

The long way to trully 'independent media' in Moldova

POLICY BRIEF

EXECUTIVE SUMMARY

In 2017 the media sector situation continued to worsen. Both national¹ and international media organizations' reports confirm this fact. *Reporters Without Borders* placed Moldova in 80th place in 2017 World Press Freedom Index or 4 positions down comparing to 2016. A similar negative trend is reported by *Freedom House*, which labelled Moldova's media as partly free (5.00 points out of 7, where 7 is the worst score).²

Challenges faced by the Moldovan media sector haven't seen significant changes: outdated legal framework; excessive influence of politicians and oligarchic groups; high exposure to external and internal propaganda and manipulation; lack of transparency of media ownership; limited independence of the broadcasting regulatory authority; and unfair competition on the advertising market.³ Government has attempted to 'fix' the media legislation by adding new provisions to already existing laws, while ignoring the proposals to revise and modernize the legislation as a whole, something that has been required for years by media organisations and experts in the field. Quality changes and a setting of clear rules of play in the media sector continues to require a lot of political will from the Government, which has been clearly lacking in all prior governments.

The local media legal framework remains flawed and outdated. The Government failed to update the legal framework in order to ensure media pluralism, as demanded by civil society and international organisations for many years. Drafting and adopting a new Broadcasting Law is still a major priority of the broadcasting sector, but the new drafted bill remained blocked in the Parliamentary Commission for Culture, Education, Research, Youth, Sports and Mass Media for debates. Advertising is one

¹Independent Journalism Center, "Indicele privind Starea Presei din Republica Moldova Raport 2017" [Media Situation Index (MSI) in the Republic of Moldova for 2016], 28 February 2018, <http://www.media-azi.md/ro/publicatii/indicele-privind-starea-presei-din-republica-moldova-raport-2017>.

²Reporters Without Borders, "2017 World Press Freedom Index: Moldova", April 2017, <https://rsf.org/en/moldova>; and Freedom House, "Freedom of the Press: Moldova", September 2017, <https://freedomhouse.org/report/freedom-press/2017/moldova>.

³The International Research & Exchanges Board (IREX), "2017 Media Sustainability Index (MSI). The Development of Sustainable Independent Media in Europe and Eurasia", p. 186, <https://www.irex.org/sites/default/files/pdf/media-sustainability-index-europe-eurasia-2017-full.pdf>.

of the most important sources of revenue for independent media outlets. Thus, monopolization of advertising market tops the list of the biggest challenges for the media sector. Experts have signalled ‘the unwritten cartel deal’ between two major players. Such monopolization seriously affects the entire media sector development, creating impediments for independent media which are almost unable to collect money from advertising. This may, also, lead to the closure of independent media outlets or to limited activity because of lack of financial resources. Political demonopolization and deconcentration of the media sector is valid only on paper. The regulatory bodies neither prevented the concentration of dominant positions on the media market, nor allocated the licenses based on clear and concrete criteria. Intimidation of journalists has not stopped. On the contrary, in the last 2-3 years the number of cases of media outlets representatives’ intimidation has increased. External propaganda has become one of the major challenges for the media sector. However, in the context of parliamentary elections in autumn 2018, national and international organisations pointed to internal propaganda as the most serious challenge for media sector.

INTRODUCTION

Since 2009 all governments committed to, or declared as priority, a media sector reform based on democratic and ethical standards. Many years later the situation in mass media remains unchanged. National and international organisations consistently report that old issues have perpetuated or even worsened, such as the deteriorating legislation, excessive media concentration, mimicked media ownership transparency. Also, new problems have started to emerge: internal and external propaganda, limiting access to information by invoking the Law on personal data, or imposing control over the online media space.⁴

These shortcomings have led to reactions from international and development partners, including the European Union (EU), suggesting that Moldovan authorities comply with universal and European standards of democracy and human rights, in particular media pluralism and diversity. Also, adopting a new Broadcasting Code and Advertising Law must be a priority for Moldovan authorities. Fulfilment of these commitments constitutes the conditionality for receiving external support. Receiving external support is conditional to the fulfilment of these commitments.

In its last statement the EU Foreign Affairs Council expressly mentioned that ‘media freedom and pluralism are prerequisites for a democratic society,’ urging Moldova to pursue reforms that ‘address the concentration of media ownership and guarantee media freedom and pluralism’.⁵ This approach may turn 2018 into a turning point for the media sector of Moldova, when the authorities will be somewhat forced, either to translate into reality the reforms which until now were made only on paper, or to lose once and for all the credibility of the external partners. It is a difficult mission, with the political will playing a decisive role, but not an impossible one.

⁴Independent Journalism Center, “Memorandum on the State of Press Freedom in the Republic of Moldova (May 3, 2016 – May 3, 2017)”, 3 May 2017, <http://media-azi.md/en/memorandum-state-press-freedom-republic-moldova-may-3-2016-%E2%80%93-may-3-2017>.

⁵European Council of the European Union, “Moldova: Council adopts conclusions”, 26 February 2018, <http://www.consilium.europa.eu/en/press/press-releases/2018/02/26/moldova-council-adopts-conclusions/>.

MODERNIZING MEDIA LEGAL FRAMEWORK: TOO MUCH TALK WITH FEW RESULTS

The local media legal framework remains flawed and outdated. In 2017, the Government failed to update the legal framework in order to ensure media pluralism, as demanded by civil society and international organisations for many years (Independent Journalism Center from Moldova – IJC; Association of Independent Press – API; Association of Electronic Press – APEL; Freedom House; etc.). For instance, the current Press Law dates back to 1994, and went through numerous amendments in the last two decades, but not in terms of quality. Other examples are the Law on Advertising of 1997 and the Broadcasting Code originating from 2006. Over the past two decades, when these laws have been adopted, the print and audio-visual media context significantly changed. Meantime, a new media has appeared – online media – which in Moldova activate in a non-regulated space. Mainly, for this reason, it is imperative that the media legal framework is revised, modernized and updated in accordance with democratic norms, but also with latest best practices in the field.⁶

In the last couple of years the Parliament has limited its work to adopting additional amendments to the current legislation which do not address long-standing concerns at their core. Furthermore, some of these new amendments remain unimplemented by the regulatory body the Broadcasting Coordination Council (BCC), considered to be visibly influenced by political stakeholders, which undermine its independence.

Legal provisions regarding the share of local media content, promoted by the Democratic Party from Moldova (PDM) in October 2017, through Law no. 50 from 30 March 2017, came into force in October 2017. These provisions obligate media outlets to ensure that at least 30 percent of the broadcasted content during prime-time (18.00-24.00) represents local production.⁷ These amendments target the major TV channels that heavily rely on rebroadcasting Russian TV content, and concomitantly generate opportunities for smaller but local TV channels. However, four months after entering into force, the new legal provisions are not yet applied. Most of the broadcasting media outlets ignore these provisions, but such behaviour was not sanctioned by BCC, which occasionally issued public warnings addressed to certain TV channels (*Canal 3, CTC Mega, N4, Ren TV Moldova, RTR Moldova, and NTV Moldova*).⁸

In June 2017, at the initiative of the chairman of the Parliament, Andrian Candu and with the support of the joint project of EU and the Council of Europe, a Working Group (WG) was initiated. Consisting of journalists, lawyers, national and international media experts, the WG aims to improve the national media legislation.⁹ However, by the end of February 2018, concrete progress was registered only on drafting the Broadcasting Code and the Concept on the Development of the Media Sector.

Insufficient political will is the main reason that keeps Government reluctant from developing new clear rules of play for the media sector, by amending the old media legislation. A vivid example is the imperfect legislation kept unchanged over the last 7 years¹⁰, though there were some attempts to improve it.

⁶ Olga Gututui, Tatiana Puiu, “Evaluation of the Regulatory and Self-Regulatory Legal Framework for Mass Media Activity in the Republic of Moldova”, 6 April 2018, available in Romanian at <http://media-azi.md/en/stiri/ijc-experts-recommend-repeal-two-laws-and-review-other-laws-regulating-domestic-mass-media>.

⁷ Agora.md, “Obligatoriu, din 1 octombrie! Posturile radio și TV trebuie să difuzeze zilnic cel puțin opt ore de produs autohton” [Mandatory, from October 1st Radio and TV stations must broadcast at least eight hours of local produce daily], 27 September 2017, <http://agora.md/stiri/37448/obligatoriu-din-1-octombrie-posturile-radio-si-tv-trebuie-sa-difuzeze-zilnic-cel-putin-opt-ore-de-produs-autohton>.

⁸ Mediaticritica.md, “Emisiunea „Media Azi”, ediția 63: Produsul autohton obligatoriu – ce a constatat CCA?” [Media Azi talk-show: The mandatory local content - what did BCC found?], 24 November 2017, <http://mediaticritica.md/ro/emisiunea-media-azi-editia-63-produsul-autohton-obligatoriu-ce-constatat-cca/>.

⁹ The Parliament of the Republic of Moldova, “Grupul de lucru pentru îmbunătățirea legislației mass-media se va convoca în prima ședință” [The Working Group on improving the media legal framework will have the first meeting], 9 June 2017, <http://www.parlament.md/Actualitate/Noutati/tabid/89/NewsId/1799/language/ro-RO/Default.aspx>.

¹⁰ Victor Gotisan, “The Trials and Tribulations of the New Law on Broadcasting” in “Implementation of the Association Agreement EU-Moldova: Progress or Regress?”, pp. 33-41, January 2017, <http://soros.md/files/publications/documents/Implementation%20of%20the%20Association%20Agreement.pdf>.

¹¹Proiect: “Codul serviciilor media audiovizuale al Republicii Moldova” [Draft law: Broadcasting Media Services Code of the Republic of Moldova], 19 December 2017, <http://www.parlament.md/LinkClick.aspx?fileticket=GYtJHV78plc%3d&tabid=90&language=ro-RO>.

¹²The Parliament of the Republic of Moldova, “Documentele pentru îmbunătățirea legislației mass-media, prezentate în Parlament: noul Cod al audiovizualului și Concepția politicii naționale de dezvoltare a mass-media din Republica Moldova” [Documents for modernizing media legislation presented in Parliament: the new Broadcasting Code and the Concept of the National Media Development Policy of the Republic of Moldova], 19 December 2017, <http://www.parlament.md/Actualitate/Comunicatedepresa/tabid/90/ContentId/3668/Page/3/language/en-US/Default.aspx>.

¹³“Notă informativă la proiectul Codului serviciilor media audiovizuale al Republicii Moldova” [Informative note on the draft of the Broadcasting Media Services Code of the Republic of Moldova], 19 December 2017, <http://www.parlament.md/LinkClick.aspx?fileticket=bVyno3vmr3w%3d&tabid=90&language=ro-RO>.

¹⁴Radio Free Europe/Radio Liberty, “Piața publicității televizate și înțelegerile de cartel - În așteptarea unei anchete a Consiliului Concurenței” [TV advertising market and cartel arrangements - Awaiting an investigation from the Competition Council], 24 January 2018, <https://www.europalibera.org/a/piata-publicitatii-televizate/28993650.html>.

¹⁵Radio Free Europe/Radio Liberty, “Publicitatea la TV: reglementări și limitări” [TV advertising: regulations and limitations], 23 February 2018, <https://www.europalibera.org/a/publicitatea-la-tv-dictionar-european-dan-alexe-alla-ceapai/29059464.html>.

¹⁶NewsMaker.md, ‘Лидеры продаж. Как демократы и социалисты подружились сейлз-хаусами’ [Leaders of sells. How Democrats and Socialists became sales houses’ friends], 16 January 2018, <http://newsmaker.md/rus/novosti/lidery-prodazh-kak-demokraty-i-sotsialisty-podruzhlis-seylz-hausami-35614>.

¹⁷NewsMaker.md, “Депутат-социалист занялся рекламой. Корнелиу Фуркулицэ создал свой сейлз-хаус” [The Socialist Party MP is dealing with advertising. Corneliu Furculita launched his own sale house], 16 November 2017, <http://newsmaker.md/rus/novosti/deputat-sotsialist-zanyalsya-reklamoy-korneliu-furkultitse-sozdal-svoy-seylz-haus-34683>.

¹⁸Ibidem.

A NEW BROADCASTING CODE

Drafting and adopting a new Broadcasting Law constitute the major priority of the broadcasting sector. The current law is outdated and has suffered more than 100 amendments and modifications in the last twelve years, none of which improved the quality of the bill. Elaboration of a new draft of Broadcasting Law was set as one of the priority action for the new government and for the WG dealing with updating the media legal framework. Thus, in December 2017 the draft of the new Broadcasting Code¹¹ was presented and discussed within the WG and the Parliamentary Commission for Culture, Education, Research, Youth, Sports and Mass Media meetings.¹²

The new draft of the Broadcasting Code contains a number of important provisions, which should be preserved in the final version of the law. In particular¹³:

- Mandatory quota of at least 50% of programs purchased by media service providers from EU member states and third states signatories of the European Convention on Transfrontier Television. This legal provision could serve as an element of protecting information space and counteracting external propaganda;
- An independent audience measurement mechanism: a mandatory element for advertising market and for ad money re-distribution;
- A new financing procedure for the public broadcasting service to secure 0.9% of the annual public budget, creating additional financial and more editorial independence;
- A clear procedure of selecting the members of the supervisory body of the public broadcasting service, diversifying the representation (5 members out of the total of 15 must be from other regions than Chisinau municipality) and decision-making independence;
- A new mechanism for setting up and operating the BCC, as well as a new procedure of selecting BCC members, based on concrete and clear criteria that can ensure diversity of representation, competence, expertise and decision-making independence.

MONOPOLIZED ADVERTISING MARKET

Advertising is one of the most important sources of revenue for independent media outlets. Thus, monopolization of advertising market tops the list of the biggest challenges for the media sector. Experts have signalled ‘the unwritten cartel deal’¹⁴ between two major players.¹⁵ The largest advertising agency ‘Casa Media Plus’, allegedly controlled by Vladimir Plahotniuc (leader of PDM), controls a significant share of about 80% of total advertising market.¹⁶ The second one is ‘Exclusive Sales House’ and it has tight links with MPs from the Socialists Party of Moldova (PSRM).¹⁷ Each of these two agencies channel the bulk of the revenues from advertising to affiliated media outlets. ‘Casa Media Plus’ supports the media outlets from ‘General Media Group Corp’ (GMG) media group (*Prime TV, Publika TV, Canal 2 and Canal 3*), affiliated with Vladimir Plahotniuc; and ‘Exclusive Sales House’ to media institutions that belong to ‘Exclusive Media SRL Company’ (*NTV Moldova, Accent TV*), owned by Corneliu Furculita, MP from the PSRM.¹⁸

Such monopolization seriously affects the entire media sector development creating impediments for independent mass media that are almost unable to collect money from advertising. This may also lead to the closure of the independent media outlets or limited activity because of the lack of financial resources. In all cases this diminishes media pluralism, and strengthens the position of the media controlled by politicians or politically affiliated persons.

Firstly, the monopolization on the advertising market derives from outdated legislation. Adopted 15 years ago, the current advertising law was amended more than 15 times. According to experts, 18 out of 34 articles from the current law on advertising are defective, allowing wide interpretations.¹⁹ At the same time, the law lacks provisions regarding fair competition in the advertising market, especially for media outlets.

In July 2017, experts presented a new draft law on advertising. It aims to eliminate inaccuracies and ambiguities applicable by current law and to supplement it with provisions foreseeing fair competition and de-monopolisation of the sector. This law represents one of the priorities of the WG dealing with updating the legal media framework. The draft law has three main directions: political advertising, public interest messages, and commercial advertising.²⁰ One of the most important novelties is the interdiction of political advertising, defined by law, in the pre- and post-electoral campaign period. This, according to the document, cannot contain congratulatory messages from a political party on different occasions because it is not understood whether it is an electoral message or a social campaign/advertisement. More clarity should be provided on notions such as ‘online media’, ‘advertiser’ and ‘temporary outdoor advertising’.

Secondly, the regulatory body in this sector, the Competition Council, has ignored this situation for a long time. Until now, several referrals were submitted to this institution requesting them to address the situation in the advertising market, but without any results thus far.

And finally, the third issue lies in the absence of credible studies tracking the audience measurement statistics (TV and/ or radio). This should have a decisive role on how money from advertising is distributed and the ceiling limiting the volume of advertising channelled to a media outlet is established. Adopting the new Broadcasting Code may provide the quota limit on advertising, allowing the provider to control 30% from the total market for advertising.

MEDIA POLITICISATION

The political de-monopolisation and de-concentration of the media sector is valid only on paper. The BCC neither prevented the concentration of dominant positions on the media market, nor allocated the licenses based on clear and concrete criteria. Thus, at the end of 2016, the regulatory body granted to ‘Exclusive Media SRL Company’, owned by a MP from the PSRM, a license for the retransmission of the Russian-language TV channel *TNT*, regardless of the warnings from the civil society that the company was involved in money laundering and therefore is not in line with all legal conditions.²¹ In this way a new ‘media empire’ has been congealed, controlled by persons close to PSRM.²²

¹⁹ Ion Bunduchi, media expert: ‘From the 34 articles from the actual advertising law, 18 of them contains problematic formulations that allow us to interpret them in a certain way. However, a legal norm that is interpretable needs to be polished in order to be properly understandable for everyone’. Info-Prim Neo, “O nouă versiune pentru Legea cu privire la publicitate a fost supusă dezbaterilor publice” [A new version of the Law on Advertising has been publicly debated], 25 July 2017, <https://m.point.md/ro/noutati/social/o-noua-versiune-pentru-legea-cu-privire-la-publicitate-a-fost-supusa-dezbaterilor-publice>.

²⁰ Ibidem.

²¹ RISE Moldova, “Banii lui Dodon din Bahamas” [Dodon’s money from Bahamas], 28 September 2016, <https://www.rise.md/articol/banii-lui-dodon-din-bahamas/>.

²² Ziarul de Garda, “Socialiștii lansează o nouă televiziune. Ce legătură are cu afacerea media a lui Chiril Lucinschi” [Socialists are launching a new television. What is the connection with Chiril Lucinschi’s media business], 30 December 2016, <https://www.zdg.md/stiri/stiri-justitie/socialistii-lanseaza-o-noua-televiziune-ce-legatura-are-cu-afacerea-media-a-lui-chiril-lucinschi>.

Limiting the number of licences owned by a legal person, from five to two, through the amendment of the Broadcasting Code adopted back in 2016, failed to prevent the actual media concentration. A ‘good’ example in this respect is the concession of television stations *Canal 2* and *Canal 3* that belonged to ‘General Media Group Corp’ (GMG), affiliated to PDM’s leader Vladimir Plahotniuc, to ‘Telestar Media’ company, whose founder is Oleg Cristal, one of Plahotniuc’s advisors. Similar legal transfer occurred in the case of radio station *Maestro FM* owned by Plahotniuc and conceded to ‘Media Content Distribution’ Company, run by Lilian Bustiuc, who gravitated around Plahotniuc’s media business in the past. This partially happens because the concession is not regulated and is without exact and measurable criteria.²³

INTIMIDATION OF JOURNALISTS

Intimidation of journalists has not stopped. On the contrary, in the last 2-3 years the number of cases of intimidating the representatives of media outlets has increased. In 2017 alone, more than 20 cases of intimidation were registered by national and international organisations. This refers to the following cases: 1) apprehension of a filming crew of *Gagauzinfo.md* by local police in March 2017, 2) established surveillance of *Newsmaker.md* editor-in-chief Vladimir Soloviev, 3) verbally assaulted and manhandled of a *Jurnal TV* reporter by Vladimir Hotineanu, MP from the DPM, 4) the public reprimand of investigative journalist Mariana Rata by judges of the Superior Council of Magistrates (SCM)²⁴, 5) the selective restriction of access to events of the photojournalist Constantin Grigorita, from whom the Presidential Administration has withdrawn accreditation for no specified reason²⁵, 6) intimidation of *Publika TV* reporters when filming the meeting organised by opposition parties²⁶; 7) restricted access of *Prime TV* reporters to Party of Action and Solidarity (PAS) party Council Meeting.²⁷

Also, in October 2017 two journalists from the investigative newspaper *Ziarul de Garda* were intimidated and forced to cancel their video filming session at the Global Business Center, owned by Vladimir Plahotniuc. In November, the interim mayor of the capital, Silvia Radu, issued a provision that prohibits the municipal officials to communicate directly with the media. All journalists’ information requests must be addressed exclusively through the Public Relations Department of the Chisinau City Hall.

FIGHTING EXTERNAL PROPAGANDA

Lately, external propaganda has become one of the major challenges for the media sector. To put an end to this, in December 2017 the legal provisions made to the Broadcasting Code by Law no. 257, known as the ‘Anti-propaganda Law’ were voted. This law bans external information-analytical, political and military content-from states that have not ratified the European Convention on Transfrontier Television. The infringement by audiovisual broadcasters could lead to fines of up to 70 thousand MDL (USD 4200), and BCC has already fined the first media outlet – *RTR Moldova* – with 50 thousand MDL (USD 3000) for failure to comply.²⁸

²³ http://www.realitatea.md/-interviu--cota-limita-la-publicitate-si-amenzi-de-pana-la-100-de-mii-de-lei-pentru-radiodifuzori-ion-bunduchi--despre-prevederile-noului-cod-al-audiovizualului_69206.html

²⁴ “Statement of CSOs: Official address to embassies”, 18 October 2017, <http://www.media-azi.md/en/stiri/official-address-embassies>.

²⁵ Ziarul de Garda, “Reporterii ZdG somați și amenințați în spațiul public, pe strada din preajma clădirii GBC” [Ziarul de Garda reporters threatened in public space on the street near the GBC building], 11 October 2017, <https://www.zdg.md/stiri/video-reporteri-zdg-somati-si-amenintati-in-spatiul-public-pe-strada-din-preajma-cladirii-gbc>.

²⁶ Publika.md, “Echipa Publika TV, agresată la mitingul partidelor de opoziție, de la Parlament” [Publika TV was intimidated at the protests of the opposition parties], 11 June 2017, https://www.publika.md/echipa-publika-tv-agresata-la-mitingul-partidelor-de-opozitie-de-la-parlament-video-necenzurat_2971364.html.

²⁷ Prime.md, “Prime TV are interzis! PAS nu a permis presei să participe la Congres” [Prime TV wasn’t allowed to attend the PAS Congress party], 11 September 2017, http://www.prime.md/ro/prime-tv-are-interzis-pas-nu-a-permis-presei-sa-participe-la-congres_60637.html.

²⁸ The Broadcasting Coordination Council, “CCA a sancționat un post TV și doi distribuitori de servicii pentru nerespectarea legislației audiovizuale privind securitatea spațiului informațional” [BCC sanctioned a TV station and two service distributors for non-following the audiovisual legislation regarding the security of the information space], 27 February 2018, <http://cca.md/news/comunicat-de-pres-12>.

Countering external propaganda is and has to be on the agenda of the authorities, however, this still raises concerns. First of all, it is not clear why the Government insists on making amendments to the current Broadcasting Law, but not speeding up the adoption of the new draft of Audiovisual Law which also includes provisions concerning countering external propaganda. Secondly, even before the adoption of these provisions, BCC had the necessary leverages to monitor the retransmitted external audiovisual content and impose certain restrictions.

ABOUT INTERNAL PROPAGANDA

Several national and international organisations (Independent Journalism Center from Moldova, Association of Independent Press, Freedom House, etc.) pointed to internal propaganda as one of the most serious challenges for the domestic media sector²⁹, in particular in the context of parliamentary elections in autumn 2018. The reports of some national media organisations record more and more cases of internal information propaganda, intentional distribution and dissemination of false information, using different manipulation techniques and infringements of Code of Ethics of Journalists.³⁰

Concentration and politicisation of the media sector has led to most of domestic media outlets becoming practically manipulative using propaganda, with the goal of polishing the image of a political party or politicians. The content distributed by them is in some cases even more toxic than that from outside the country. The information broadcasted by these outlets is the one targeting denigration of political opponents of their owner or imposing of new opinions and views instead of correct information provided to media consumers.³¹

CONCLUSION

One of the most important elements of an open and democratic society is the existence of independent media. It depends on free and unrestricted access to information for journalists, and on equal access to financial sources from the advertising market. Moldova is still far from meeting these requirements and aims. Most of the Governments which have changed after 2009 have declared the media sector reform as a priority, ensuring media pluralism and guaranteeing access to information to all media outlets. However, almost ten years later, the media is facing the same old issues and challenges: outdated legislation; monopoly over advertising market; external propaganda, but also internal; intimidation of journalists and independent media outlets; politicisation and concentration of media in the hands of certain politicians or persons close to them. Even if national and international organisations – among which is the EU – have recommended the authorities to act on and implement the reforms needed in the media field, these have remained only as statements. Experts and the media community assert that the reform issues could be easily addressed. All that is needed in this respect is political will. However, the authorities should understand that development and building of a democratic society is only possible when media pluralism and independence are guaranteed.

²⁹ Independent Journalism Center, “Memorandum on the State of Press Freedom in the Republic of Moldova (May 3, 2016 – May 3, 2017)”, 3 May 2017, <http://media-azi.md/ro/publicatii/memoriu-privind-libertatea-presei-%C3%AEn-republica-moldova-3-mai-2016-3-mai-2017>.

³⁰ Please see the Monitoring Reports about Elements of Propaganda, Information Manipulation and Violation of Journalism Ethics in the Local Media Space, elaborated by the Independent Journalism Center from Moldova, accessible online at <http://media-azi.md/ro/publica%C8%9Bii>.

³¹ Dorin Scobioala, “Audiovizual: Reguli noi, jucători vechi” [Audiovisual sector: New rules, old players], 21 February 2018, <http://media-azi.md/ro/stiri/audiovizual-reguli-noi-juc%C4%83tori-vechi>.

RECOMMENDATIONS

- ④ Encourage the Moldovan Parliament to organize public debates on the new draft Broadcasting Code as soon as possible and adopt the law no later than April-May 2018;
- ④ The Moldovan Parliament and the Working Group on modernizing the media legal framework should speed up the drafting of the final version of the law on advertising, launch it for public discussion and adopt it no later than May-June 2018;
- ④ Dismantling the ‘cartel arrangements’ on the advertising market by the Competition Council and proposing concrete solutions to stop the concentration of the volume of advertising only in the hands of certain companies/agencies;
- ④ Strengthening media independence based on clear, measurable, and meritocratic criteria for appointing members to the Broadcasting Coordination Council (BCC) and the Council of Observers of the public service broadcaster ‘Teleradio-Moldova’. It is, also, necessary to include clear legal provisions in the new draft Broadcasting Code which will address the issue of de-politicisation of media regulatory bodies;
- ④ Discourage intimidation and attacks on independent media outlets and journalists, providing and ensuring free access to information and events of public interest for all media outlets;
- ④ Broadcasting Coordination Council (BCC) should seize or monitor domestic media outlets (or use the reports prepared by media organisations) in order to impose fines for breaching ethic principles, broadcasting false information or manipulating public opinion.