

ON THE SITUATION OF THE MEDIA IN RUMANIA

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In any country, media freedom and independence are the 'spice' of democracy. However, both are predicated on certain institutional and formal conditions as well as on journalists who regard themselves as advocates of civic society. Rumania is still suffering from the after-effects of the communist era. It is true that the freedom of the press improved somewhat after the elections of 2004, but the country still has a long way to go to a consolidated media landscape, although the media themselves provide the 'most dynamic occupation' in the country.

Freedom of conscience, opinion, and religion are all mentioned in Rumania's constitution. Article 30 guarantees freedom of opinion and bans censorship, and Article 31 secures the right to information. Yet a freely expressed opinion may neither detract from the honour of others nor harm national security. What is more, the law is now stricter than it was: the decriminalization of insulting and slandering the nation that was adopted in 2006 was abolished again in 2007, an act which in the opinion of the OSCE constitutes a 'setback in the creation of a friendly working climate for journalists'.

While Rumania has no separate law for the press, the radio landscape has been regulated in law since 1992. Generally held to be politically independent, the radio council's eleven members are appointed by parliament, i.e. by the house of representatives and the senate, as well as by the government and the president. The interests of the journalists are represented by the Rumanian Press Club, the Association of Local Press Owners, the Centre for Independent Journalism, the Rumanian Centre for Investigative Journalism, and the Convention of Media Organizations. Beyond the provisions of the law, there is no ethical code for the media in Rumania, although numerous journalists' organizations have agreed on a code of behaviour. While this shows that ethics are a matter of concern, it also reveals the problems caused by lack of harmonization and differences in the interpretation of the statutes established.

Rumania's media landscape today is quite diverse. Statistics show that 169 daily papers and 1,781 other periodicals existed in 1996. The official organ of the state is the *Official Gazette*. In Bucharest, there are twenty daily papers, and many others are published in the regions. The bestseller among the daily papers is the tabloid *Libertatea*, followed by *CANCAN* and *Jurnalul National*. *Evenimentul Zilei* is regarded as a serious broadsheet, and *Gazeta Sporturilor* and *ProSport* are the most popular sports papers. *Adevarul*, known for the soundness of its reporting, succeeded the pre-transformation publication *Scinteia*.

Supra-regional publications include *Rumania Libera*, *Ziua*, and *7plus*, followed by *Curierul National*, *Cronica Romana*, *Cotidianul*, and *Realitatea Romaneasca*, all with a lower circulation. Beyond these, there are regional and local products among which the bestseller is the *Gazeta de Sud* in the South of the country. Finally, there are five Hungarian-language papers as well as other state-subsidized periodicals for national minorities such as the *Allgemeine Deutsche Zeitung für Rumänien* which addresses the German minority.

Supra-regional weeklies include the satirical *Academia Catavencu* as well as *Capital* and *Formula As*. Furthermore, there are television periodicals such as *ProTV Magazin* and *TV Mania* as well as special-interest products like *Unica*, *Cosmopolitan*, *Elle*, *Burda*, *Avantaje*, and *Lumea Femeilor* for women, *FHM*, *Playboy*, *Penthouse* and *Hustler* for adults, *Bravo* and *Popcorn* for the young, and *AutoMotor&Sport*, *Auto Show*, and *Auto Mondial* for car enthusiasts.

In the television sector, private channels are booming. There are two public-law TV channels – TVR1 and the culture channel TVR2. In addition, there are two international satellite channels (TVR International and TVR Cultural) as well as diverse regional stations. Private channels include ProTV, Antena 1, Prima TV and the news channels Realitatea TV, N24 and Antena 3. Acasa TV, Pro Cinema, OTV, TV Sport, National TV, B1TV, and Etno can be received via satellite. In Moldova, the state operates TeleRadio Moldova as well as two radio stations, Radio Moldova and Radio Moldova International. The private Rumanian-language channel in the region is ProTV Moldova. The nationwide cable network carries as many as 40 programmes – HBO, Hallmark, Fox Kids, National Geographic, Animal Planet, Eurosport etc.

In the public-law radio sector, there are four nationwide as well as one international and various local and/or regional stations. A private station that has been on the air for nearly ten years is Europa FM, followed by Pro FM and Radio XXI. Further down on the list, there are Kiss FM and Star FM.

The part played by the internet in Rumania is not very big as yet. Popular portals include Hotnews.ro, Kappa.ro, Romania Online, Bumerang, Apropos, Home.ro und Portal.ro, although only a few of these offer any serious journalistic content. Much-visited sites with a press-like character include Evenimentul Zilei Online, Gazeta Sporturilor Online, Prosport.ro, Libertatea.ro, and Ziare.com.

The leader among the private news agencies is Mediafax which carries a daily average of 450 articles on society, the economy, politics, culture, sports, and entertainment. The official agency of the state is Agerpress, which has 90 subscribers. Publishing fourteen daily, weekly, and monthly bulletins in print and online, it also serves the Hungarian-language media in the country. Lesser agencies include Rador, Standard Media, Roment, and News In.

Following a phase in which monopolies were abolished and relevant laws re-organized, ownership in the media sector is beginning to concentrate again. In principle, the law obliges all legal entities to publish their holdings in the commercial register. Unfortunately, this is hardly ever done, opening the doors to mismanagement and corruption and enabling the rise of influential media tycoons and/or the development of oligopolistic market structures in the radio sector.

The key player with 16 products and a share of 30 percent in the print sector is Ringier, a Swiss publishing house that holds *Libertatea*, *Pro Sport*, and *Evenimentul Zilei*, the magazines *Capital*, *TV Mania*, *Unica*, *Bravo*, and *Bolero* as well as – together with the Turkish Dogan group – the TV channel Kanal D. The biggest German owner is Burda. Edipresse AS Rumania, the biggest publisher of magazines in the country, is a joint-venture between the Swiss Edipresse group and Axel Springer.

The radio sector is led by the MediaPro group with its shareholders Central European Media Enterprises and businessman Adrian Sarbu. In addition to the largest private TV network and numerous stations, it owns a number of magazines, the MediaPro Film Studios in the vicinity of Bucharest, a video company, and a music house. Another business tycoon is the founder of the Rumanian Conservative Party, Dan Voiculescu. He owns the Intact Media group as well as several wireless stations and daily papers. His opponent in business is the Realitatea- Catavencu group. Germany's ProSiebenSat.1 and the Lagardère group are represented as well.

Rumania's public-law radio stations are financed by subscriptions, advertising revenues, and state subsidies, which makes them rather susceptible to pressure from business and politics. Critics repeatedly spoke of 'governmental remittances granted to avert criticism', the 'limited tolerance of the government towards critical media', 'Berlusconization' and, looking back, of 'years [...] of extremely vehement threats and suppression attempts'.

There are other factors which had a negative effect on journalistic independence in the last few years: advertising for government-owned firms has doubled its share in the revenue of the media, there are several journalists who used to work for the secret service, and the influence of former stateparty politicians on the media continues unabated. Media employees are said to receive frequent gifts from state enterprises and public institutions with close political contacts. The bad state of the infrastructure that connects different localities is unsettling as well because it encourages the formation of local networks among politicians, businessmen, and the media. Another matter of concern is the persecution of supposedly critical journalists, such as that experienced by two editors in 2006 who were charged with disclosing sensitive

information about actions of the Rumanian military in Afghanistan and Iraq. Finally, the media tycoons themselves interfere with editorial work: in 2007, for example, Dan Voiculescu had a programme aired on Antena 3, a station that belongs to his empire, which informed the former minister of justice, Mrs Macovei, a symbol of the fight against corruption, that her opinion was not wanted on his family programme.

It is encouraging, however, that there are cases of resistance against pressure by politics and the economy: thus, three ministers were ousted in 2004 because investigative journalists had succeeded in proving corruption against them.

Now, to what extent do the media in Rumania regard themselves as advocates of civic society? Many print media have turned into entertainment periodicals. On the wireless, coverage of political issues has given way to sensationalism. Often, fundamental ethical principles are hardly given consideration. After phases in which the media were highly sensitive towards social mismanagement, corruption, and abuse of power under Mr Iliescu and the freedom of the press blossomed after Mr Basescu took office, the election campaign of 2008 was a setback, probably caused in part by the disciplining effect of the run-up to Rumania's accession to the EU.

Media freedom is predicated on institutional prerequisites. It will be necessary to decriminalize slander and libel, clarify the ownership situation on the media market, disentangle the media from business and politics, and improve the legal security of journalists. The practice of obstructing the work of the competition council must end, and it would also be desirable to rediscover ethical standards. Besides marking a return to the codes already agreed upon, this would also indicate that the Rumanians have made one of the EU's essential functions their own – that of a community of values.

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