared, according to accreditation rules, the documents for 100 foreign mass media.

5. Legislative acts adopted in the Transnistrian region:

“On modifying and supplementing the Law on mass media” – establishes the legal grounds for blocking the information that is prohibited in the region from websites in the Internet. It defines the term “mass media” and introduces “online media” into the list of mass media. By online media it means a site in the information and telecommunication network, Internet, registered as a media outlet. For online media, registration is still voluntary.

6. Legislative acts proposed for adoption:

Among these draft documents, we shall mention the new version of the law on mass media, which was submitted by the Transnistrian government. The draft has not been discussed with journalistic organizations and caused mixed reactions from the media community.

Lawsuits against media

According to Transnistrian mass media, there were no lawsuits against the press in 2014.

Moldova-Transnistria relations in the field of mass media

The coverage of Moldova-Transnistria relations in Transnistrian mass media has changed from the previous period. While in the past (during the rule of I. Smirnov) the *Olvia press* news agency published more propaganda than information, then the *Novosti Pridnestrovia* news agency, created on the basis of the former, publishes more news, focusing on internal events. Relations between Moldova and the region are covered very rarely and usually in the form of news about the Joint Control Commission (JCC). The most information on this topic is placed on the website of the region’s ministry of internal affairs (<http://mfa-pmr.org>).

Pervy Pridnestrovski television (former *TV PRM*) also makes an important number of news items and reportages about life in the region. The “Public diplomacy. External policy” project has many materials about Eurasian integration.

The majority of materials about the Moldova-Transnistria relations appear in the *Pridnestrovie* newspaper, but they are mostly analytical.

An important number of materials (news, analyses) appeared during the period of adoption of the Moldova-EU Association Agreement. In this sense, the foreign policy course of Moldova was presented in opposition to the course of the Transnistrian region, which shows commitment to closer ties with Russia, the Customs Union and the Eurasian Union.

Journalistic community's professional challenges (on being a journalist in the Transnistrian region)

When analyzing the challenges of the journalistic community in doing their work, we shall first of all mention that the majority of jobs for journalists in the region are offered by official mass media. With the coming of the new government in the Transnistrian region, the attitude towards them changed: some media outlets were reorganized, new equipment was purchased, the number of employees changed, etc. However, the issue of professional development is still relevant for the region's journalists.

According to the Transnistrian leader's mass media counselor Nicolai Lizunov, there is no censorship in official mass media. The existing cases of withdrawal of materials are justified.

At the same time, according to Lyudmila Kovali, editor-in-chief of the *Profsoyuznye vesti* newspaper, the majority of journalists are affected by the so-called self-censorship, which does not allow them to write according to the time's requirements: "There still are problems with access to information. In comparison with the previous periods of Transnistrian life (during the rule of I. Smirnov), the possibilities of obtaining information have grown: the top administration proves the openness of its actions; press services have been created in the region's towns and districts, and the representatives of executive authorities have regular meetings with the population and with journalists. Nevertheless, there are cases of delay or non-presentation of information to journalists upon their request."

Trends in the media space of the Transnistrian region

In 2015, the Transnistrian region will experience elections of members for the local congresses of people's deputies and for the Supreme Council. It might be foreseen that the executive authorities will increase control over the non-governmental mass media. Given that such media are not many, severe control might lead to the narrowing of the media field on the part of non-governmental media and its broadening on the part of official media.

Next year, Transnistrian authorities will take measures to increase the transparency of the media outlets registered in the region. For that, we may expect changes in legislation, with increased control and responsibility in the work of media outlets and journalists.

We assume that at the legislative level Transnistrian authorities will again make an attempt to modify the law on mass media or to change it for a new law, which is under examination of the legislative body.

Given the increasing interest of the population in communication and distribution of information via the global network, we may expect the appearance of new online media.

The extension of Moldovan radio broadcasting on the Transnistrian territory may cause a response reaction in the region, but its form is difficult to predict.

The intensification of the work of journalistic communities in the Transnistrian region is unlikely. It is related to the predominance of official media in the region and to low corporate solidarity.

We assume that the number of print media outlets will continue decreasing. Non-governmental media outlets are most likely to remain in Ribnita (*Dobry Den*) and in Tiraspol (*Profsoyuznye vesti*).

Due to the insufficiency of budget sources, it is expected that a number of local official media outlets will decrease in size. For example, Bender television (*BTV*) had 47 employees in 2014. In 2015 it plans to reduce the number of employees to 10. Reductions are also expected in the *Novoe Vremya* newspaper in Bender.

In December, the members of the legislative body adopted the decision to reduce funding for the *Transnistrian state broadcasting company* with three million rubles (about USD 270 thousand), in addition to the 7% reduction of the salary fund. If this decision is maintained, we may expect a reduction in the number of its employees. We shall remind that the company includes the following media outlets: *Pervy Pridnestrovski* (former *TV PMR*), *Radio 1* (*Radio Pridnestrovia*) and the *Novosti Pridnestrovia* news agency.

I. Forecasts for 2015

A Romanian proverb says that “things left from today to tomorrow are left undone” [„lucrul lăsat de azi pe mâine, așa rămâne”]; it might be the destiny of the draft laws “inherited” by the new government after the parliamentary elections of November 2014. At least it might be expected that the draft broadcasting code, developed by the civil society and supported by the Liberal Party (PL), will have no chance to be adopted, since the PL is no longer part of the new governing coalition. At the same time, various proposals on modifying the current Broadcasting Code, registered in the Parliament in 2014, prove that it contains many gaps and needs much mending, especially given that from year to year the Code meets to a lesser and lesser degree the problems and needs in the broadcasting field. For example, last year’s experience showed that if the law fails to explicitly regulate a behavior or subject, this “silence” leaves room for interpretation and gives rise to abuses or conflicts (see the conflict between the Broadcasting Coordinating Council and StarNet or the problem of political advertising disseminated the Party of Socialists and other parties outside the electoral campaign).

Forecasts for mass media in 2015 are not very optimistic, considering that this year events and the information flow will again be focused around the general local elections, which are to take place in the summer. The frenzy of elections will last the entire 2015, and mass media behavior will surprise no one, since their political affinities are already known. The escalation of the conflict in Ukraine will replicate the problem of Russian televisions rebroadcast in Moldova and, most likely, the reaction of consumers of these media to the attempts to stop public manipulation. Unfortunately, the BCC has too few instruments for an immediate intervention, and the sanctions it applies can be suspended by courts for a year or more, depending on the duration of court

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proceedings. This issue requires debates that would lead to the adoption of efficient measures for ensuring the country's information security.

Forecasts for TRM as just as bleak, given that in addition to the six members of the Supervisory Board who, if elected in 2015, will necessarily represent the party that negotiated them, the Board will also elect a president for the company. Chances for the president to be independent are weak.