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Vasile  
VASILACHE

## The Fourth Estate? In the Back Pocket

My first newspaper editor, who was also a Communist Party member during the times of Hrushchev, once sent me to one of the ministers to ask him first-hand about the state of affairs in the area under his jurisdiction. Off I went. In the antechamber, the secretary told me: “He is busy.” I insisted: “My boss sent me to the minister after speaking with the comrade on the phone.” Secretary: “He is busy.” I kept insisting and pulled out my press card: “Tell him that I am here.” The secretary didn’t care about who I was. Nor did she care about my newspaper or my press card. I went into another office in the ministry to report back to my editor that my mission had failed. The editor told me in a fatherly tone: “Young man, just open the office door and clearly say just one word to the minister. Slowly, broken into syllables: “the press.” “You don’t have to introduce yourself, my boy, but just tell him in the face: I am the press.”

I tried that. Can you imagine, all of a sudden I felt the old woman—the secretary—grabbing me by the arm and reporting to the minister that I was an intruder.

What did I see his excellency doing? Well, he was dozing in the armchair. Yes, in the ministerial chair. Of course he was startled, but he stood up from the armchair smiling and stretched his hand out for a handshake—the first and the warmest handshake I had ever got from a minister. The secretary was speechless. Moreover, she was ordered to bring two cups of coffee. About a week later I could no longer see the old woman in the antechamber; she had been replaced by a man.

You wouldn’t believe what the word “*press*” can do. It had a kind of magic about it back then, a kind of occult power but of a different nature: it could terminate you, it could demote you, and sometimes it could even crown you and purposefully build your myth as it had built the myths of so many— from Lenin and Stalin, down to Trofim Lysenko, Michurin’s great follower. The minister mentioned above fell from grace three months later as a result of forty lines published in the central newspaper *Pravda*.

So the press was feared, wasn’t it? Totalitarianism didn’t tolerate any kind of criticism of itself. Today however we have a free press that is ignored from bottom to the very top: I mean today, in December 2000. When communism collapsed, it smashed under the rubble not so much the press freedom as its efficiency: bark on, but the caravan will continue on its way. The fourth estate’s therapeutic effect is null. Ministers embezzle millions, abuse their office, oppressive administrative organs violate human rights, while the human being goes—as in the old times—to a newspaper to complain: what is happening to those laws voted by the parliament?

Here is an example. My fellow villager Vasile Stere received his share of land during privatization, and shortly afterwards the local administration took away the land given to him by law. So he went to the newspaper. Then for three years on end he hopped through court rooms. Finally, in November 2000 he told me that he had been in 331 institutions: newspapers, courts of law, parliamentary committees, prosecutor’s offices and so on. Back in the totalitarian times every criticism in the press had its echo—party organs, courts were obliged to report on how the problem was dealt with: *Yes Sir!* Today though, reaction is zero, even if a minister is involved rather than some insignificant peasant. For instance, a Moscow-based TV station revealed in the course of 40 minutes the sins of a high-ranking official. To be sure, all this had been directed by someone else, and guess why? Someone wanted to smash the image of that very official. That is, politicians settle their own accounts among themselves. A Moldovan saying goes: when steeds are fighting asses should stay out of it. What was the Moscow channel doing on the meadow where asses graze? In the end the TV station was used as a mule. Why this finale? Officials—erstwhile nomenklatura—as well as the press (i.e. the TV channel) have remained faithful to the yesteryear ideological mentality: *the press disintegrates* the adversary.

Yea, yea. The one who was publicly criticized and admonished usually puts forward his own version. It is short and persuasive; it is convenient, too. It all comes down to pointing fingers.

In other words, what is the press in Moldova doing? In order to stay in business, that is, to be printed and sold, it has no other options but to give in to all kinds of partisanship. It has been reduced to this state by those approximately thirty political formations and parties as well as foundations of all descriptions and colors. Ten years ago the Moldovan state couldn’t even dream of having so many publications as it does now. Newspapers have become more cunning too—they introduce themselves to readers temptingly as “*newspapers of opinion, information and entertainment.*” Well, the entertainment is the defamation of the political or financial adversary. And oftentimes the client is an incognito with a foreign passport.

Now you understand that the fourth estate is in the pocket of some obscure forces. It is only its office that the newspaper has here, a license to operate and the task to appear as defendant in court trials for “*offending public persons in Moldova.*” The politician, the oligarch, the publisher and the TV owner have become one. They have grown together in the womb of democracy as a fetus with two heads. How can the press identify its own freedom

and role, how can it become aware of its power when the Moldovan state itself is still the age of a child who can't yet zip up his pants. For this is what happened: when the Soviet Union fell apart ten years ago, a former tsarist county named Basarabia became an independent and sovereign republic named Moldova. It was baptized by Stalin himself, when back in 1924 he named it the Moldovan Autonomous Republic and placed its capital in the heart of Ukraine—the town of Balta. In 1940, the same Stalin guy stuck up to it—through the signatures of Molotov and Ribbentrop—several more counties called Basarabia. Then he baptized the whole concoction the Soviet Socialist Republic of Moldova. Moreover, he placed this new region into the history of Russian bolshevism; you see, it is from here, that the sprouts of the Red October had shot—Frunze, Lazo, Kotovski, Iakir—they all were heroes of the Civil War and of the Red Empire. Half a century later this land would send off Brezhnev and Chernenko to the Kremlin. This makes one believe that the most sophisticated greenhouse of ultra-imperial cadres is on the banks of the Nistru river, where “republics” are raising their heads through sand mixed

with dung just like mushrooms.

Hence the poor Moldovan press. Who should it serve after this meandering of history? Today the mass media in Moldova seem to be pieces of drift wood in Danube's delta. Or a drifting rootless reed island under which frogs croak.

Democracy, for all its creative power, thirst for life and the will to give society a new country, still cannot be seen. In other words, it is being fussed about and verbalized for the sake of print.

A political analyst, remarkable journalist, and a doubtless opinion leader by the name of Adam Michnik said last year: *“Democracy is not unfailing exactly because during debates everyone is equal, and therefore it can be manipulated and it is helpless in the face of corruption. Therefore oftentimes it prefers banality to excellence, cunning to nobility, hollow promises to genuine competence.”*

The Moldovan press is not going to leave the back pocket, where it absorbs the warmth of political buttocks. It has no strength, caloric energy, especially after the ice felled forests and high-voltage electric poles this fall.

## The Press and the Public

Nelly  
HARABARA

# The Case of Radio and the Meandering Democracy

After decades of droning communist-style radio programs from the only radio station broadcasting in the local language, we saw the emergence of a broadcast market in recent years. Surely, the drone also had tones that stood out now and then, thanks to some editors and journalists who could see the world bypassing the ideological eyeglasses. But now we can also listen to several FM radio stations; most of them rebroadcast shows of stations based in Russia, while two others rebroadcast Romanian-based *Radio Contact* and *ProFM*, and the third one — *Radio Nova* — relays a British station. They all have local programming as well, in which the proportion of shows in Romanian and Russian is starkly uneven.

I will not mention here the case of CAIRO (The Club of Graduates of Romanian and Western Universities) vs. BCC (the Audio-Visual Council), which unleashed so much emotion in society and especially in parliament, where the majority put on a pitiful show in a situation in which all they had to do was to show plain consistence in

protecting the local information space. I would only like to mention that the stations broadcasting mainly in Romanian along with those broadcasting mainly in Russian use both languages in their shows, which is not always efficient. But they do it nevertheless—perhaps because they try to appear civilized, perhaps because they are afraid to be suspected of nationalistic prejudice, or perhaps because they are constrained by the BCC provisions.

It is a well-known fact that every radio station has its audience. It is unlikely that the Russian-speaking listeners, most of whom don't know Romanian, can't wait to listen to the newscast in Romanian. Surely, we are a multiethnic society and we have to abide by some rules of tension-free cohabitation, but in this case there is no rational justification for such program mixing and at the end of the day they are nothing more than useless curtsies. To make one more point, the shows in Romanian that are broadcast by some Russian-language stations are simply disastrous and are lisped out by presenters who have hardly any knowledge of the Romanian language.

All these radio stations appeared in a period of a void in the realm of information, when the market was dominated by the two channels of the National Radio. The broadcasts of the latter were no way near the intentions of the new stations. I suppose that neither the owners nor the managers of these stations wanted simply to attract a lot of advertising; they probably rather wanted modern, ideologically-free stations that would be popular with listeners of at least average IQ. We still don't know the original intentions of those who had undertaken to create new radio stations, but what we have now in broadcasting has absolutely failed to live up to our expectations.

Now I will turn to what and how Romanian-language FM stations broadcast, although I don't think I will be mistaken in saying that the Russian-language stations have pretty much the same problems.

The impression one has when listening to these stations is that all of them have been created by the same mind—maybe this is the mind of commerce, as they are all called commercial stations—and they act accordingly. This name that they have seems to exempt them from following a simple rule, which is called professionalism and which, when lacking, tends to scatter a radio station's audience and reduce the station itself to a toy for a gang of people.

anchors are the main attraction of a radio station. They live up the show, they create the unique style of the station by the manner in which they say things simple but which—when filtered through solid training and accompanied by strong alertness—appear to listeners as being of good taste and making sense. These qualities help the anchor to react promptly and intelligently in the critical moments of a live show and not to induce in listeners disgust by his or her bland or even stupid reactions. But it seems that some of our young colleagues, who have assumed the difficult mission of an anchor and very joyfully spurt out stupidities, are not intimidated by the lack of those qualities. Unfortunately they don't realize that this lack intimidates the poor listeners.

Some of our anchors try to imitate the style of some foreign stations and adopt an almost hysterical tone of voice, which even in the originating country is detested and has just one motivation—the tyrannical desire to trap listeners at any cost. While in other countries this style of presentation stems from the putative requirements of the media industry, in our country it has no motivation and slips down into pitiful pastiche. Besides, in a country in which things are not going all that well, to trigger false states of euphoria among listeners becomes an immoral and absurd adventure.

To be sure, it is difficult and I would say even valiant to start a radio station with little money and little experience. Speaking about models, I believe that in established democracies one can find many examples of excellent radio, to mention only *BBC* and *Radio France*, which have managed to establish a relationship of mutual

respect with listeners.

It is too bad that most of the air time at our stations is not aimed at listeners with even modest information requirements. To be sure, there are newscasts in Romanian and Russian at every half hour. But the five minutes of information, which is selected most often on the basis of preferences limited by the age and taste and breadth of mind of the presenter or editor, doesn't come even close to satisfying the demand for diversity on the information market.

Quiz shows, which are very much en vogue at most of the stations, fail in their intention to attract their target audience by asking questions of the kind “Who was Decebal: a) an Egyptian king or b) a Dacian king?” On the other hand, the questions at ProFM are difficult to answer, because in order to answer them one has to listen to the station non-stop. That's a tough requirement for a normal person, isn't it?

I couldn't say that the programming at our new radio stations boasts much diversity: news (the news as it is selected by *ProFM* and *Contact* creates a good impression); a lot of music which is reduced to the latest hits and is more or less structured throughout the day; once in a while attempts at dialogue, which are not always quite solid, for instance with local VIPs, and sometimes talk shows with a number of guests.

Almost all stations (except for *Antena C*) are aimed at young people, which is however no excuse for the primitivism of their shows. On the contrary, they ought to be an intellectual catalyst for young people, to arouse their curiosity and taste for knowledge rather than help them degenerate by ceaselessly repeating the hits and by inviting them to have fun in different clubs. These things are good too, and even necessary for a normal young person, but a radio station that has long-term aims can't limit itself to just this. Or is it that the young stations will lose their advertisers if they change their programming—to speak directly—towards a more civilized formula, with music, news, shows for a wider audience? Who is in fact the target of such kind of programming? Is it some youngsters between 15 and 20 and spiritually poor?

Speaking about advertising, most FM stations broadcast a lot of it, but not all of them attract advertisers with deep pockets. The advertising is mainly in Russian under the pretext that Russian is understood by all. This is convenient for some and completely lacking in respect for others, with a corresponding profit share. Only legislation can balance things in this area, but only if it is not reinterpreted by law makers at the first breezes of unfavorable wind. When will this happen? Maybe in a different phase of democracy and broadcasting.

Natalia  
ANGHELI

## “News About You” and “News for You” — An Alien Phenomenon for Moldovan Journalism?

The president announces he will not seek a second term in office, the premier meets with a delegation from the Council of Europe, legislators comment on recent parliamentary debates—these are familiar headlines from our evening newscasts and morning front pages. Day in and day out our news media criticize and laud, second-guess and predict, the actions of the powers that be. Details and quotes abound, newspaper space and airtime are lavishly used, and yet something significant is lacking. The ordinary man, someone who is not part of the political and economic elite, is missing from these reports. His opinion is seldom asked, and most of the stories do not affect his daily life in any way.

“Write for those who read the newspapers and watch the newscasts, make it relevant to their daily lives”—says an American journalistic maxim. In a country with thousands of newspapers, radio and television stations, the news consumer has to decide what newspaper to pick and which channel to tune into. An average American will most likely choose something that is directly relevant to him and his community. And the news media have to foresee this choice, because their rating points, circulation figures, and, ultimately, their very existence, depend on it.

“What we’re attempting to do is to cover the important news of the day and the news that is relevant to our viewers,” says Tom Brokaw, anchor of “Nightly News,” a popular thirty-minute evening program on *NBC*.<sup>1</sup> This major U.S. television network, whose audiences frequently top 20 million viewers,<sup>2</sup> has been successful in covering the so-called “news about you.”

This news category addresses the daily life problems of an average man—how to improve his relations with family and acquaintances, make his children learn better, help him live longer, etc. In addition to the hard news, political and economic stories of the day, and the traditional soft features about celebrities, holidays, weather phenomena, etc., this new type of story is making a distinct mark on modern American journalism. It has flourished throughout the 1990s in both broadcast and print media, and now even such venerable titles as *The New York Times* and *The Washington Post* frequently carry “news about you” on their front pages.<sup>3</sup>

These days, there are fewer stories with pure descriptions of political and economic decision-making in the United States. A study of some 600 newscasts carried by The Project for Excellence in Journalism in the U.S. showed that political coverage comprised just 9 percent of airtime in local and regional TV newscasts.<sup>4</sup>

The “news about you” approach marks a radical change from the intellectual elitism that used to be dominant in

American journalism. In the past, says Sandy Socolow, a former executive producer at *CBS* TV network in the United States, “the mandate used to be to tell people what they needed to know—but they often don’t know what they need to know until someone tells them.”<sup>5</sup>

American journalists have largely abandoned this concept, yet the trend lives on in our part of the world. Moreover, many of our colleagues in Moldova take the old maxim even further and often try to tell the news consumers not only things they “should know,” but also what they “should think.” Hence, opinions of only one side are presented, events are interpreted and persons are judged, leaving the news consumer with seemingly no choice but to “swallow” the news that has been already “pre-chewed” for him. True, one needs only to pick up a different newspaper or tune into a different channel, in order to get a different, sometimes even contradictory, interpretation of events. The goal, however, remains the same — to form the opinion for the news consumer, rather than let him make and voice his own opinion.

Ironically though, this goal is seldom reached. Except for the elites who “make the news,” or those very few for whom political and economic intrigues are a hobby or a way of life, many news consumers refuse to accept this kind of news coverage. What difference does it make to them if “X official is more loyal to the president than to parliament, or vice versa”? So they just tune into a different channel or pick up something else to read.

In the long run, neither the media professionals nor the news consumers get what they want. The circulation of print media is shrinking, TV and radio audiences are dwindling, while potential readers, listeners and viewers do not get balanced, interesting and relevant news.

Well, people are too poor to buy newspapers, and that’s the real problem — many of my colleagues will argue. True, but the circulation of *Makler* is considerably higher than that of most other publications, so people do find the money for the news media that interest them. Yes, but *Makler* does not carry important political and economic news, even though it’s of interest to so many—some will say.

But what prevents us from making these important political and economic news interesting for the average news consumer? And what prevents journalists from reporting about things that really matter to all of us?

Years ago, when I was a correspondent for *The Associated Press* in Moldova, many of my colleagues used to chuckle when I would go out to do scores of interviews with ordinary people in the wake of an important political or economic event. They frequently said I was wasting valuable time, especially when the figures, facts and quotes

from “the top” where already there. Well, for *AP* the story was often not complete without those “voices from the streets.” And people generally liked being asked what they thought, and many of them had very interesting things to say. They felt that their opinion mattered.

Is it surprising then that “*Opinia ta conteaza*” (Your Opinion Matters) still airs on *Pro TV-Chisinau* nightly news, and that people keep calling in to share their views and thoughts? Shouldn’t “Your Opinion Matters” be a slogan for all of us? Shouldn’t the news focus be on the real man with his real problems in all of the mainstream media?

A report about next year’s state budget will probably make more sense to an average reader if abstract figures are translated into something that is more relevant to him—will he be able to afford more or less next year, is there a chance that the quality of his life will improve? An average reader will probably spend more time on a newspaper that provides opinions of ordinary people about key political events along with those of the big shots. He will probably dwell more on a story that explains how the proposed health reform will change his next visit to the doctor. And he will probably look more closely at the front-page photos in a newspaper, if they feature more than just faces of our politicians or anonymous participants of a rally.

Many of our newspaper photographers display wonderfully moving and powerful pictures at their personal photo exhibitions or on their personal Web pages. Many of our journalists write prize-winning novels, plays and poems in their free time. But shouldn’t this talented writing and photography also find its way into everyday journalism?

Stories “have a better chance of making a difference if they are more readable and less like ‘lifting the lid off a box

of documents’, “ notes a recent article in *American Journalism Review*, a leading magazine for media professionals.<sup>6</sup>

The Poynter Institute for Media Studies describes a prize-winning story from *The Washington Post* as “effectively weaving information, context and poignant details so that the reader experiences the event as well as understands it.”<sup>7</sup>

With a different attitude and a more creative approach to journalism, we can tell a government story through the lives of our citizens, and we can report more on topics that really matter to most news consumers. With a concerted effort, we could make “news about you” and “news for you” a fixture of Moldovan journalism.

<sup>1</sup> Tucher, Andie. “It’s not your father’s newscast anymore.” In *Columbia Journalism Review*. May/June 1997. Online. Available URL: [www.cjr.org](http://www.cjr.org)

<sup>2</sup> Kissell, Rick. “Stars light up ratings for NBC, ABC.” In *Variety*. November, 19, 2000.

<sup>3</sup> Tucher.

<sup>4</sup> Geisler, Jill. “Blacked out.” In *American Journalism Review*. May 2000. Online. Available URL: [www.ajr.org](http://www.ajr.org)

<sup>5</sup> Tucher.

<sup>6</sup> Reagan, Brad. “Details, details.” In *American Journalism Review*. January/February 2000. Online. Available URL: [www.ajr.org](http://www.ajr.org)

<sup>7</sup> “1996 best newspaper writing.” Published by The Poynter Institute for Media Studies, 1996, p. 8.

Vitalie  
DOGARU

## The Mass Media in the Republic of Moldova: Related Problems

The mass media in Moldova have not changed much in the last five years, even though the expectations and the experience of perestroika provided numerous means and ways to do it. The latter period has shown that political partisanship remains a prominent feature of local journalism. Nevertheless, some local media outlets have managed—at least in the eyes of information consumers—to overcome such political inclinations and move closer to impartial, unbiased and truthful journalism. One has to mention here the work of news agencies, which use certain rules in dealing with sources, in fact-checking and balancing their coverage.

These issues relate to the content of the journalistic product and have been debated at numerous seminars and conferences. What has been left outside discussions, however, are the types of mass media. They either do not need special examination or are seen as an artificial issue

created by media aesthetes. These two oft-mentioned opinions can be supported by a simple reference to the textbook “The Types of Soviet Press” published specially for journalism students. Nowadays, when students find this title in a bibliography drawn by some university professor, they smile at the rigidity of journalism genres, the ridiculous examples and the bizarre theory in that book. Despite the mockery, the problem remains unsolved and journalism in Moldova runs the risk of remaining amateurish, devoid of personality and full of plagiarizing.

Genres appeared as a marketing need — to wrap up the text and thus to make it more marketable. They make it easier for consumers to understand the writing and for media institutions to market themselves. The journalism genres have always been in a continuous metamorphoses; *they seem to be the same yet different*. Just as the society changes

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constantly, the repertoire of genres changes either under influences from the milieu (among which journalistic education, promotion campaigns for a certain genre, penetration of foreign media into the Moldovan media market, etc.) or independently (through hybridization, atomization, etc.). Society consumes specific genres, which it produces itself. A genre is a commercial product demanded by the consumer rather than conceived in a way in which to interest the consumer.

The first step in Moldova towards a new interpretation of the newspaper genre was made in the early 1990s. This was a rather practical step; theories followed only later, with information backing from abroad. Initially, the most popular genre in all the media was the interview. This was an attempt to use interviewing to fill the intellectual void produced by an ideology stuffed into people's heads. The popular leaders used to be devoured by the mass media starved for new subjects, while media consumers were finding the new texts—unlike those put out by the Central Committee of the Communist Party—as proof of an accomplished democracy. Interviews with media-hunted stars were the first results of the freedom of expression brought about by perestroika. They captivated readers, listeners and viewers by their new way of thinking and by information on the West (artists and party leaders were after all more knowledgeable about life abroad).

After this reflection of reality through ideas and affirmations generated by interviewees, the emancipation of journalists proper followed. This was accompanied by the mushrooming number of new publications, which offered to journalists unlimited space for their opinions and interpretations of reality. Most often, though, such writings were bent towards philosophical-idealistic analysis at secondary-school level, were subjective and far from journalism. The myriad of newspapers disappeared in the end, leaving many owners on the brink of bankruptcy and many *so-called* journalists with their illusions on their version of freedom of the press pulverized. Their tales and opinions had not been appreciated by media consumers who, in conditions of information inflation, demanded a genre too remote from demagogy and fiction.

The era of true journalism started when news was recognized as a fundamental genre in journalists' day-to-day work, as were its principles: impartiality, objectivity and balance. The implementation of these principles in local journalism and the appearance of a new generation coincided with the opening of the Independent Journalism Center in Chisinau. Back in 1994, the Center set out to contribute to spreading the knowledge about Western experience and practices in journalism, and to help local independent media. Later, IJC and the local media made concerted actions to conform to the European standards. Seminars and workshops organized in Chisinau and led by foreign experts had among their topics discussions about different journalistic genres.

The press in Moldova currently resembles a testing ground for journalism genres. After being tested, they are ticked off as *done* and marked as unpopular with the public, as too expensive, too time-consuming, etc. Nevertheless, newspapers in Chisinau do not bore their readers. Reports

and interviews, news and analyses, editorials and investigation pieces appear in newspapers on a daily basis.

Diversity differs from newspaper to newspaper. Some periodicals in Chisinau pay more attention to analysis pieces, which is especially true of party press (*Luceafarul*, *Dialog*, *Mesagerul*). Independent dailies are trying to preserve a balance between these and straight news, although not always successfully. Therefore, the daily press resembles radio (*Jurnal National*, *Momentul*). There you can read all the news that had been broadcast by radio stations the day before, and the latter are read on air from wire services copy. And this is happening when the printed press is meant to dissect issues and consequences in their attempt to explain events. Newspapers have to come up with explanations on the significance of events and their context rather than treat information hastily and dryly.

Editorials are reserved for the *heavy-weights* of the mass media. Oftentimes newspapers are being bought just for the opinion of the editorial writer and his skill in maintaining a link with readers and their problems (Viorel Mihail at *Saptamana*, Constantin Tanase at *Flux*). The young journalists are a kind of infantry in the local press. They take on current issues, but they are also not afraid to tackle major subjects. Investigative pieces have been completely left up to them. Young journalists, in their race for self-assertion, tackle sensitive issues and are not afraid of inaccuracy or bias.

The new element in the genres of Moldovan press has yet to come. Nevertheless, there have been attempts at hybridization, such as report-interview or interview-analysis. Such materials require thorough work for their preparation and more space for presentation than is usually allotted to stories. It is encouraging that young journalists are experimenting and are sensitive to the demands of press consumers.

A classical case of marketing in the mass media is represented by radio stations in Moldova, especially by the commercial ones, which have structured their programming in accordance with consumer expectations. Besides newscasts that are built exclusively on information from wire services, radio listings also include live interviews or so-called talk shows, and quiz shows - the most popular genre at present. As we have already mentioned in an earlier issue of *Mass Media*, quiz shows are meant to make listeners rich overnight.

The National Radio is as inert as ever; it continues with programming unchanged since the years of "*national revival*." This dead-end is the result of a misconception, according to which such programming is an achievement that cannot be improved, and is also the result of the "success" of commercial radio stations. Despite all this, teams of enthusiastic journalists persevere in their attempt to change the programming. But their youthful gusto runs out quickly and the journalists—under financial and technical restraints—get mired in the routine and skid towards things accomplished much easier and with less headache. The youth, news and arts sections all had their peaks and nadirs. What we have in the end is a state of uncertainty which is nothing else but the perpetuation of a stale but still valid daily routine.

Having no tradition behind it, the municipal radio station *Antena C* has been in a continuous search for the definition of its programming. In terms of technical and human potential, most often unconcerned with dependency on advertising (this is a public station), *Antena C* is among the most pampered radio stations in Moldova. Not the most loved one though.

The lack of a clear strategy and the inexperienced staff are two reasons that drag this station to the bottom of all popularity charts. While the strategy may become more articulated once the station's audience has been defined, the problem of staff experience may be solved only through training. This necessity is being brushed aside by many of the staff. The diversity of their programming is at a very basic level. There is a diversity of evening newscasts and entertainment programs. But most often one can hear interviews, which dominate all shows. Reports are constantly increasing in number, while commentaries are designed with an extra dose of security.

Largely dominated by Russian TV stations, the TV market in Moldova seems to have been fated to suffer from an inferiority syndrome without the benefit of psychotherapy. This feeling of inferiority is caused by the large numbers of viewers that are nostalgic for the Moscow-based Ostankino station, by the quality of Russian TV products, and also by the behind-the-scenes bickering in Moldovan politics. The life jacket has to come from abroad. Soap operas and films purchased from abroad are meant to

liven up locally-produced television and attract viewers. This will not influence the situation very much, as long as the richer TV stations will hold a competitive advantage. Such stations can afford much more expensive things and raise the viewers' interest to a much higher degree.

One way to look for a solution is to look at our own forces, which, with a little encouragement, can create an image for a TV station that would meet viewer expectations in Moldova. I mean shows with public participation, mobile TV stations, and TV reports. Such genres can win viewers over to Moldovan TV stations even if it is for the simple reason of novelty, not to speak about viewer participation and tackling local issues.

It will take Moldova several years to create a press driven by profits obtained from sales. This will depend both on the information consumers as well as on the mass media themselves. As long as the Moldovan press doesn't earn its livelihood through advertising, marketing and packaging, principles will be nothing more than decorative words we have borrowed from the West. Newspapers in developed democracies manage to survive for years on the basis of reader reactions to journalists' work. The Moldovan press, too, needs such empirical learning. So far it has conformed to the wishes of some narrow circles that have banned the press from studying reader preferences. The choice of genres is a part of such solutions.

## Arcadie GHERASIM

I am a faithful reader of the press, and especially of "the giants" of Moldovan media, who have dedicated themselves to the noble drudgery of shaping the public opinion. After leafing through and reading our newspapers, one day a thought started bugging me. This was a mean thought, which I scolded and which nevertheless took off from the hemispheres to drone on me its morning question: "How many newspapers do you need to read in order to learn the truth about a truth?" Wait a minute—I was trying to hijack its drift—wait a minute and ponder: don't journalists have the right to their own opinion, to their own view on events, to their own investigation, to their own image, to their own Muse, to their own truth, to their own reader, to their own boss, to their own source of information, to their own sympathy, to their own salary, to their own sponsor, to their own car, to their own citizenship, to their own nationality, to their own party, to their own age, to their own code of ethics... "Halt!" jumped up the thought. "To their own what? *Ethics*, you say? You're cheating, brother!"

Why would I be cheating? I responded amiably. I use elementary maths: in the morning you buy ten newspapers, which represent ten different codes of ethics, you sum them together and you receive what you are looking for—

## Subjectively on a Subject

an ethics code of the journalists in the Republic of Moldova. You take your time to piece together, chip by chip, what seems to be a unified angle and approach to a subject, and you end up with the true truth about what has happened.

The thought remained silent, while I pressed on with arguments.

Let's take as an example the most controversial event of the year 2000—the change in the form of government in the Republic of Moldova. This was the most effective catalyst for our press and for its degree of objectivity—the press as one of the powers in a state, as society's watchdog, as a means of learning truthful and credible information. As a reader I don't have the money to buy all newspapers and magazines and therefore I prefer to subscribe to just one newspaper or magazine, which will inform me about what has happened and what I—as a citizen—am going to get out of a presidential, parliamentary or whatever kind of republic there will be. But I have discovered that the same piece of litmus paper produces different colors when dipped into the same solution at the same temperature: from magenta to purple to tricolor to pumpkin-yellow. I have the impression that Chisinau swallowed the bait of social sterility of the constitutional amendments passed on June 5.

*The Press and the Public*

Moreover, most of the debates and analyses in the press were approached from a perspective completely unattractive to readers. Starting from the “sacramental” philosophical deduction of parliament vice-speaker Vadim Misin, in which he said that auntie Fanny would not be able to resolve the mystery of constitutional changes, journalists chose the easiest path of presenting the event: by voting for a parliamentary republic the MPs saved the country from Lucinschi but also opened a Pandora’s box, and everything that’s going to happen from now on will happen in a really scary fashion. Thus an idea was suggested, according to which a president chosen by the people doesn’t command trust, while a president chosen by the parliament—and having symbolic powers—will be a symbol of conciliation and prosperity. The war of quotes and press declarations, the guerrilla war of suspicions pushed the press towards abstract and biased analyses; this was true even in the case of publications that were more or less nonpartisan. Consequently, two key problems were left out of any investigation: a) who executes the executive power in Moldova; and b) why the citizens of Moldova no longer have the right to choose their president.

To be fair, the problems I have pointed out were the subject of some reflection in some of the outlets, but this was done in passing at best, and they were used as arguments in favor of some actors of this political soap opera. Thus, the fundamental rights of citizens were speculated about with great ability, while the important problem of respecting democratic values was relegated into the background. The prevalence of the taunting tone of voice and the superficiality, with which constitutional amendments were approached, set our press apart from the Western tradition. In Western Europe and in the USA any amendment to the supreme law triggers heated discussions and massive press campaigns. In cases when such an amendment affects the inalienable rights of citizens, the news media—regardless of their political colors—show miraculous solidarity. The citizen’s opinions are placed in the foreground, while the initiators of the amendment and its opponents get the second row. Things work differently here. The actors speculated away the interests of the ordinary voter and—abusing the naivete of the people in the press—hijacked the newspapers to settle their personal scores.

On the threshold of “absolute winter” our newspapers are wasting newsprint trying to figure out if the Braghis government will stay or leave, while a much more important matter remains in the shadow of the quill. I mean the powers that have been promised to the cabinet and whether the parliament has the will to abide by its own decision. Giving the executive branch some insignificant powers and the way this was done—in stages and with strong suspicion—has led to the situation in which the parliament continues to tackle everyday issues, which lie outside of its jurisdiction; all this despite declarations of decentralizing functions. One needs only to recall here the interference of the legislative body in the case of The Club of Graduates of Romanian and Western Universities (CAIRO) vs The Coordinating Council for Audio-Visual (BCC), or in some cases of privatization, or in the General Alexei case, etc.

In fact, the CAIRO vs. BCC case has shown clearly that our press doesn’t have a sufficient number of true professionals for whom a code of ethics—even an imaginary one—would be a professional bible. In the span of a single day, the most democratic Russian-language newspapers turned into purely Russian and non-democratic papers, while the Romanian-language ones—with a few exceptions—showed once again their subservience.

The case of General Alexei was approached in the most shameful way. Leaving aside the idea that the struggle against organized crime ought to bring all journalists into a unified team, most of those who wrote on this subject limited their investigative reporting to finding arguments in favor of their funders, who had been inconvenienced by the General, or arguments to tilt at their fellow journalists from rival newspapers, or to figure out the people behind the General, or to put him down. Do you remember the case of Karamalac? A newspaper with good reporters was investigating how justice behaved and how Karamalac was finally convicted, while another newspaper—also with a good team—was pleading in favor of the man who is today wanted by justice. The most regrettable fact is that the press once again was divided along the national lines. This happens almost every time when the defendant is of a different nationality. The Romanian-language press accused him, while the Russian-language and party press came up with excuses for his acts. While I was reading the stack of newspapers I was thinking that our press resembles our justice. Ten courts of law come up with ten different verdicts on the same case—from acquittal to a life term in prison. This is puzzling, as journalists as well as lawyers have used up hundreds of thousands of dollars in seminars, round tables, scientific conferences and workshops, in which they were supposed to learn about codes of ethics. How passionate are our fellow journalists about obtaining grants, how many seas and lands they have traveled, how much English they have learned to be able to understand the professional powers of the true professionals at *BBC*, and quite often it has all been in vain.

I don’t want you to get the idea that I am tempted by the role of a judge, and that I don’t understand the reality in Moldova. Especially in the context of recent attempts by the powers-that-be to tie up the press to a peg in the ground. It was a parliamentary initiative that proposed to amend the Press Law to ban all forms of foreign funding for the press in Moldova. Such an amendment would have made it impossible to set up *ProTV* and would smother newspapers as a business in Moldova. “Outside funding” doesn’t mean only funding from Bucharest or Moscow, but also Soros, embassy-initiated programs, Moldovans living abroad, etc. Besides its purely political nature, such an amendment represents a violation of citizens’ fundamental rights and international norms on the free movement of capital. I have discussed this amendment with a number of journalists from Bulgaria. They were quite surprised that such an intention can exist at all, for in Bulgaria the most objective and independent newspapers (*Deni* and *Trud*) are owned by a German company. The initiators of the amendment are forgetting that there are courts of law, which are the only bodies authorized to decide whether “outside help”

represents interference in a country's internal affairs and affects national security. Unfortunately, the reaction of the press in Moldova could be hardly felt and failed to become a press campaign against abuses by the bodies of power.

At the end of this debate with my own thoughts I dare draw just one conclusion: in order to become the true fourth estate, the press in Moldova has to learn professional solidarity, for, regardless of its political orientation and sympathies, it ought to be made by professionals whose

chief value ought to be professional honor. In a normal country such honor has neither nationality nor a party membership card. When the powers-that-be start feeling the dignity projected by the profession, they will get used to it, will resign themselves to the situation and will start respecting us.

**Eugenia  
GROSU**

## The Hazard of a Militant Press

One shouldn't underestimate the role of the press in what has happened during Romanian elections. The overwhelming vote for Corneliu Vadim Tudor\* is the masterpiece of those who appear so indignant today.

In the Republic of Moldova, the left and center-left parties have quite an influence. People speak openly about setting up a regime, which obviously cannot be set up except by force and violence. In Moldova, as well as in the rest of the ex-Soviet countries, such a mood has been dominant since 1989 and expresses the wishes of a social (and national) stratum that has been deprived of its erstwhile privileges.

However, the Romanians—who were peaceful and pro-European before—voted massively in favor of the ultra-nationalist Corneliu Vadim Tudor believing that thus they would be able to lash back at the invisible enemies of their country. A. Necula, psychology professor at Iasi University, said that the vote of undereducated layers expressed their need to respond to their situation, to sanction those who had marginalized and humiliated them. Paradoxically, all the voters in the western part of Romania—Banat, Cluj, Timisoara—who four years ago voted for Emil Constantinescu—that is for democracy and reform—now voted without hesitation for a completely opposite personality and ideology.

Why has people's consciousness changed so much? It seems very likely that the mass media took an active part in creating the image of the "invisible enemy," of which Vadim spoke so much. A slight change of emphasis, the apocalyptic backdrop, the constant use of an aggressive and intolerant tone of voice, etc. As a result, he managed to shatter not only the "false" leaders of reform but also the reform itself in the mind of an average Romanian.

It is true that the Democratic Convention and other political formations in the government proved unable to govern the country properly and overcome the temptation to use their sinecures to their personal advantage. Oftentimes the media interpreted this—maybe unawares—as a drawback of democracy. People who didn't work hard enough or those who worked towards personal ends created two parallel perceptions, both false. On the one hand, a

picture was created (by the press representing the power) of a constantly working democracy; the illusion was forged that politicians were doing numerous deeds for the good of the country. On the other hand, shouts were coming from all sides that everything that was being done was not to the country's good and that the government's and president's ideology was wrong (the opposition press). This created an exaggerated positive image coupled up with an exaggerated negative one and with emphases placed arbitrarily by the writers.

I wonder if the tone of the press was not too sinister for a country that is supposed to be looking for a new state identity. Did journalists—in their avid hunt for the sensational and the peculiar—never sin by misplacing the emphases? Did they never give in to political partisanship at the cost of not telling the truth? And isn't this massive negation of democracy as a concept by popular vote an involuntary result achieved by the zealous media servants?

But it is also easy to notice that the pro-democracy press, too, is guilty of intolerance. This press accepts only those people who firmly believe in the need to Westernize Romania unconditionally. They reject all those who are wavering or who believe in it only partly. A *Radio Contact* anchor said recently with indignation: "I ask those who voted for Corneliu Vadim Tudor to never listen to my shows again!" With such an attitude it is infinitely easier to make yourself enemies instead of adepts.

The deeds or non-deeds of the current Romanian right, which was in the government until recently, contributed decisively to creating the bad image of democracy that the average Romanian entertains. The mass media, too, made their own contribution by creating with little-knowledgeable people an aggressive-negative attitude toward the supporters of democratic values; the then-power happened to be the incarnation of such supporters. The voters who supported Tudor, one shouldn't forget, mostly have secondary education and are not avid readers of books on history, economics, sociology or politics. But they all read newspapers and watch TV. This is something to think about.

\* *Editor's note.* Corneliu Vadim Tudor lost the bid for presidency to Ion Iliescu in the run-off.

Elena  
ZAMURA

## How We Receive Information from the Provinces

The case of the plane crash in Briceni, when Ukrainian smugglers crashed near the border with Moldova, has shown the absolute impotence of the Chisinau press in situations when events in the provinces require a timely coverage. Not a single Chisinau reporter went to the scene of the crash; and newspapers published extremely contradictory accounts.

Unfortunately, a very lean flow of information from the counties reaches Chisinau. It has always been this way. But this ought not to be happening now, after the territorial-administrative reform of the country, which has made it possible for far-away regions to come back to life and has bridged the gap between the center and the provinces.

National newspapers have four ways for reaching the information from the provinces. First of all, there are local correspondents there. Unfortunately, the local correspondent is an unaffordable luxury for newspapers. Transportation and communication expenses (let alone the maintenance of a local office) add to the cost of information. Some newspapers can afford such luxury and they buy it. Others though—and this is the majority of newspapers—can't afford it and don't want to pay extra for information from the provinces.

It is true that the newspapers that had existed before 1990 have preserved their network of local correspondents. But they have preserved the problems as well, the most obvious of which is the lack of professionalism of local journalists and their dependence on the local public administrations.

A situation of paradox has emerged: in most small towns there are unemployed journalists. They are willing to write both in Russian and Romanian. Their availability, however, cannot always be made use of. The majority of these journalists still fail to shed the Soviet type of journalism, ignore the requirements of news journalism, don't fully understand the changes happening in the provinces, and tend to serve the local powers.

The second source of information are the news agencies. Of all the agencies in Moldova only *Moldpres* has county offices. Unfortunately, the criticism expressed above refers most of all to these regional journalists. Local *Moldpres* correspondents lack "information intuition;" they send in to their newsrooms news without a conflict or they send statistical data on agricultural activities—just like in the old times. In Orhei county, we publish a supplement to the daily *Novoe vremea* (*The New Times*, in Russian), and we have observed cases of plagiarism by *Moldpres* correspondents. One ought to point out the fact that the *Moldpres* management is doing its best to solve the problem of provincial news, but conditions that

could facilitate such efforts are often lacking. Unfortunately, the intellectual and professional level of local correspondents is inadequate, which makes it very difficult to work with the provinces.

The third source of information are the press services of county and town administrations. The public relations here are still in an embryonic form. We should note, however, that there are examples of close cooperation with the press—including the press in Chisinau—for example on the part of Orhei Prefect Anatol Spivacenco. The county capital has hosted numerous press conferences. Unfortunately, these are the only attempts on the part of local administrations to fill the national information space.

In November, the IFES Foundation published the results of a poll conducted among representatives of local public administrations on sources of information. Every other respondent didn't want to answer the questions in the questionnaire. This fact is a perfect illustration of the attitude that provincial public officers have towards information and the need to be informed.

Finally, the fourth source of information on the life in the provinces are local newspapers. Unfortunately, this source, too, generates no optimism. The nation-wide distributor *Posta Moldovei* does not sell nation-wide subscriptions to the county press; this can be explained by the unprofitability of distributing local press throughout the entire country. There won't be very many subscriptions outside the corresponding county, while transportation costs are quite high. It is also for this reason that local and county print media are not distributed nation-wide by private distributors either. If you want to receive local publications, you have to settle it with the editors to have their product sent to you by mail. (As a side remark—*DECA-Press* publishes a digest of the local press.)

What we have in the end is a vicious circle. The people in the provinces do not read newspapers because they don't have the money to buy them, and also because the national press doesn't reflect provincial issues. The national press, at the same time, does not find local issues appealing, its distribution area hardly reaches beyond the limits of Chisinau.

This is a picture of our lives. There is a gap between the capital and the regions in the standard and style of life. In provincial towns and villages, there is no work, no water, no natural gas and no heating. Against the backdrop of such problems the lack of newspapers may seem irrelevant. But isn't information the bread of modern man?

## The Press and the Power

Constantin

MARIN, *assist. prof., PhD*

# Broadcasting: The Propriety of Public Lobbying

The current quality and quantity of broadcasting in Moldova point to the contradictory character of the developments in local broadcasting in the last 10 years. On the one hand, the monopoly on broadcasting, which was held by the party state during totalitarianism, has been abolished. On the other, the powers-that-be—elected democratically—are constantly trying to gain control over this medium. One relevant fact in this respect is the status, or maybe even the fate, of the traditional and the only national broadcaster, *Teleradio-Moldova State Company*. This institution, which became “public” through the Broadcasting Law of October 1995 (art.7.1), is also supposed to be “independent in its editorial work” and to reflect “the interests of all social layers” according to art.1 of the same Law. In reality, this institution is faithful to the “state” part in its name, and thus openly gives in to political partisanship. *The State Company Teleradio-Moldova* has resigned to its subjugation by the party or political alliances in power (perhaps except for the period of 1992-96, when the national broadcaster valiantly tried to promote balanced journalism).

The liberalization of the access to broadcasting, which has been another vector in the recent evolution of local broadcasting, has also taken on an ambivalent form. On the one hand, private and community initiatives to develop local broadcasting were not stifled. As a result, starting from 1993, when private TV and radio stations started mushrooming both in Chisinau and in the provinces, the national broadcast market was created in Moldova. According to the latest data, at present the number of such stations stands at 127. On the other hand, this welcome trend is accompanied by another one, which is perhaps less visible but which may have a negative impact on broadcasting. I mean the attempts by some political parties or organizations to strengthen their influence on broadcasting, either directly or through owners of radio and TV stations, or even through employees who thus demonstrate certain political commitments. As a result, broadcasting in Moldova places society’s visibility and audibility, which would be very appropriate for citizens engaged in democratic transformations, at a disadvantage.

The opening of the Moldovan broadcast sector towards outside broadcasters also caused controversy. I should remind the reader here that in the early 1990s jamming of foreign stations ceased, access to foreign broadcasts was liberalized, retransmission on local frequencies of foreign stations such as the *BBC*, *VOA*, *Radio France International*, etc began. The development of cable TV opened access to a number of European and American TV channels. At the same time, access to various Russian channels was preserved, and technical conditions were created for access to channels from Romania, Ukraine, and France. In the general framework of this opening of the Moldovan broadcast market, one could observe the

tendency of certain Russian broadcasters not only gaining a permanent foothold in Moldova’s information market but also expanding their activities therein. This oftentimes happened to the business disadvantage of local broadcasters, who were unprotected and unencouraged by the government. It hampered diversity of broadcast media and, therefore, violated the audience’s right to choose their favorite broadcasters. The avalanche of Russian channels was triggered off not only by the desire to satisfy the information demand of Moldova’s Russian-speaking population, but also by the Russian broadcasters’ intention to preserve a traditional market for their information products. This, on the other hand, is a consequence of a lack of a clear concept for a national strategy regarding the broadcast market, which has caused political and social disturbances of the kind triggered by art.13 of the Broadcasting Law.

These contradictions, which I have mentioned only in part and extremely briefly, generally have hampered the democratization of our broadcasting, even though they are perhaps inherent to any essential transformations of the kind our broadcasting is undergoing. This initial process was chaotic. Transformations rolled on without the supervision of an institution authorized to develop and promote a national strategy for the development of broadcasting. Such an institution appeared as late as 1996.

Founded in accordance with the Law on Broadcasting, the Broadcasting Coordinating Council of Moldova was defined in art.14 as an “autonomous public authority” but without a clear definition of its essence. The Council’s by-laws, adopted in 1996 and amended in 1999, partially define the meaning of autonomous public authority but leave enough room for ambiguity and contradictory interpretations. Art.1 thus empowers BCC to “regulate and coordinate the activity of companies, studios, stations, organizations and other agents in the area of broadcasting.” Art.2 of the same by-laws stipulates that BCC will “ensure the observance of laws and protection of state interests.” Art.9 says that the BCC members “see to the public interest in the area of broadcasting and do not represent the appointing authority” (we will refer to the BCC membership below), although according to art.11 they may be dismissed by the appointing authority. Of the multiple powers exercised by BCC and stipulated in art.24 of the by-laws, we will mention just one: BCC “participates in the development and promotion of a unified concept of development of broadcasting in the Republic of Moldova.” Has BCC managed to define the evolution of broadcasting in Moldova? I believe that it hasn’t. Explanations and reasons for this are many. They are both objective and subjective. I will mention just a few, but without claims to the ultimate truth on this matter.

The BCC has 9 members appointed by Parliament, President and Government, three from each side. Such a formula exists in

a number of countries, including France. It is only natural to follow it. However, the direct transfer of the French model into our environment failed to take into account the local political peculiarities. Namely: excessive autonomy of the power; the power's attempt to follow an older practice and not represent the sovereignty of the people but represent itself; society's submission to power; inadequate sense of political participation among the people, which has not yet developed after totalitarianism. "The public is included into the circles of power sporadically and only for acclamation," said Jurgen Habermas, as if aware of our political realities. Consequently, BCC has remained part of the political sphere, under the powers-that-be, despite the stipulation in its by-laws that its members "do not represent the appointing authority" and its will, and despite BCC's social role of a catalyst in the public sphere. This didn't happen by accident, as BCC stepped aside when the power frequently and arbitrarily changed the *Teleradio-Moldova* management in order to force it into loyalty or maybe servitude. But when BCC tried to express its disagreement on the basis of violations of art.24.b, in accordance with which *Teleradio-Moldova* management can be appointed and dismissed following a proposal from BCC, this article was amended in such a way as to practically annihilate BCC's role in this matter.

BCC's subservience to the power can also be illustrated by its ineffective actions or, if you will, its inactivity regarding the transformation of the state-owned *Teleradio-Moldova Company* into a public institution.

The examples shown above are conclusive enough to say that BCC was and still is under the influence of political lobbying or politics in general.

Economically, BCC seems to be vulnerable as well. Although art.36 of the Law on Broadcasting stipulates that the BCC funding should come from the state budget, this institution has become dependent, in a way, on providing pay services to local and foreign broadcasters. Art.37.8 says: "The amount of payment will be stipulated by agreement between parties. The payments for services and consultations, as well as for

registering broadcast institutions, will be transferred to the BCC bank account."

I believe that BCC is also lagging behind in terms of promoting the public—and therefore the national—interest in broadcasting. We will illustrate this point by citing without comments art.35.7 of the Law on Broadcasting: "BCC will give—through conditions and criteria for issuing frequencies and channels—certain priorities to the producers and distributors of local broadcast materials produced mostly in the state language."

These and other circumstances make us take a skeptical stance towards BCC's work, which, after almost 5 years of activity, has managed to become an autonomous public authority for the regulation of broadcasting in Moldova in a minimal way. I also think we ought to take up the issue of having representatives of the civil society in BCC's membership; public lobbying could withstand or even stop the influence of politics and perhaps business on the activity of BCC. Such representation could be implemented in various ways:

- by appointing representatives of the civil society (from relevant NGOs such as APEL and others) directly to BCC;
- by involving associate members from among experts in broadcasting and telecommunications in order to develop a concept for broadcast sector development, and to endorse applications for licenses or other projects in the area;
- by organizing public debates on broadcasting issues of public interest before any decisions are taken.

Strengthening BCC as an autonomous public institution certainly requires corresponding changes to the Law on Broadcasting as well as to the BCC by-laws.

The airwaves are, by definition, an integral part of the public space — an area in which the civil society promotes its values. Hence the propriety of public lobbying in regulating broadcasting.

## The CAIRO Case

### Conflict

A group of young people sue a state institution for a very simple fact: the institution has failed to enforce a certain law in accordance with its jurisdiction. What do you think follows? The young people find themselves the objects of an uproar: they are cursed, summoned, admonished, booed, and even labeled as fascists, legionaries, chauvinists by some. And they are applauded, supported as patriots and fighters for a right cause by others.

This is a real case involving the young people who are members of the Club of Graduates of Romanian and Western Universities (CAIRO). They sued the Broadcast Coordinating Council (BCC) for failing to enforce the law on the use of languages in broadcasting in Moldova. They pointed out to eight radio stations and three TV stations that blatantly ignored the legal provision requiring a 65 percent quota of Romanian-language programming. BCC didn't reject the accusation; it justified its failure of law enforcement by saying that law violation is commonplace in Moldova. "Unfortunately, the 65 percent quota has not been reached by any of the mentioned stations, but laws don't work in any of the walks of life in Moldova," declared

Arhip Cibotaru, head of BCC's media and international relations division.

The Court of Appeals ruled in favor of CAIRO and obliged BCC to withdraw the licenses of radio and TV stations that didn't respect the letter of the law. The parliament was afraid of possible reactions from the Russian-language press as well as from Moscow officials, who had already started brandishing the bludgeon of economic sanctions at Chisinau. Thus the Moldovan parliament (through its left-wing majority) promptly amended the Broadcast Law to limit the linguistic quotas only to public broadcasters.

Obviously, the solution found in parliament satisfied just one of the parties because it took into account only the formal aspect of the problem. The deputies didn't even contemplate the question of why those young people felt offended and why their legal action had such a resounding echo in society, which had both positive and negative tones. The opinions and comments we are publishing below are meant to shed some light on this controversial case.

## The CAIRO Case

**Ludmila  
BARBA**

## A Private Opinion on a Public Issue

Now, after passion around the CAIRO vs. Broadcast Council case has subsided, it is time to reflect cool-headedly on the case and on the issue that had triggered it.

First of all, two things have to be confirmed.

First, one should welcome the move by CAIRO members, as any other move made by an NGO or citizen to protect a right of which they have been deprived. The “herd” instinct, as Radulescu-Notru said, “has held us together and we stood up to those who threatened us from all sides. Now, though, too many changes have taken place and times require us to become citizens and to perceive ourselves as such.”

Second, problems linked to violations of the law on languages and the law on broadcasting do exist; they

require a higher level of public and governmental awareness.

These are just two aspects of the issue under discussion, and I don’t want to behave as the philosophers who each examined only part of an elephant’s body but drew conclusions about the animal as a whole. Therefore, I will try to delve deeper, or on the contrary, to climb higher, in order to have a wider view.

I think that the CAIRO vs. Broadcast Council has highlighted once again the imperfections in the Law on Broadcasting. Here are some thoughts on international law.

International documents, to which Moldova is signatory, do not allow for barriers; on the contrary, they support the free circulation of information in any form, by all means and across all borders. One of the four fundamental rights in Art.19 of the Universal Declaration of Human Rights is the access to information. In para.2 of art.19 it is said: “Any person has the right to free expression; this right comprises the freedom to search for, receive and disseminate information and ideas of any kind, regardless of borders, in verbal, written, printed or artistic form or by any other means of the person’s choice.”

Para.3 of the same article provides for special obligations and responsibilities, as well as for certain limitations “set by law and which are necessary.” Such necessity is, however, conditioned on the following: a) respect for others’ rights or reputation; b) the defense of national security, public order, public health or morality. Apart from some emotional speeches, no serious arguments and facts have been presented (either in Parliament or during the trial) to prove that the retransmission of radio and TV channels from Russia in the present amount violates any of the requirements of para.3 of art.19 of the Universal Declaration of Human Rights.

I have recently come back from the International Festival of Radio and TV Shows PRIX EUROPA, which took place in October in Berlin. I was surprised to find out that many of our colleagues from *BBC*, *ZDF*, *ART* didn’t know of Moldova and bemoaned the fact that there was no news on Moldova in newspapers. Try to think now about the impact the closure of radio stations in Moldova has on other European countries, and the impression they receive of Moldova, especially given their high level of interest in human rights and the rights of minorities. We are going once again through what we did in Transnistria, when we first lost the information war.

The UN Committee for Human Rights has stated once that “a country may choose to have one or more official languages, but it should not exclude—except for the public sphere—the freedom of expression in any other language.” Given this affirmation, we have to ask

***Alexandru DOROGAN, member of the Expert Group on the Mass Media, part of the General Directorate for Human Rights of the Council of Europe:***

The litigation is rooted in the imperfection of the law on frequency allocation. Little is known in our country about the fact that the frequency band is a national asset and that the number of available frequencies is limited. That is, there will always be more applicants than available frequencies. Hence, we need a sound mechanism for the allocation of these frequencies, which would be based on some clear principles. In the West, these principles are diversity and pluralism. What kind of diversity are we looking for? A diversity of public and commercial stations, national and local ones, cultural, music, sports, youth, elderly and children’s stations. Then it becomes clear that linguistic diversity will follow, as at the end of the day the electronic media depend on their consumers.

The problem is that such diversity should also include equilibrium. It is not good when we have stations only for youth and have none for the elderly, or when the majority of stations broadcast almost the same kind of music. It’s not good to tip the equilibrium. But this is exactly what happened when the number of foreign stations in Moldova exceeded the number of local ones; also, there are very few stations broadcasting in Romanian. Going back to the idea expressed at the beginning, I believe that this litigation is rooted in the disequilibrium that has obtained in Moldova. Regarding interpretations, or rather speculations, that appeared in our press, they are of a political origin because unfortunately broadcasting, too, is engaged in political and financial partisanship. This is because some stations have managed to monopolize the advertising market, and battles will always be fought for its redistribution.

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ourselves whether privately-owned periodicals and broadcasters are part of the public sphere.

If the answer is no, then on the basis of what right does the state interfere in their production and planning? The case can be compared to dictating to a shoe factory quotas on producing shoes - 65 percent should be red shoes and 35 percent black ones.

If, however, they are part of the public sphere—and I believe that this is the case—then the state should provide some support, some benefits, and thus create some leverage for itself. Romanian-language stations should be encouraged not by banning Russian-language broadcasts, but, say, by temporary reductions of or exemptions from certain taxes for Romanian-language broadcasts.

Is it normal to scandalize the public opinion to the degree to which it has been scandalized regarding stations that broadcast and rebroadcast in Russian, and at the same time to overlook the cut-backs in air time for the National Radio and TV?

Speaking of rebroadcasts, importing French and Belgian legislation on language quotas into our environment is not an entirely adequate measure. Rebroadcasting Russian stations has several explanations: 1) our past, when we used to be part of the same information space; 2) the lack of economic capacity to cover independently the minimum of 13-14 hours of air time as required by the Law on Broadcasting (art.13 para.4); and 3) the interest many politicians in power have

in Russia.

The last explanation seems not to refer to the issue of broadcasting and rebroadcasting, but this is only a first impression. During the CAIRO vs. Broadcast Council I found it strange that the five broadcasters involved in the case were represented by just two managers. All these stations also have just two owners. Sources who wanted to remain anonymous told me that the two holders of those five broadcast licenses are deputies in the Moldovan Parliament. Given this piece of information, I wonder whether we can speak of democratizing and demonopolizing the Broadcast Council.

The French, who have amended their law on broadcasting numerous times, allow one person to hold more than one license on condition that the total audience share is not bigger than 150 million people. The biggest share of broadcast-company stock one person can hold is 49 percent.

The Press Law in Latvia forbids political leaders and parties to own mass media, whether it be newspapers, radio or TV stations.

There are other aspects of the issue of Moldovan broadcasting, but one thing is certain: the Law on Broadcasting needs serious amendments, and the issue of language quotas is not the only one that requires closer examination.

## Jean-Christophe Menet: "Radio stations in France are compelled to broadcast at least 40% of songs in French."

*Interview with Jean-Christophe Menet, Reporters Sans Frontiers director for Eastern Europe and former Soviet Union.*

Q: Does the legislation of the countries supervised by RSF provide for mandatory quotas of broadcasts in the official language? Are there legal norms setting mandatory proportions between programs piped in from outside the country and original ones, produced by local radio and TV license holders?

A: I consulted with the Council of Europe in order to answer your questions. The CE referred me to the broadcast law in Finland, which is good for comparison with the situation in Moldova. Also, the CE recommends the Canadian Web site "*Comite permanent de la conference des peuples de langue francaise*" at <http://www.levesque.org/cplf/comper/resolu.htm>. Canada's experience in this area is quite useful.

Q: How do other countries balance the state's right to manage frequencies so as to promote moral, cultural,

linguistic, constitutional values against the broadcasters' right to manage their business depending on audience preferences?

A: I can refer to the experience in Quebec. This region has finally managed to impose very strict and comprehensive regulations in order to ensure the dominance of French and prevent the "Englification" of this French-speaking Canadian province. In Belgium, there are three clearly separated linguistic communities—speakers of Dutch, French and German. Each of these communities decides on its own on issues regarding education in the corresponding language, as well as broadcasting. In France, FM stations are forced to broadcast at least 40 percent of songs in French. At present, we don't have data on other countries, but more solutions can be used at once, depending on circumstances: no broadcast quotas, mandatory quotas to protect minorities, or mandatory quotas to protect the national language, etc.

*BASA-press*

*Vasile*

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## The Harmonization of State Priorities, Diversity and Pluralism Is the Litmus Paper of a Mature Society

The division for the media of the General Directorate for Human Rights of the Council of Europe is very concerned about the effects of digital broadcasting. This subject, which may seem exotic for Moldova, is quite an instructive example.

The concern European mentors have shown for pluralism and diversity is not accidental in conditions when satellite television, radio and on-line publications are the fiefdom of big-bucks corporations. Modern journalism is increasingly exposed to the risk of becoming the prisoner of profits, advertising, and political commissions. This is why the Strasbourg experts insistently recommend digital broadcasting for public radio and TV stations, which are by definition pluralist stations and are resistant to the pranks of the market and election campaigns.

Specialized subdivisions of the Council of Europe, as well as those of the European Union, are also very concerned with the promotion of European broadcast products, and have no qualms about imposing restrictions in order to stop the “American invasion.”

In this respect, Putin had done a thorough job on his homework when he launched the controversial doctrine of information security. Had we also been constantly concerned with constituting, developing and then protecting our information space, we wouldn’t have had the CAIRO case. We can overlook the fact that a group of young people, schooled in democratic societies, have been brutally booed for taking seriously the freshly-voted law on administrative litigation. But we cannot accept the use of the alleged restraints on Russian speakers as a bargaining chip in order actually to preserve the fat advertising incomes. This is not a Moldovan invention. Wars have been equally profitable for politicians and whores.

Managers of the sanctioned stations and a dozen

other broadcast institutions in Moldova failed to honor a number of obligations assumed upon receiving the license. The linguistic quota was just one of the many vulnerable points of private broadcasters. Each applicant for frequencies included a whole list of priorities in their proposals—social education of children, environmental protection, rehabilitation of the family, legal education— all of which were forgotten as soon as the business started rolling. I have to recognize that some obligations regarding linguistic quotas are fulfilled by radio managers, but in a way, which makes you flip through frequencies not to drop dead with a stroke. Want an example? The pseudo-Caragialian show “Speak Moldovan” on *Radio d’Or*. I am sure it was conceived of as a vaccine, but used in large doses by some self-taughts it has backfired. If in the marketplace, tapes with “Speak Moldovan”-style remixes have replaced the wedding folklore, this doesn’t mean that the pill has had an effect. I think that radio managers ought to think about it in order to avoid sanctions requested by CAIRO.

The authors of the legislation, who used to design our broadcast market, recognized that they offered society a product that looked more like ersatz legislation that was molded on blueprints from countries alien to problems in Moldova. Things have not improved even after the prompt intervention by the parliament. The arbitrary activity of radio stations resembles a time bomb.

It is clear that external interventions and naive subjectivism have marked the activity of BCC. The judgment issued by this institution resembles an experiment, whose results ought to be taken into consideration by the next “jury,” if it has the will to be more robust, more autonomous and strives to become a fair judge.

### MM’s Note:

N.N.

If we try to look at things from an economic point of view, as do those who accuse CAIRO of being puppets in the hands of forces that don’t like Russia’s presence on the information market in Moldova, we will notice that CAIRO’s critics don’t actually follow such economic principles themselves despite all their rhetoric.

Unfortunately, in our economy no radio or TV station can support itself exclusively from advertising revenues. The majority of stations under discussion are supported by

foreign money in the hope that things will improve at some point. In the meantime, however, they ought to try and attract as large an audience as they can (which in turn attracts advertisers), which presupposes programming that takes into account the tastes of various categories of listeners. This can be noticed for now only in the case of stations originating in the West—*ProFM* and *Radio Contact*. Although they have come here from Romania, they try—for obvious business reasons—to address the Russian-speaking population as well. The stations originating in Russia, however, blatantly ignore the Romanian-speaking

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population here. In villages, there is a large segment of listeners who don't speak Russian at all or speak it very poorly and therefore prefer *Radio Moldova*, which is practically the only institution taking into account their preferences. Why don't stations funded by Russian money, which claim to have come here to make a profit but which are now losing money, try to win over the *Radio Moldova* audience? Even if they had a profit, wouldn't they want a larger one in accordance with the laws of economics, if we are to believe Marx?

Why don't those who say that they are here to make money want to make more money? Perhaps because besides their business goal they have another one, of a higher priority, but undeclared.

This wouldn't be such a big problem if the state budget weren't that poor. *Radio Moldova* is losing more and more airtime because of lack of money. We are thus reaching a situation when despite a large number of mass media outlets there is a problem with the access to information for a certain part of society.

On the other hand, a country is not built only with economic instruments and its interests are not limited to the wallets of business people. We are not the first ones forced to use administrative measures to protect our cultural and linguistic space. There are values and interests that cannot be left up to the market. Those who maintain the opposite are nothing but hypocrites. In this case alone one can understand their fury.

"In the last four years the Broadcast Coordinating Council (BCC) issued at least 30 frequencies and a telecommunication network to more than 13 license holders allowing for the rebroadcasting of some radio and TV channels produced abroad. Of those 30 frequencies only four are used to rebroadcast programs from Romania, with which we share the same linguistic, historic and cultural identity, while more than 26 frequencies are used to rebroadcast a large number of radio and TV stations from Moscow all over Moldova. "BCC continues to hand out favors to those whom the Council itself hypocritically admonishes for grave violations of Moldovan legislation," wrote Victor Osipov, Executive Director of the Broadcasters' Association, in the last issue of *MM*. "The radio and TV stations rebroadcast from Moscow are part of large Russian media groups controlled by the financial oligarchy and it is very difficult for broadcasters in Moldova to compete with them even on their own market," Osipov wrote. By monopolizing the information space the Russian stations have also monopolized the advertising market. Local broadcasters are left with nothing else to do but withdraw or sell their frequencies and thus become simple agents. Hence the problem of engaging the local producer in broadcasting.

We hope that after their thoughtless vote the deputies will in the end make use of some brain in their heads, as it usually happens, and therefore we suggest that they use several ideas that are a digest of the discussion so far.

1. One ought to create—as it happens in normal countries—a committee that will include all parliamentary

groups. This committee will look into the issue raised by CAIRO and only afterwards it ought to come up with a sensible and democratic solution that would not hurt any of the parties.

Such a committee would have to look first of all into how almost 95 percent of Moldova's frequencies ended up in foreign hands, the absolute majority of which are Russian. Were there no applications from local business people? O yeah, there were but they didn't match the preferences of BCC members (one of them was surprised by CAIRO's "insolence" to request shows on *Discovery* in Romanian). Why should we rebuke them for not being patriotic, for not caring for the local producer, for not standing guard over this "independent" country's information security when the law doesn't even require them to do all these things? The right of the Romanian-speaking population to also enjoy *Discovery Channel* broadcasts in Romanian? What's the difference!

It is obvious that we need a rational, open and calm discussion that would take into account all the aspects of the problem. How can one tolerate the fact that in Moldova it is a Moscow-based station that has the largest coverage and not the National Radio? Nation-wide and local distribution of frequencies should be done by taking into consideration the fact that in Moldova there are—besides Russians—ethnic groups that don't have the money to bribe deputies or decision makers.

2. It is not difficult to guess that Russia's interests in the world's information space concern first of all us as a CIS country. The fact that in Moldova's information space an army of radio stations, which suffer huge financial losses, has cropped up, has to be examined from this angle.

3. We should clarify the situation regarding audiences. How accurate are the ratings used in the distribution of advertising, which is practically the only source of income in broadcasting? Should they inquire, the deputies will find that in this area, too, there is a foreign monopolist. A Russian one, of course. We cannot be sure that the polls carried out by, for instance, the *Komsomolskaia Pravda* newspaper, were not rigged in favor of this publication's favorite stations. Since there is no money to eliminate this monopoly any time soon, BCC could, for instance, be granted the jurisdiction to verify the accuracy of such polls.

4. Had they wanted to solve the issue raised by CAIRO, the deputies would have asked themselves by whom and how is advertising distributed in Moldova? Who channels advertising past the Romanian-language mass media regardless of the magnitude of their audiences? How can one explain the fact that a station broadcasting in Romanian can sell advertising only on condition that it is broadcast in Russian? Isn't it strange that *Radio Moldova*, broadcasting nation-wide and which, according to unrigged polls carried out in 1997-99, has by far the largest audience, receives no offers from business partners? There are enough reasons to believe that advertising is distributed according to non-business criteria, preference being given to Russian stations.

All this has to be clarified in order to pass the law on advertising knowledgeably.

## Crossroads

Artur  
CORGHENCEA

# Foreign Press in Moldova, Or What We Are Not Reading

## What Are the Alternatives

If we are to believe newspapers and if we assume that newspaper readers in Moldova subscribe to or buy just one publication each, we could say that there are about 100,000 people in Moldova who learn their news from newspapers.

Of these, only a small part read newspapers in other languages than Russian or Romanian. Once again, for this information we will have to trust newspapers themselves or distribution companies.

In Moldova, there is an extremely small number of newspapers published in Western languages. This is *Welcome* magazine (a newspaper until last year), published in English, and the French-language *Le Francophile*. Both publications have the same print runs to a tee—1,500 copies. However, while *Le Francophile* is a quarterly, *Welcome* is a monthly. Besides, readers of the former can read their newspaper for free, while readers of the latter have to pay two lei at news stands (2 to 3 times above average) for the pleasure of reading in English.

The similarity between these two publications is that they have approximately the same type of audience—pupils, students and teachers of English or French, respectively. Besides, the staff at *Welcome* boasts readership among foreign professionals working in Moldova as well as abroad. Those in Moldova have no difficulty purchasing the magazine—if they have no time to buy it at news stands, they can buy a subscription and receive it at home.

*Le Francophile* is also easy to come by—those living in Chisinau can pick it up at Alliance Francaise for free, while those living outside the capital can pick it up at the branches of AF in nine communities throughout the country. According to AF, 300 people subscribe to *Le Francophile*.

Speaking about Alliance Francaise, one ought to mention that it brings about 100 French newspapers to Moldova, including *Le Monde* and *Figaro*. Part of the newspapers are kept by the AF library, while the rest are being taken to the Dacia hotel.

Let's go back to *Welcome* now. This publication takes care of its own distribution, in a way. I mean that if someone wants a copy for free, this person should simply buy a ticket to one of Moldavian Airlines flights, and pick up a free copy on the plane. Besides, *Welcome* helps *International Herald Tribune* reach readers in Moldova, but unfortunately,

here IHT is distributed only to organizations and not to individuals.

## How Things We Don't Read ReachUs

I have talked so far about quite a rare phenomenon, that is about publications in Western languages, which are published in Moldova and which, at the same time, help promote foreign press here. However, there are special organizations that distribute foreign press and that can be divided into two categories—local businesses that import periodicals from abroad and foreign organizations (including embassies) which give us the pleasure of reading about other countries in Romanian or Russian, or in the language of the corresponding country.

Unfortunately, there are no organizations in the former category, or if some do exist then they work illegally as not even the State Registration Chamber knows about their existence. I will have to provide some background on this matter. Some time ago we had an organization which distributed publications published abroad here, and this organization was called Moldpresa (in fact, this organization still exists, under the same name, but it no longer distributes foreign press). According to Simeon Jingan, its director, Moldpresa stopped distributing foreign press because this is not a profitable business. Three months ago Jingan also said that Moldpresa stopped the business because there were too many local publications (over 200 titles, he said) and poor Moldpresa had no resources left to import publications.

I have to admit, however, that, indeed, it seems unprofitable to distribute foreign press in Moldova (I mean publications in other languages than Romanian and Russian).

However, we do have publications in English, French, German, Bulgarian, and even Chinese and Japanese. We don't have that much of a readership for them, but we do have such publications. This makes one think that someone is bringing in such publications, regardless of the purpose. After a short investigation I was able to uncover the "culprits"—embassies. Usually, one can find American publications at the US Embassy, German publications at the German Embassy, and Chinese publications at the Chinese Embassy. One has to mention that the U.S. Embassy and Alliance Francaise (together with the French

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Embassy) can provide to English and French-reading audiences more than 5,000 publications in those languages, of which more than 4,500 are in electronic form—on the Internet or CD ROMs. Officials at the U.S. Embassy said that the publications in hard copy they receive from the U.S. are eventually donated to libraries in Moldova. The publications distributed through AF end up at Hotel Dacia as well as libraries.

Speaking of libraries, there one can find a wide range of foreign publications. The National Library, for instance, has *Le Monde*, *Figaro*, *Times*, *New York Times* and others, both in hard copy as well as in electronic format. The foreign press usually comes from donations made by embassies.

Now let's go back to the German and Chinese Embassies. Even if they have periodicals in their corresponding languages, there are few people in Molodva who can read them. They do have, however, bulletins in Romanian on those countries (*Deutschland* and *China*). These bulletins have quite a large print run, but this is because they are meant both for Moldova and Romania. It is difficult to assess the number of subscribers to these two publications in Moldova, because the bulletins only display their total circulation, and they are usually translated into more than 10 languages.

### Are We Really Illiterate?

Not at all. Moreover, no one can accuse Moldovans of not reading in foreign languages. Let me introduce to you another foreign language, which has become quite rooted here and which is not really foreign—Russian. The Russian-language press has no distribution difficulties in Moldova. Besides the fact that many Russian newspapers and magazines have offices in Chisinau and publish local sections that are inserted into the main publication, some of the Russian periodicals are listed in the Moldpresa or Posta Moldovei catalogues and can be imported from Russia with no difficulties. Especially given the fact that there are no customs taxes on importing press. And even if you can't find the publication you are looking for through these avenues, you will most probably find it at private distributors, that is people who sell newspapers in the street.

One has to remark, however, the contribution private distributors make to the distribution of Western culture through Western press, although most often they sell women's magazines (for instance *Cosmopolitan*) or men's magazines (for instance *Playboy* and *Penthouse*).

We also have several ephemeral publications, the so-called bilingual press. They usually are in Russian and some other language (not Romanian), but sometimes one can find specimens of bilingual publications in Romanian and some other language (not Russian). One such example is the *Exclusive* magazine, which started this year and about whose viability it is too early to judge.

The situation is much more difficult when it comes to

foreign broadcasters. There is no over-the-air radio or TV station that would broadcast exclusively in a language different from Romanian or Russian. Well, English, French and Spanish speakers can hear a local newscast of approximately 30 minutes (10 minutes for each language) on *Radio Antena C*. English speakers can also listen for more than an hour to *Radio Nova*, which claims to be broadcasting from London. We also have *Radio Moldova International*, which has news in Western languages. TV viewers who speak neither Russian nor Romanian can watch only one or two channels fed by cable. The most favored ones in this sense are those who have a satellite dish and who can thus watch TV channels in their mother tongue.

### The Audience, Or Who Reads What We Don't

As I have already said, newspapers and magazines in Western languages are being read by pupils, students of foreign languages and their teachers. As far as I know, most pupils and students read periodicals in foreign languages out of necessity or for fear of failing a course. I know this because I am a student of English myself, and we were required to read *Welcome*. Teachers read out of curiosity rather than necessity. But the fact that some of them subscribe to foreign publications shows that they need to have a new issue of a publication for the following class in order to keep students from becoming bored. The most authentic readership of foreign publications is made up of citizens of the respective countries, who have come to Moldova for various reasons. Therefore, when in the street you see a man or a woman wearing glasses (unfailingly wearing glasses!), hair more or less combed, and reading *The Times*, *Financial Times* or *Wall Street Journal* as they walk, you can be absolutely sure that this is an American, a British person or someone of some other nationality but who speaks English. And should you follow them it is more than certain that this person will go into the offices of a foreign company or of the World Bank or EBRD.

In general, in Moldova there are very few readers for periodicals in Western languages. I think that the joined circulation of 3,000 of *Welcome* and *Le Francophile* represents the entire body of readers in foreign languages.

The readership of the Russian-language press is a little different. Most of the businesspeople and inhabitants of Moldovan towns (that is people who usually buy newspapers) read *Komsomolskaia Pravda*, *Argumenty i fakty* or some other Russian-language newspaper. The reason for this is that in Moldovan towns there are very many Russian speakers, some of whom don't even know Romanian. Those who do know Romanian don't know the Roman alphabet. Therefore, it comes as no surprise that out of over 100,000 newspaper readers in Moldova more than a half read Russian-language periodicals. (The same is

true of broadcasting—more than a half of the radio audience listen to Moscow-based radio stations.)

I should remark, however, that all foreign publications (including those published in Russian) that enjoy some popularity in Moldova have a general or economic orientation. This can be explained by the fact that local readers read for enjoyment or to kill time, while those who have come to

Moldova read for information on the businesses they have left behind. Especially since most of the foreigners coming here are not tourists but businesspeople.

These are the facts. It's up to the readers to draw the conclusions.

## *The Letter of the Law*

# Olivia PIRTAC **Considerations on Some Recent Regulations Regarding the Protection of Honor and Dignity in the Republic of Moldova**

The right to a protected honor and dignity is a fundamental right in a society, in which humans represent the supreme value. But this right naturally clashes with another one—the right to free expression. On the latter, the European Court for Human Rights said that this right is “one of the cornerstones of a democratic society,” that it is “one of the fundamental conditions for the development and growth of every individual” and “one of the main guarantees of all other rights and liberties.”

Due to its essential role in a period, in which “the development, preservation and protection of democracy is directly dependent on the degree in which the right to expression and information is protected,” the freedom of expression has been enshrined in international laws of universal and regional jurisdiction, as well as in the legislation of the Republic of Moldova.

It is disputable whether the Moldovan legislation is up to the standards in this area, that is whether it is at least compatible with relevant international legislation. In fact, even international legislation may seem restrictive to those who want unlimited freedom of expression. Regarding Moldovan legislation, in the summer of 2000 alone two well-known resolutions in this area were adopted—one by the Constitutional Court and the other by the Plenary of the Supreme Court of Justice.

Thus, on 8 June in its Resolution on the Constitutionality of Art.7 and Art.7.1 of the Civil Code of RM, the Constitutional Court decided the following: “To acknowledge as constitutional Art.7 and 7.1 in the Civil Code of the Republic of Moldova as formulated in the Law No.564-XIV of 29 July 1999 On Amending Legislation.”

Although the Helsinki Committee for Human Rights

sent a memorandum (*amicus curiae*) to the Constitutional Court, wherein the Committee explained why the articles under question have to be declared unconstitutional and gave examples from the jurisprudence of the European Court for Human Rights, the Constitutional Court insisted upon the constitutionality of the articles. (The memo was not an official claim on the Constitutional Court as the legislation of RM does not allow citizen access to the CC, unlike in other countries; the memo was thus a simple reference paper to the democratic conditions of exercising and regulating the freedom of expression.)

Even if dissenting opinions on the propriety of the CC resolution exist, this is a final resolution that cannot be appealed and that came into force on the day of adoption. This is the situation from a legal point of view.

Let us now look at the second resolution, which met with the approval of those who contested the first one: on 19 June the Plenary of the Supreme Court of Justice adopted fundamental changes to its resolution of 27 March 1997 “On the Implementation of Legislation Regarding the Protection of Honor, Dignity, and Professional Reputation of Citizens and Organizations.” These changes represent the result of an effort to conform national legislation to the requirements of the international one, especially of the European Convention on Human Rights.

The Resolution thus contains prescriptions on how courts of law should interpret national legislation on the freedom of expression. The prescriptions were in fact a summary of the major resolution of the European Court for Human Rights that had been taken on the basis of art.10 ECHR (freedom of expression).

The Resolution by the RM Supreme Court was a remarkable event, because what the European Court stood

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for could now be used by all judges in RM. This is important also because what the Supreme Court resolved didn't become valid on 19 June 2000 but on the date when the European Convention came into force (27 September 1997). The reality was, however, that the resolutions taken by the European Court for Human Rights were not truly accessible to judges (and to other interested parties), because there were very many of them, they were very bulky and there was no generally accessible translation into Romanian. Now it seems that everything is all right, and we have to wait and see how judicial practice will change after these new prescriptions.

We should remember, however, that legally Supreme Court decisions have only the force of recommendations and are not binding. But since it is the Supreme Court that takes these decisions, it is unlikely that it will ignore its own decision. One should also note that in the area of the freedom of expression the supreme appeal body for Moldova is the European Court for Human Rights. It can sanction a country's government for violations by obliging it to pay the moneys claimed by the plaintiff, and the amounts are usually exorbitantly large. Every decision by the European Court, which convicts a state, also has moral consequences, namely: a diminution in the authority of the country's judicial bodies. One more issue must be mentioned in the context, i.e. that linked to RM's ratification of ECHR: legal precedent as a source of legislation in Moldova. On the same day of June 19, the SCJ Plenary adopted a resolution "On the Practical Application by Courts of Law of Some Provisions from the Convention on Protection of Human Rights and Fundamental Liberties," which stipulates the following: "Courts of law have to be aware of the fact that for a correct application of the Convention the jurisprudence of the European Court for Human Rights in Strasbourg has to be examined in a timely manner. The European Court is the only body that can issue official interpretations—and therefore with a binding effect—of the ECHR. Courts of law are under the obligation to take those interpretations as guidance when applying ECHR." This prescription is, however, formulated very diplomatically; it doesn't make it clear whether a judge may refer to European Court cases as a legal source for his/her decision.

I would like now to make some comments on the provisions of the Resolution on Protecting the Honor and Dignity:

A first comment that must be made, taking into account the amendments applied to those articles by the Law no.564-XIV of 29 July 1999 "On Amending Legislation," is that articles 7 and 7.1 of the RM Civil Code can be applied only to statements damaging one's honor and dignity and which are not true. This means that statements damaging one's honor and dignity and which are true, as

well as statements, which are not true but which are not damaging to one's honor and dignity, are not under the effect of these articles, that is the defendants cannot be obliged to retract such statements and pay fines in accordance with these articles. Statements that damage one's honor and dignity and are true enjoy no protection, while in the case of those which are not damaging and not true protection has to be sought through other legislative acts. Thus, art.40 of the Law on Broadcasting stipulates: "(2) A person who feels that one of his/her legitimate rights or interests—whether moral or material—has been damaged by a broadcast information has the right to claim—in accordance with legislation—damages, a disclaimer or the right to reply. (3) The disclaimer or the reply will be broadcast in the same conditions in which the right or interest has been damaged, and will not be commented upon." Unfortunately, the Press Law doesn't have a similar provision. However, the Civil Code offers protection under the institution of "obligations resulting from damage."

"Statement" is defined as "any information on a fact, an opinion or an idea spread in writing, by sound and/or image."

Besides repeating articles from ECHR and the Constitution that raised no doubts, the Resolution refers to ideas in the Constitution but which are not in ECGR: "It is forbidden and legally punishable to challenge and defame the state or the people, incite to war of aggression, to national, racial or religious hatred, to discrimination, territorial separatism, public violence as well as other actions that challenge the constitutional regime." We should point out that some of the statements above (challenging the state and the people, other actions that challenge the constitutional regime) do not correspond to the restrictions stipulated in ECHR: "national security, territorial integrity or public security, preserving order and preventing crime, protection of health and morals, protection of others' reputation or rights, preventing the disclosure of confidential information or guaranteeing the authority and impartiality of the judiciary." On the other hand, the Constitutional Court issued another resolution on 14 October 1999, which found disapproval among many. This was an interpretation of art.4 in the Constitution. The point of contention was the statement: "The constitutional provision regarding the precedence of international regulations of human rights has effect on domestic laws and other normative acts. This provision refers to all laws, regardless of the date of their adoption. However, international treaties take precedence only in the case of domestic laws but not in the case of the constitution." Also, the RM Law on International Treaties of 14 September 1999 provides in art.22 the following: "(1) The Constitutional Court, when appealed to in accordance with legislation, rules on the constitutionality

of international treaties, to which the Republic of Moldova is signatory or on some of their provisions. (2) International treaties, to which the Republic of Moldova is signatory, and which the Constitutional Court has found to be incompatible with the Constitution of the Republic of Moldova, will not come into force and will not be applied.” All is fine until a citizen of Moldova challenges the constitutional regime, is sued and loses all trials inside Moldova, appeals to the Court in Strasbourg, which rules that such a restriction of the freedom of expression is unnecessary in a democratic society, and the Republic of Moldova is fined on grounds of considerable moral damage, fines to be paid from the budget. On the other hand, in such a case art.8.2 from the Constitution should come into effect: “The coming into force of an international treaty that contains provisions contradictory to the Constitution will be preceded by a revision of the latter.” This, however, has not happened, and the provision remained as quite a dangerous incompatibility, which could not be removed by the SCJ Plenary as this falls under the jurisdiction of the legislature.

Further on, the resolution reflects the text, which has to be supported by any restriction claiming legal status: 1) the restriction must be provided for expressly and clearly in a law; 2) the restriction must be “necessary in a democratic society” and it is to be observed when the applied measures are proportional with the goal pursued or, in other words, the public interest to be protected; 3) the restriction must pursue one or more goals provided in art.2.10 (a condition required by the European Court for Human Rights), while the resolution considers as protected interests also those provided in art.32.2 of the Constitution.

A very positive point in the resolution is that it clearly institutes the right of individuals to criticize political leaders, officials, the government and state institutions. Punishment may follow only when criticism is factually not true or extremely offensive. The importance of the role of the press in informing the public about matters of public interest is confirmed by stating that the press must have a certain degree of freedom in deciding to comment on certain issues of public or political interest.

Another interpretation by the European Court for Human Rights—“The acceptable limits in criticizing political figures or governmental institutions are wider than in the case of individuals, and are generally wider when no specific persons are being criticized”—has also been taken into account in the Resolution of the SCJ Plenary. Nevertheless, the important idea here is that one ought to be very careful when dealing with judges. This is because judges have a special role in society and therefore need the trust of the people, while on the other hand they have quite a small power of protection due to their “obligation of discretion.”

“No one may be punished for criticizing or insulting

the nation, the state or its symbols, except when such criticism or insults are aimed at or are able to incite imminent violence.” This provision respects the spirit of the Convention but contradicts the resolution under examination, because the latter places the precedence on the Constitution, which prohibits the challenge and defamation of the state, the people, as well as other actions challenging the constitutional regime.

One of the most important provisions sets a distinction between facts and value judgments. I would like to remind you that it was this interpretation by the European Court for Human Rights, which the Court first made in the famous *Lingens vs. Austria* case, that served as the main reason for the Helsinki Committee to rule that art.7 and 7.1 in the Civil Code were unconstitutional. The Court thus ruled in the above-mentioned case: “Facts can be proved, while the truth of value judgments cannot be proved. The requirement to prove the truth of value judgments cannot be fulfilled and is thus a violation of the right to free expression.” An individual cannot be held responsible for opinions or comments on certain events, circumstances, etc., whose verity it is impossible to prove. Let’s take an example of a statement: “I believe that the candidate for mayor is absolutely unfit for the position, because so far he has not achieved anything as mayor and during yesterday’s meeting he insulted another candidate violently, an act which shows lack of proper upbringing, professional ethics and intolerance to any criticism.” If the journalist is being sued for damaging the candidate’s honor and dignity, he will have to prove only the verity of the facts mentioned, that is the fact that there was a meeting yesterday, during which words were said that can be seen as insulting to another candidate, and that the candidate had indeed been mayor. But the journalist cannot be held accountable for not being able to prove that the candidate “is absolutely unfit” to become mayor, because this is a subjective opinion based on facts that can be assessed in various ways. Moreover, the journalist should not even be asked to prove the verity of his statements, which were value judgments. However, one of the points that the Court in Strasbourg emphasizes—and which has been ignored by the SCJ Plenary in its resolution—is the importance of “good faith” in which the journalist should make statements. Statements made in “bad faith” ought to be sanctioned.

It is also stipulated that the dissemination of information on the private and family life falls under art.7 and 7.1 in the Civil Code, if such information damages the subject’s honor and dignity and is false.

Other kinds of information on private and family life are also protected (art.28 in Constitution and art.8 in ECHR), but the protection is rarely effective due to lack of specific sanctions. The resolution adopts the rules set by the Court in Strasbourg and defines the cases when

the right to privacy and family life may be violated; it also defines the status of public figures in this respect.

We should mention that prompt publication of an apology or retraction before the court of law rules on the case is basis for a reduction of or exemption from compensation.

Let's consider two of the Constitutional Court statements and make an evaluation of them. "Art. Art. 7 and 7.1 in the Civil Code are in total correlation with constitutional provisions that protect and guarantee the most important social values, that state that the main obligation of the state is to respect and protect individuals (art.16) by ensuring to citizens the right to effective action by relevant courts of law against those who violate the citizen's legitimate rights, liberties and interests (art.20)." The second statement: "The court cannot support the statement of the plaintiffs, by which they show that provisions in art.art.7 and 7.1 in the Civil Code restrain the freedom of thought, opinion and expression, proclaimed by the constitution, because the challenged provisions do not regulate such relations but rather involve social relations that include a citizen's right to defense guaranteed

by art.26 para.1 and 2 in the Constitution. According to this article in the Constitution, anyone has the right to react independently, by using legal means, to violations of his/her rights and liberties. This provision is reflected in art.7 of the Civil Code." These articles can be seen as justified because of their constitutionality. The problem, however, is not linked to constitutionality but to interpretation. In this sense, the resolution of the SCJ Plenary is a very welcome one, even though it highlights some problems with our legislation.

However, para.1 of art.7 ("Protection of Honor and Dignity") of the Civil Code—"Any individual or legal entity has the right to require through a court of law the retraction of information damaging to his honor or dignity, if the disseminator of such information has failed to prove its verity"—requires a legal interpretation of "information," so as to observe the ECHR requirements regarding the inadmissibility of requiring proof in the case of value judgments; alternatively, the article should be amended so as to conform to the requirements of the European Convention for Human Rights.

### Our Guest

## Joel C. Martin: "In a country like Moldova the free press is more important than the free market"

*Joel C. Martin is one of the representatives in Moldova of the American Bar Association, Central and East European legal mission, which is a project of the lawyers working on legal reform in Moldova. He has been here for about a year.*

**Mass Media:** In your introduction to a collection of documents regarding the access to information in the RM (published last summer), you mentioned two events which, in your opinion, were consolidating our democracy: The adoption of the Law on Free Access to Information and the ruling on defamation in the mass media, issued by the High Court of Justice. In what way are these events so important to us?

**Joel C. Martin:** Let's take them separately. The access to information law is a law that has been in development for a long time. The Independent Journalism Center has worked on it, other media representatives have worked on it, citizens have worked on it, parliamentarians have worked on it. It creates the presumption that information held by public agencies is public, it gives citizens the right to look at that information and it sets penalties on officials who refuse to give it. In many countries the presumption runs the other way. It is presumed in many countries that information held by public bodies is not accessible to the public, so reversing

that presumption makes an enormous difference. Information is power; in democracy power belongs to people and this law makes it possible for the people to have access to that power by having access to information. So it's a very important law, not just for every citizen of Moldova, but perhaps particularly for journalists... It gives the journalists no bigger right but the same right as any citizen to get information if it is *public*, to get it quickly and to have a way to protest if the information is not provided. There are a few exceptions: business secrets can be protected; secrets having to do with national security can be protected, but notice that the law says that anyone who claims that information is to be withheld because of national security must demonstrate why that is so. A lot of countries hold back information saying that it is dangerous for the country to let it out, when, in fact, what's going on might be embarrassing for the country; embarrassing is very different from dangerous and this law makes it clear that it has to represent a real danger. So the law itself is a major

step forward. It would be important by itself if that would be the only thing that would happen.

The reason we published the booklet on access to information is because the other event of last summer, which was the Supreme Court of Justice opinion, is equally important and in some ways for journalists it may be even more important. What the Court did was to review an older case and to review it in the context of the European Convention for Human Rights, particularly article 10 of that convention, which has to do with freedom of the press.

On my way back I might say that every country has difficulty in balancing the freedom of the press with people's right to privacy. Every country has a problem with that balancing, and in Moldova the Constitution first guarantees the freedom of the press but it also guarantees the right of every individual to the protection of his honor and dignity. And so the balance between those two things is a challenge to get right. The Constitutional Court was given the opportunity to do that earlier this year, I think it was in the spring, and it did not; it had a chance to write a decision which would strike the correct balance between the two, but did not do it, so it was particularly gratifying when The Supreme Court of Justice took on that test and in fact did do it. What it has said is this: the Constitution protects the freedom of the press, the Constitution protects honor and dignity, but, said the Court, public officials who choose to live their lives as public officials by doing so surrender a certain amount of their privacy, and in surrendering that amount of their privacy, they are permitting the press to comment about their public activities and to comment about it with more freedom than if these officials had remained private citizens. The way that works in practice is this: the public official who believes that he or she has been slandered or defamed in print or in any kind of media by a private citizen may bring action to get an apology, to get damages and so on. But, first of all, the public official has to prove that the statements made were false, were defamatory, that is to say, called the public official's reputation into question and that the public official has suffered damage as the result of the statements.

A false statement may be made when it does not damage the reputation: I may say that so and so snores when he sleeps. That would be false, let's say, but it wouldn't be particularly damaging. Those requests that the public official has to meet in order to get this case to go forward is another important aspect of the decision and that has to do with the standard to which journalists are held when making their investigation. It happens that this standard is very similar to the one that took in the United States about a 160 years to develop and it's still developing in some ways..., but it's a standard that says: Even if the statement is false, even if it's false and defamatory and damaging, the journalist is not necessarily liable, he's only liable if he acted recklessly or intentionally in making this statement. So, for example, a journalist has it from what he believes to be a reliable authority that so and so is a thief, publishes that statement, the person brings suit and it's established that this is false, he is not a thief, and it's established that this is damaging to the politician, that it has caused some kind of harm. The journalist is not necessarily liable unless it is also shown that in saying the man is a thief the journalist acted recklessly

or intentionally. If he relied on sources on which the journalist had ordinarily relied, then he is not going to be liable. So that's why these two events are different, but taken together they are both very, very significant in expanding the protection for a journalist. Part of the problem in Moldova, as I understand it, has been not so much that these lawsuits are bad—although many of them are—but that they are brought at all, because the threat of the lawsuit, no matter how it turns out, is something that has caused real fear in journalism and in publishing. So, by removing that source of fear, I think that this law has become a very, very significant law.

**MM:** Let's go back to the law on access to information. In which aspects it needs to be improved?

**J.M.:** Let me say generally that there are many laws on access to information throughout the world. The first of them as I understand was one that was passed in Sweden in the 18th century. None of these laws is perfect, each has its own defects. I think that this law might conceivably be improved by having a tighter control over some of the exceptions, but really my criticism of the law is very-very-very small. I think that the fact that it was passed is extremely important and, really, it's a pretty good law.

**MM:** Recently, MP Vasile Spinei came up with the idea of revoking the Press Law, which is currently in force. He said that the law, adopted in 1994, is imperfect and of no use in the present-day conditions because it does not fully guarantee the freedom of the press. Do you agree with him?

**J.M.:** I would have to say that I don't know enough details of the press law to be able to say confidently whether I agree or not. I will say, however, that the less law applies to press, in my opinion, the better; the fewer laws there are, which limit or restrict the press or require registration or in any way create government control over the press, the better off society is. There is a price to pay and the price is that sometimes there are irresponsible, careless, even damaging journalists and newspapers and publications. But that price in most societies has been considered to be worth the benefit.

**MM:** How much does the freedom of the press in our country depend on legislation and how much on the *implementation* of good laws? To put it in other words, what is our biggest problem: lack of a good legislation or a bad implementation of the adopted good laws?

**J.M.:** I'm not even sure it's either of those. The problem, it seems to me—and this is based really on my observation of being here for a year, which I certainly would not suggest is providing me with the complete feel—is that some parts of the press are controlled by political parties and used for political purposes. When that happens, the public, the reading public, the viewing public develops an attitude of suspicion, mistrust, disbelief towards the press.

I think it's probably as damaging as any law could possibly be. Another thing I would say is that I think the press in Moldova has been underfinanced, the publishers have not had the financial ability to assign reporters, let's say, to a large piece of investigative journalism. Historically, press laws and defamation laws have been damaging to the press because they have scared off a lot of publishers and a lot of journalists. My own belief is that the press needs to

*Our Guest*

first free itself from political influence. Second, it needs to free itself from fear and that second part is difficult because we are talking about human beings, not about machines, and human beings worry about their lives, they worry about their incomes, they worry about their futures, they worry about their families, they worry about their reputations. So I don't mean to suggest that it is easy, but I think it is necessary in a free society that the newspapers be perhaps even freer than most. I might say in addition to that that the real Supreme Court's opinion is to say that journalists are freer than most to make errors; if they make the error out of recklessness or if they make it intentionally they'll be liable, but they are not liable simply for making a good-faith error and that's an important piece of freedom that the Court has extended.

**MM:** You have referred to political dependence. But how much, in your opinion, is the quality, the objectivity of our press a money problem and how much is it an ethical one?

**J.M.:** Again, let me first qualify what I say. I read only one local newspaper regularly, and my Romanian is not good enough to read it so that I'm sure I understand everything, I am sure I am missing some things, so I'm certainly no authority on what the press says. What goes along with press freedom, what accompanies press freedom and only if it accompanies press freedom you will get a public trust—this is what you describe as journalistic ethics. It is not, in my view, a service to the public for a newspaper to get affiliated to a political party. In an opinion paper, sure—a journal of opinion, a journal of criticism, a journal of views affiliated with a party—it goes fine because people understand what the stand of the publication is, but a newspaper that is used as a political weapon is a very dangerous thing and, in my view, unethical.

**MM:** You are probably familiar with the so-called "C.A.I.R.O case"—a group of young people who studied in Romania and in some Western countries. They sued the Broadcast Council and a number of radio and TV stations for violation of the Moldovan Broadcast Law, which mandates every channel to broadcast at least 65 percent of its programming in Romanian. They won the case in the Court of Appeals but, after that, the Parliament changed the Law. My question is: Do you think the young people were wrong—some people called them extremists and even fascists—or is it the Parliament who made the mistake of adopting such a law and then changing it? Or, maybe, nobody is wrong or everybody is wrong in this case?

**J.M.:** It's a complicated case and I've discussed it fairly enough with Moldovans. To one of these people I've said that I didn't agree with his view, but if I were a Moldovan I might. I come from outside this society and therefore I had a view that I might not have if I had grown up here. There are legal issues and there are, I think, some issues having to do with the freedom of the press and the freedom of the market. Someone asked me whether the press is regulated in America. My answer to that was that it is regulated in two ways: One by the government—there are very, very few regulations that the government puts on the press. And there are no special regulations on the press that don't apply to every other corporation. But there is a system of regulations, which exists simply because of the free market. So, for example, if there is a radio station that

broadcasts entirely in Chinese and there is an audience that wants to hear broadcasts in Chinese, advertisers will pay to keep this stations running and the station will survive. If the station broadcasts in Chinese and there is no such audience the station will not survive. There are many radio stations in the states that broadcast in languages other than English, some of them full time, some of them part time.

Now, if you take that system of market regulation and apply it to the situation in Moldova, it seems to me the conclusion must be that people want to hear the broadcasts that are coming out even if they are less than 65 percent in Romanian. That's the sort of market argument that can be made and I think, from my history and my point of view and my belief of how the market works, I think that kind of regulation works fine. When I had arguments with Moldovans about it, particularly when I had arguments with Moldovans who didn't agree with that decision, I said to them that if I were Moldovan I might agree with you because language is such a highly political issue in this country. It is less so in the United States although I will say that in some states, in some areas of the country language is becoming a political issue as well.

**MM:** California, for example.

**J.M.:** California has had a referendum on the subject; the use of Spanish has become much more troubled in southwest... There are legal questions as well... Was the Court of Appeals right on the law? It seems to me it was. Was it in conflict with the Constitution? I don't know, maybe that's an argument that certainly ought to be made, I think it was made by the CAIRO.

Is the Parliament correct in amending the law in the middle of the lawsuit? Parliaments always amend laws. There are additional questions that are raised if the law is changed in the middle of the lawsuit. It's more important, I think, in the criminal law than it is in civil law. For example, if I am walking across the street when there is a red light and I shouldn't be, that may be a very minor, almost insignificant violation of the criminal law; and let's say I'm charged with it and in the middle of the trial the Parliament changes the law to say that anyone who crosses the street against the red light is sent to prison for two years. Well, I have a legitimate complaint that if I'd known of these two years I certainly would not have done so. So there are serious arguments against changing the law and having it applied to anything that's happened in the past.

The free press is a more absolute value in my mind than the free market. I am not a strong believer in a free market as I am in the free press and I think that in a country like Moldova the free press is more important than the free market.

**MM:** But maybe they are connected, the free press and the free market?

**J.M.:** They may be connected. I think time will tell us more about that but if I had to choose in Moldova between the free press and the free market, I would certainly choose the free press because that's more likely to lead to the free market. Choosing the free market will not necessarily lead to the free press.

**MM:** Thank you very much.

## Colloquium

Mihail  
GUZUN

# The fear of patriotism

Since the term “nationalism” has a controversial nature, it has been often noticed that the press interprets it with some ambiguity. For instance, in Romanian (as Camil Muresanu writes) the word “nationalism” has a semantic aspect that basically means exaggerated manifestation of the national sentiment, while in English and French this term shows the normal symptom of the national sentiment, which is not separated from the excessive one (Camil Muresanu. *Natiune, nationalism. Evolutia nationalitatilor*. [Nation, Nationalism. The Evolution of Nationalities] Romanian Cultural Foundation: Cluj-Napoca, 1996, p.19). Hence the permanent misunderstanding and irritation when reading Western press writing about “acts of Moldovan nationalists.” Such stories are interpreted and used by the press that still harbors a feeling of nostalgia for the former authoritarian and anti-national regime. By anti-national I mean the regime that opposed the struggle of peoples for independence, such peoples perceiving their struggle as a legitimate manifestation of their national feelings and as a justified expression of the search for national identity.

I ought to state though that the strife of the people living between the Prut and Nistru rivers to discover (or maybe even re-discover) their national identity represents one of the most difficult but also one of the most controversial problems that the Moldovan society faced after Moldova appeared on the map of Europe as a separate state—the Republic of Moldova.

**Who are we? Where do we come from? What will happen to us tomorrow? What’s our place in the European and world communities?** These are just several questions to which we had to find answers. Especially since history has offered to us an excellent chance to do it.

Naturally, after “the night of Red totalitarianism” ended, other questions sprang up. They were largely generated by the specific situation of the Republic of Moldova: **What language do we speak? What ethnic entity do we represent? Which is the idea that should unite and mobilize us for the realization of our aspirations?**

The mass media couldn’t but become involved in the process of national revival. Moreover, the perpetuation and affirmation of national identity, the awareness of being part of a nation can be accelerated when there is a well-developed information flow; the mass media are in this sense an ideal instrument for the rediscovery and promotion of national ideas and values. On the other hand, in the natural course of things the mass media take upon themselves—to a certain degree—the task of coordinating the efforts made in this direction by other institutions and public bodies. This would make for a maximum engagement in this process of all interested forces and resources. Thus a solidarity of efforts

from all participants in this work could be obtained as well as a systematization of all actions undertaken.

As one has noticed from practice, the media reflect the “national issue” in various forms. The means they choose for this and the angle through which they approach such subjects depend on the political slant of the corresponding publications.

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Now we will zoom in to several relevant instances from mass media work. I would like to mention in this respect opinion polls organized and carried out by the media. Such polls allow for an emphasis on some fundamental ideas or events with a strong social, political, cultural, etc. impact. Obviously, these are not true opinion polls; the results obtained don’t have the weight of the polls carried out according to all polling rules. The goal here is to make the public opinion aware of a topical issue, to find out the opinions existing in society on this issue, which will encourage a more thorough look at the issue.

The newspaper *Tinerimea Moldovei* was among the first to make polls on the issue of relations between nations after *glasnost* was announced. In one of its issues (August 13, 1989) this paper published a poll entitled “What is an internationalist patriot?” It included 11 questions asked of the readers. They were asked to explain their understanding of notions such as nationalism, national pride, chauvinism, extremism, conservatism, patriotism, internationalism. They were also asked to name the country they perceive as their fatherland—Moldova or USSR—or alternatively, to say whether they thought that people could have more than one fatherland.

In January 1990, *Tinerimea Moldova* published the results of their poll. To the first question—What do you think patriotism is?—only 25 percent of the respondents answered in a way that may be called “close to the right answer.” More than 46 percent didn’t answer this question at all, while 9 percent “gave absolutely wrong answers.”

Some 24 percent of respondents couldn’t answer the question “What do you think extremism is?”, while 10 percent answered it without thinking much about the answer. Sixty-five percent couldn’t define “extremism.”

We are not claiming a comprehensive conclusion on the issue based on these answers, but it is clear that the responses obtained by *Tinerimea Moldovei* (renamed today to *Tineretul Moldovei*) indicated an alarming phenomenon for that period among part of society—the lack of at least a minimal level of political culture. It is clear then that it was very difficult to build on such ground a foundation for durable national relations.

Colloquium

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The *Contrafort* magazine carried an interesting debate between July 1995 and February 1996. The subject of their discussion was the Romanian nation's patriotism and nationalism. The discussion involved personalities from the literary, cultural and political walks of life from Romania and Moldova, who were asked to give their opinions on the following issues:

1. How would you characterize Romanians' national feeling during totalitarianism? What shapes did it assume and what impact did it have on efforts to mobilize the anticommunist resistance in Moldova as compared to other East European countries?

2. What is the relationship today between nationalism and patriotism in Romania and Moldova?

Below we are reproducing several answers to these questions, but without commenting on them because they represent a continuing struggle of ideas:

"Patriotism is the reality and the background on which nationalism builds and exists. I am a nationalist, that is I express my patriotism, I make it known, I take responsibility for it, I justify it. True nationalism is not aggressive, primitive, intolerant. Nationalism is holy. It is the weapon carried by the feeling of belonging to a nation that you have assumed." (Angela Marinescu).

"The relationship between nationalism and patriotism is an interesting one. These concepts are not only far from being synonyms, but sometimes they are not even proportional. Excessive nationalism instantly becomes anti-patriotic. When the national feeling is placed at the center of an ideology (hence when it is politicized) we stand one step away from **ethnocentrism** and two steps away from **ethnocracy**. Other nations (including the ones we live together with) automatically become "aliens" and "foes." There is less than one step to **xenophobia** from here." (Andrei Oisteanu)

"In [Moldova] ... the issue of patriotism and national feeling is somewhat different as compared to its shape in Romania. What does it mean to be patriotic or what does "national" mean to Romanians in [Moldova]? Should they declare their faithfulness to an artificial state ... created as a result of decisions taken a long time ago in the capital of an empire that they say no longer exists? Or should they fight—hopelessly today, but who knows tomorrow—for reintegration, for reunification with Romania?" (Gabriel Dimisianu)

"Nationalism today is not a problem concerning one nation or another, but it is rather a world-wide problem. Depending on the angle, degree and seriousness of the approach to this problem, even The Book is being used." (Leo Butnaru)

"Patriotism means love for one's land and nationalism means love for one's nation. And since a nation fulfills its role inside a country, the attachment a Romanian feels to other Romanians and to the country of their nation, Romania, is both nationalism and patriotism at the same

time." (Iurie Rosca)

"I am against nationalistic feelings. I am a Romanian patriot. I think I am a Romanian just like the Romanians in Chisinau, the ones in Bucovina, or the ones in America—there is no difference to me just as I have no complexes of any kind, whether of superiority or inferiority, regarding other patriots: whether Czech or Hungarian, Russian or Ukrainian, American or Spanish. Each individual is preordained upon birth to love their parents, childhood, the place of birth, regardless of whether they are aware of such ties or not." (Stelian Tanase)

"What is our patriotism at the moment? The patriotism of those still under foreign domination. How could one contribute to a common cause? Here are several landmarks I suggest: recovering, person by person, those alienated from national ideals, those lost in the quagmire of indolence and apathy; bringing the souls back into the light of the natural and of understanding; moral cleaning; overcoming the identity crisis. That is, one should undertake both patriotic and nationalist actions." (Vasile Levitchi)

"Given the fact that the national feeling has always been an essential element when defining national identity, *Romanians almost never interpreted national feeling as political patriotism, that is towards installing a culture of political freedom. It has always been interpreted as nationalism.*" (H.-R. Patapievici)

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Obviously, the discussion was not closed through this poll, and whatever closure there was it was only formal. It is something else that's important here. In conditions of a plurality of opinions, as we have seen in the fragments reproduced from *Contrafort*, even when there are differing opinions regarding an idea—as it is natural—we should not go beyond the boundaries of a **solidarity of principle**. In this respect I would like to mention an observation made by Florin Platon, one of the participants in the discussion: "Difference doesn't have to mean **opposition**; at least it doesn't mean only opposition. Besides alienation it also implies—by correlation—dialogue, exchange, rapprochement, that is a **positive** relation to 'the other.' The feeling of one's identity is formed not only by exclusion, rejection and refusal, but also by communication and learning. These are two complementary sides."

Practically all the media publish, to a larger or smaller extent, articles debating patriotism and nationalism in the specific environment of the Republic of Moldova. *Flux*, *Saptamana*, *Literatura si Arta* have published materials on the "state language" and the implementation of relevant legislation, on ethnic identity and national minorities, on the official policy regarding inter-national relations, on the national idea and ideals. However, the diversity is too wide when such issues are approached. Such diversity creates certain difficulties in the creation of an awareness of ethnic origin, of the Latin origin of our language and national culture among a considerable part of the population. It creates difficulties in establishing a national idea that would bring

together the entire community. This diversity oftentimes leaves journalists powerless, because they feel that their efforts to form a national consciousness have no chances for success. For instance, *Flux* (July 28, 2000) published a page dedicated to the state insignia of Moldova under a common title "We Don't Know Our Insignia Because We Don't Love This Country." The editor in charge of the page didn't even try to conceal her feelings; she said at the very top of the section "Sincerely on Patriotism": "In order to make things clear from the very beginning, I ought to say that I don't believe in the statehood of the Republic of Moldova, which has been artificial from the very birth. The natural identity of the Romanians on the left side of the

Prut river can be attained only through unification with Romania."

We believe, however, that this problem is of too vital an importance to this nation to be ignored. We believe that the press should yield less to passion and show more judgment and statements of fact. The press should find the spiritual wavelengths that tie the minorities in this country to the life of this country, and offer space to the various opinions existing in society. Only on one condition: to show solidarity in issues of principle. However, for now this condition is only wishful thinking.

**Larisa**  
**UNGUREANU**

## We Inform, You Inform, They Inform

Last summer UNICEF organized a seminar "The Mass Media And the Rights of the Child." The moderators of the seminar were from Great Britain; they were experienced journalists working for the Press Wise Trust. The goal of the seminar was to encourage media professionals, who write about children's issues, to think about ways to protect children's rights and to help children play a role in the mass media, especially by informing the adults about their problems. Another goal of the seminar was to generate a need for dealing with children in a responsible way among journalists, urge them to think about the impact of the behavior adopted towards children, as well as about the effect of the decisions adults take regarding children.

I ought to mention that for several years *Lanterna Magica* (The Magic Torchlight) magazine has hosted a permanent section: *The Little Faun's Club*. Members of this club are children with literary and artistic aptitudes, who participate in some artistic events. They write about their artistic activities and publish their writings in *Lanterna Magica*. It was crucial to create this Club: we needed authors who would learn the trade of art criticism in early childhood rather than as grown-ups. No one forced us to do it, but since we had always lacked authors, we decided to give it a try. You never know. Maybe some of our Little Fauns will become famous journalists and critics in the future. That's a noble intention, isn't it? It is, if we examine our ways of thinking. For that's what we have been taught: to choose the best. But we are not an exception. If you listen to the radio, you will hear the most industrious children, those with highest grades at school, those who win contests, write poems, etc. Turn on the TV—the same thing. The smartest, the best of the best are on the screen.

We do have smart children. Talented, too. It would be a pity not to give them a chance to grow, to come into the limelight. We have, indeed, accumulated great experience in this respect, both on radio and TV. A child who writes poetry can see his verses published. Or someone who sings. With the help of parents and friends (the child needs adequate dress, quality recording) such a child will, at some point, end up in a show. In *The Five to Ten TV* show or the *Two Hours With the Most Beautiful Children of the Capital* show such a child will become a prince or a princess.

But something is bothering me. Something is wrong. Beautiful, talented children. But how about the untalented ones? And what if they are also ugly or disabled? Does such a child have no future? Except for the future reserved to the ugly and the disabled, which is as it is in our country.

"We are so far from them!" I was telling myself, full of regret, when I was listening to the British journalists for whom human rights as well as the rights of the child are like the Bible. And I am not even mentioning their behavior and ethics in the mass media. For instance, in English terms such as "blind," "deaf," "dumb," "limp" are considered offensive to people with the corresponding disabilities. The way we treat such people isn't even worth mentioning, I think. There is just one thing to say: in the nastiest possible manner. It may seem that we draw extraordinary pleasure from calling someone "deaf" or an "idiot." This is how a very popular writer in our country behaves during discussions. (Which for him is a manifestation of great love for the corresponding person!) Another writer explained once how inventive Moldovans can be when it comes to nicknames. "In my village," he said in an interview, "everyone has a nickname." In my village, too. Unavoidably

so in the case of the disabled. I remember how much it hurt the children when they were referred to by the nicknames of their grandfathers: “the limp’s,” “the dumb’s.” Or if God had given a child short-sighted eyes, he would always be “the blind” to other children. It hurts me to write about all this, but it hurts even more when I think that we, journalists, are doing mighty little to change the popular mentality. We blame it on the lack of education, which is not always true. In very many countries insulting a child equals committing a crime, for which the person has to answer before the law. (I have read somewhere that in Britain a person was sued for insulting the dog of a policeman by barking at the dog. The dog refused to obey the policeman after it had been insulted in this way. That turned into quite a scandal in Britain!) And all that we, beginner journalists, can do is to have fun when we read about such things in *Izvestia*. Instead, we ought to start thinking about it.

Don’t we love our children enough? If we do, why do we have to think for them, without asking their opinion? Not to mention the fact that the government violates children’s rights all the time. For instance, we can speak about the right to education, which supposedly is free in state schools, but which in fact is not. Or, say, healthcare. One has to pay even for the right to life, because otherwise the expectant mother runs the risk of miscarriage. Lots of examples can be mentioned here.

To be honest, this seminar ravaged my soul. It also made me try to see things a little differently. I am absolutely sure that it is through inertia rather than by malice that children’s issues are reflected in the media in the style of the Soviet press. This now-defunct country showed great care for children. Only it was done in the manner of the Communist

Party, with frontliners everywhere. Hence the drive to speak about the industrious and the talented students, and to attract them into various activities. Which doesn’t have to be a big drawback, we believe. That may even be a good thing. But... Have the children been asked if this is the right way, if their right to education, opinion, information has not been violated? Most of the children are looking longingly at the TV screen, knowing that they will never be watched and listened to, as someone else of their age is being watched and listened to, photographed and filmed. That’s because he or she can sing and draw. Once I heard a mother speaking at a rally. She was speaking about the poverty in villages. I can still remember her words: “Our children are running their eyes dry watching TV. They, too, want to have nice clothes, to be watched by other children. But we don’t have the money to send them to contests, so they can only watch others.” Last summer the *Little Faun’s Club* set up a branch. It was initiated by a group of children, who were on vacation and who wanted to do something to escape boredom. These were children from diverse social backgrounds. None of them had stood out before in any way. At the beginning they banded together according to interests: contests, games, drawing, etc. This helped them become creative. A group of children, called *The Ducklings*, was created. They were busy, and even their parents wondered at how clever and quiet their children could be. This experience gave enormous satisfaction to the *Lanterna Magica* staff. But most important of all was that we saw that when children are listened to, they can overturn mountains. Just like grown-ups.

## Appendix

**Victor  
BOGACI,**

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# Issuing Broadcast Licenses: Law and Practice

Radio frequencies as well as TV channels in Moldova—as in any other country—are part of state property and their use is regulated by the Law on Broadcasting. Radio and TV programs may be broadcast only under a broadcast license and an authorization, both issued by the Broadcasting Coordinating Council (BCC).

When the Law on Broadcasting was passed in October 1995, many private radio and TV stations were already broadcasting in Moldova. (The first private cable broadcasters appeared in 1988).

The Broadcasting Coordinating Council in Moldova was created in January 1996 as an autonomous public

authority to regulate and coordinate broadcasting. BCC is funded by the state. Most of the BCC members are there on a voluntary basis. BCC has nine members, of whom three are appointed by the parliament, three by the government, and three by the president. They are appointed for a term of five years. They are there to protect the public interest in broadcasting and do not represent the appointing authorities.

The absence of a body for the coordination and regulation of broadcasting had had a negative impact before BCC was created. The Broadcast Law was adopted with some deficiencies, which came to the fore in the work of broadcasters later on. Most importantly, the law provided for no effective legal leverage for its implementation. For this reason, BCC cannot take action against those who violate the Broadcast Law, sometimes flagrantly. For instance, between the years 1998-2000 BCC discovered numerous radio and TV stations broadcasting without a license (in Vulcanesti, Cahul, Leova, Taraclia, Comrat, Ialoveni, Criuleni, Straseni, Nisporeni, Rezina, Falesti, etc). In order to stop such illegal broadcasts, BCC has to appeal to the authority of local prosecutor's offices; however, there are no guarantees that such violations will not occur in the future. Our proposals to amend the Law were taken into consideration only partially; this was on 4 June 1999.

The new communication technologies and their use in broadcasting were not regulated by the Broadcast Law and stayed a kind of blind spot in the Law. The audio and visual information carriers—audio and video cassettes, CDs, etc.- were also left outside the Law. This limits population's access to such audio-visual information; this also allows for various forms of violation.

According to the Broadcast Law all free frequencies and channels may be allocated only in open contest, where anyone may participate. It is not easy to obtain a frequency or a TV channel, especially in Chisinau where there are about 12 contenders for each frequency.

Information about such contests is published by BCC (after it has received the information on the available channels and frequencies from the Ministry of Transportation and Communication) at least 45 days before the contest. Usually, such information is published in the Teleradio-Moldova State Company's weekly TV and radio listings.

Applicants are required to submit the following documents to BCC:

- an application for the contest and frequency license specifying the community and radio frequency or TV channel requested;
- a copy of the registration certificate from the State

Registration Chamber of Moldova's Ministry of Justice;

- a copy of the by-laws of the founding company, properly notarized, which should also provide for broadcasting activities;

- the by-laws of the broadcaster, which should conform to the sample by-laws for broadcasters; the by-laws should include telephone and fax numbers, e-mail and mailing addresses;

- the concept of implementing the broadcast project, languages in which programming will be broadcast (percentages), coverage area, information on human resources, the applicant's experience in broadcasting, results of research on the public's interest in the planned or already running programming;

- the daily format, including broadcast languages;

- the equipment planned for broadcasting, including its main parameters;

- applicant's declaration pledging to observe the requirements of the Constitution, Broadcast Law, BCC by-laws, BCC instructions and regulations;

- a declaration on investment (non-investment), whether direct or indirect, in other companies (percentages);

- a declaration on observing the copyright law and related laws, as well as other regulatory acts on the use of intellectual property (literary work, music, films, etc.), and the requirements of the State Agency on Morality Protection in the Republic of Moldova;

- a bank certificate to prove the financial soundness of this project;

- an endorsement from the public administration body in the area covered by the broadcaster;

- the work experience of broadcaster's manager.

All these materials have to be submitted in the state language, signed and sealed.

After the contest deadline, contenders are invited to a BCC meeting to present their concepts of the radio or TV station, human and technical resources for producing shows at a high creative and professional level. BCC members choose a winner by secret vote. The winner is issued a three-year license for radio and a five-year license for television. When the license expires, a new open contest is announced for that frequency or channel. Cable TV licenses are issued without contests.

BCC issued its first licenses at the end of 1996. On 24 December 1996, the first license was issued to the State Company Teleradio-Moldova and the second one to the State Enterprise Radiocomunicatii.

So far about 150 broadcasters have received licenses. The fees paid for licenses go directly into the state budget (and not to the BCC account, as it is sometimes

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erroneously claimed).

The kinds of licenses issued by BCC between 1996-2000 are shown in Fig.1. As one can see in the chart in Fig.2, in 1999 there was a steep increase of 25 times of license fees (the smallest license fee was 9,000 MDL or roughly \$600). The increase in the number and amount of various taxes on broadcasters led to a decrease—in some cases of 13 times—in the number of license applicants. After a decrease of fees in 2000 the situation has somewhat improved.

Besides the broadcast license, broadcasters are also required to have a technical license, which costs 900 lei. The technical license is issued by the Ministry of Transportation and Communication on the basis of a technical project executed in conformity with the MTC requirements. Then the equipment is purchased according to specifications in the technical project, it is certified and installed. After the applicant has secured a technical license, it is submitted to BCC, which issues the authorization decision without any additional fees—this is the permission to broadcast radio or TV programs. This procedure could be simplified by having the authorization decision issued simply on the basis of the technical project and technical parameters submitted to BCC.

Unfortunately, between 1997 and 2000 BCC had to revoke many broadcast licenses (Fig.3). Most of them had to be revoked for violations of art 18 of the Broadcast Law: “The rights warranted by the broadcast license become null if the license holder fails to apply for the technical license within 30 days, or fails—within one year from obtaining the license—to provide the technical requirements specified for broadcasting.” Many license holders did not have enough money at the time of the contest or even one year after obtaining the license, thereby not being able to use the frequencies or channels allocated to them. For this reason licenses had to be withdrawn from the following radio stations: *Juventus* in Balti; *Evropa Plus Moldova* in Balti, Causeni, Orhei; *PoliDisc* in Soroca; *Molda* in Chisinau; *Contact* in Hancesti; *Art* in Chisinau, Bender, Balti; *Nostalgie* in Chisinau, Balti, Causeni, Cahul, Edinet, etc. Licenses also had to be withdrawn from the following over-the-air TV stations: *Orhideea* in Orhei, which failed to go on air for two-and-a-half years after obtaining the license; *Argo* in Chisinau; *Mirador* in Stefan Voda; *Tiras TV* in Sanatauca; *Vestitor* in Straseni; *Bas-Kiuiu*, *Bizim Batan* and *Dooru Yol* in Comrat; *Studio* in Anenii Noi; *RTL-4* in Ocnita; etc.

For three years the radio station *Vocea Basarabiei* (Nisporeni) didn't use its license, *Telecanal-26* (Chisinau)—for 5 years, *Radio Delta* (Chisinau)—for 2

years, *RTL-4* (Chisinau)—for a year and a half, etc. The cable TV station *NIT* hasn't yet made use of its license issued to it in May 1999. Examples of this kind abound. The number of decisions to issue licenses is between 1.1 and 3.1 times larger than the number of used licenses (the fee has been paid for all of those issued). Thus, some applicants are misleading the BCC by participating in the contest without having the financial resources to pay for the license fee or to implement the project. As a consequence, the state and the people stand to lose.

The experience accumulated by BCC has shown that changes made to broadcast licenses have led to nothing else but confusion in records and license validity terms (for instance, *Telecanal-26*, which had obtained its channel uncompetitively before BCC was created, has had it for 7 years).

According to the number of licenses issued, Chisinau county has the largest number—55 issuance decisions, eight revoked licenses and 15 channels and frequencies that are not used at the moment due to failure to meet technical requirements for broadcasting. Balti county comes second, with 31 decisions, three revoked licenses and seven TV channels that are currently not being used. The third place is taken by the Gagauz autonomous region, with 18, three and five frequencies respectively. There are many available TV channels throughout the country—two in Balti, two in Cahul, one in Edinet, two in Gagauzia, two in Soroca, one in Lapusna, one in Orhei, one in Tighina, one in Transnistria, one in Ungheni—which have not been allocated two years after their availability was announced.

The biggest radio and TV stations are located in Chisinau—*Antena C* (four frequencies in different communities), *The Little Samaritan* (11 frequencies), *Hit FM* (10 frequencies), *Contact* (seven frequencies), *PoliDisc* (three frequencies), *Pro TV*, *ORT Moldova*, *Stil-TV*, *TV Chisinau* (City Hall), etc. These broadcasters are opening branches in communities with a large population: Balti, Bender, Cahul, Causeni, Comrat, Soroca, Tiraspol and others, thus widening their coverage area and audience (Table 2).

Most broadcasters in Moldova prefer television (over-the-air, cable, a combination of both, satellite) which comprises more than 70 percent of the total number of issued licenses.

## The largest private broadcasters in Moldova that have obtained broadcast licenses between 1996-2000:

Name of radio/TV Station	Number of transmitters/ Frequencies Used	Counties in which transmitters are installed	Percentage population who can receive broadcasts	Broadcast time (hours)
<b>Radio stations</b>				
The Little Samaritan	11	Balti, Cahul, Chisinau, Edinet, Orhei, Tighina, Ungheni, UTA Gagauzia	70-80	24
Hit FM	10	Cahul, Chisinau, Edinet, Tighina, Transnistria Ungheni, UTA Gagauzia	70	24
Antena C	4	Balti, Chisinau, Tighina,	60-70	24
Contact	7	Balti, Cahul, Chisinau, Edinet, Orhei, Tighina, Soroca	60-70	24
PoliDisc	3	Balti, Chisinau, Tighina	30-40	24
<b>TV stations</b>				
S.I.N.M.	State Network 1		Up to 99	2-3
ORT-Moldova	State Network 3		Up to 90	6
Stil-TV	7 (Network 4)	Balti, Cahul, Chisinau, Edinet, Lapusna, Orhei, Tighina,	50-60	18
TV Chisinau (City Hall)	1	Chisinau	30-40	18
PRO TV	3	Balti, Chisinau, Transnistria	20-30	24
TV DIXI	4	Cahul, Chisinau, Orhei	20-30	24

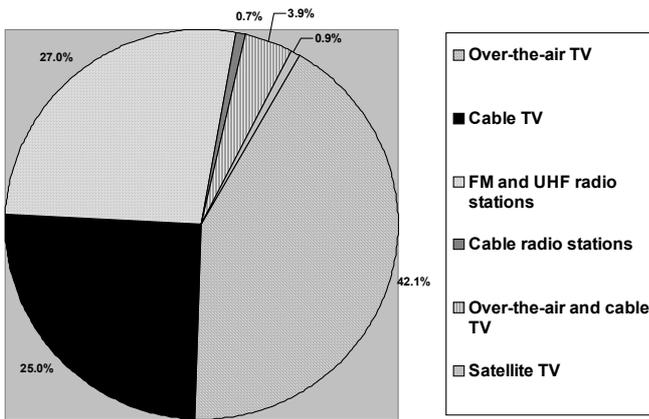


Fig. 1. Types of broadcast licenses issued between 1996-2000

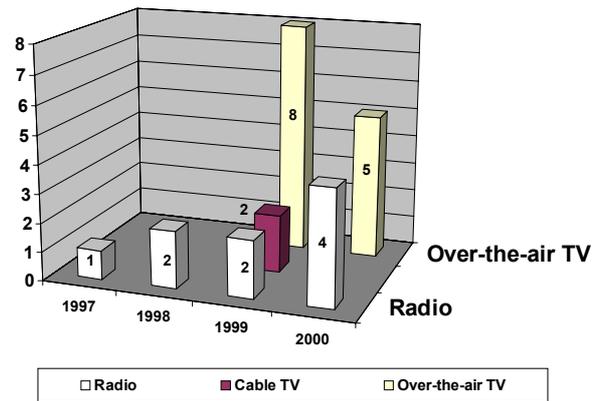


Fig. 3. Broadcast license withdrawal, 1996-2000.

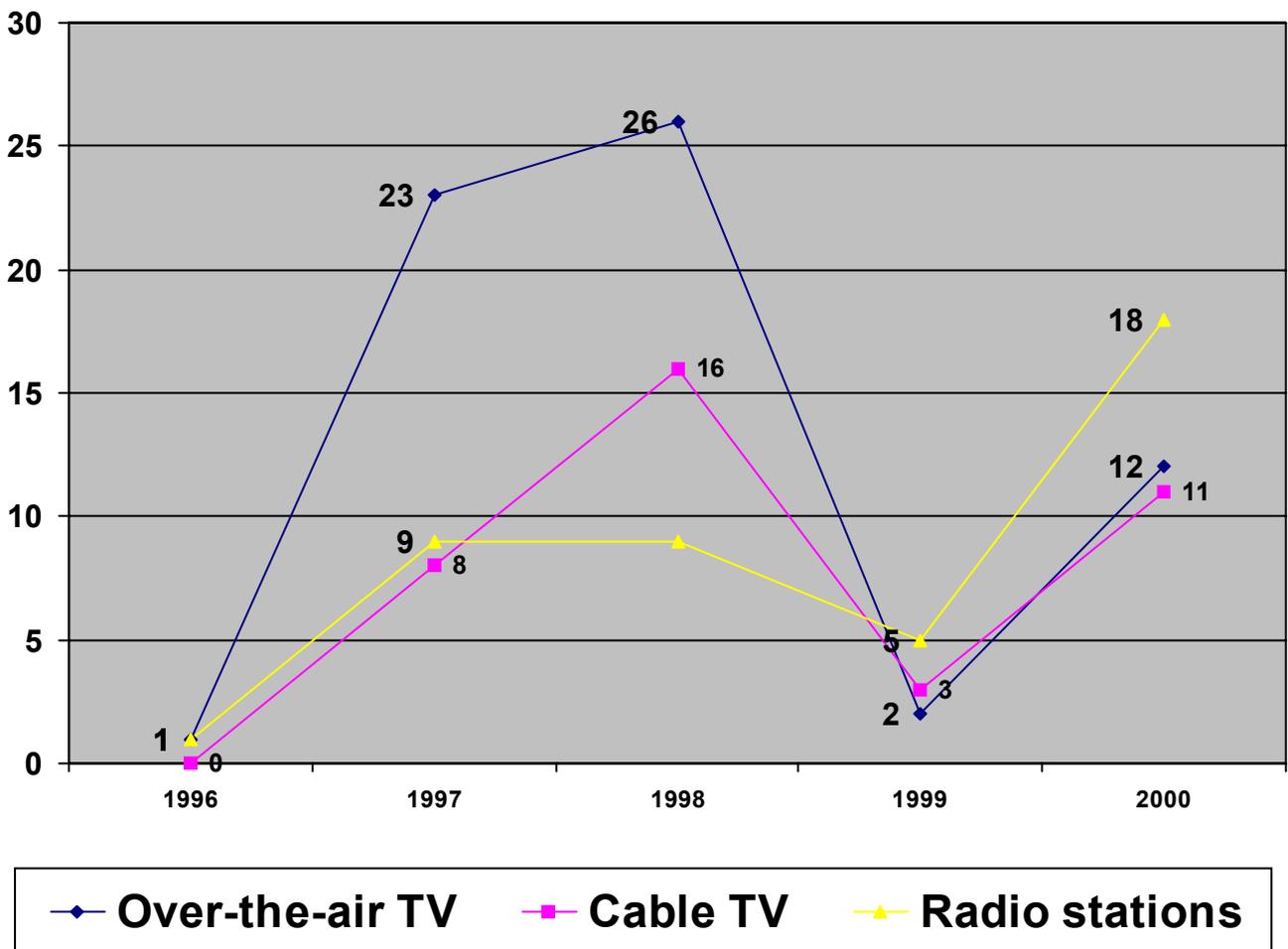


Fig. 2. Number of broadcast licenses issued between 1996-2000.



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