

## **From Statements to Action: Reforming the Framework for Media Freedom in Moldova**

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With the June assumption of power of a new government in Moldova, there is renewed interest in addressing key legislative challenges to media freedom that have long stood in the way of its democratic development. The new coalition government has expressed a commitment to improving the legislative environment needed to ensure media freedom in the country. Freedom House commends the new government's desire to make progress in this important area, as well as their openness to continue engagement with civil society actors in this process. This is underscored by the Moldovan government's kind support and agreement to co-host a diplomatic briefing in cooperation with Freedom House, Internews, and Moldovan civil society here on the sidelines at HDIM.

Until 2017, efforts by civil society organizations to encourage improvements in media legislation and policy were not taken into account by parliament or government. Beginning that year, parliament formed a working group, in co-operation with the Council of Europe (COE), Freedom House, Internews, and Moldovan civil society, with the goal of improving the legal and regulatory environment for media. A number of key laws, including the audiovisual code, were adopted by the previous parliament in 2018 and have since come into force. All of them incorporated input from civil society and international actors, including the Representative of Freedom of the Media (RFoM), for which we commend the government of Moldova. There are three laws remaining, including the Law on Freedom of Expression, the Law on Advertising, and the Law on Access to Information, that need to be updated with input from civil society and the international community in order to address some of the remaining challenges facing media freedom in Moldova.

The Law on Access to Information is particularly important, as shortcomings in the legislation and its poor enforcement continue to affect journalists' ability to bring the right to truth and objective information to the public. Journalists who try to cover politicized issues, such as corruption, are intimidated through various ways, including physical harassment, smear campaigns, or, in the recent past, even the initiation of criminal proceedings. What is more, the Law on Access to Information is undermined by protections of officials' privacy, and is often invoked to refuse release of legitimate public interest information. For the last two years, Lawyers for Human Rights, a Moldovan civil society group, carried out strategic litigation efforts around access to information targeting 15 state institutions, including the Public Procurement Agency, the Ministry of Justice, and the Ministry of Internal Affairs, and achieved seven fully favorable court rulings, including from the Supreme Court. This work can be used as a body of case law that creates important legal precedents.

Concentration of media ownership remains a challenge that must be addressed. Under the previous government, nearly 70 percent of the media was concentrated in the hands of Mr.

Vladimir Plahotniuc, the former vice chairman of the Democratic Party, or his proxies. Smaller local outlets have difficulty competing against better-funded enterprises controlled by powerful business interests and have limited access to advertising revenue. Reforming the Law on Advertising will play a critical role in dismantling the scaffolding of the previous media ownership structure.

Freedom House commends the new government on its recognition of these challenges and its level of demonstrated commitment to making progress on media reform. We urge **Moldova** to move from statements to action. Moldova faces a crossroads under new leadership and, with it, a true chance to make progress towards creating a robust environment where independent media can thrive.

Freedom House calls on **OSCE participating States, and the Representative of Freedom of the Media (RFoM)** to:

- Continue to offer assistance in encouraging Moldova's media reform efforts, including review of legislative, regulatory, and procedural frameworks to uphold media freedom.

Freedom House calls on the **Moldovan** government to:

- Re-initiate the efforts of the parliamentary working group on media legislation, and focus attention on the improvement, review, and passage of the Law on Freedom of Expression, the Law on Access to Information, and the Law on Advertising in close consultation with civil society;
- In consultation with RFoM, develop and implement approaches to improve media pluralism;
- Ensure that journalists can do their work in offering the public objective information and the right to truth without intimidation or harassment.