

Good afternoon and thank you for the opportunity to address you. I will point out right away that I have only a little more than a year of practice as a member of the Audiovisual Council, so in my speech I will refer to this specific period of time.

In our opinion, the role of media regulators in restoring trust in the media is enormous, because only the regulator can, through its statutory powers, guide media service providers to act in a way that promotes the development of audiovisual information following democratic principles and for the benefit of citizens. In the interests of citizens, this means providing information to beneficiaries, not misinformation and propaganda; not serve any political interests, refrain from discourse of enmity, etc.

It is impossible to maintain or restore the audience's trust in the media without securing their real independence, without eradicating or at least minimizing the manifestations of misinformation and propaganda; without providing the viewer with real documented facts and events and include a full range of opinions on a certain issue. News programs should present information objectively and encourage the free shaping of opinions. This is the only way the viewer will trust a certain channel or media.

Following to this principle, the Audiovisual Council of Moldova seeks to fulfill the designated tasks, at least for the current year.

Unfortunately, in Moldova, as elsewhere, fake news bombards the listener with false information, preventing the less aware citizens from distinguishing truth and facts from rumors and lies. The fake news phenomenon is gaining momentum and is becoming increasingly difficult to curb. However, it is possible, at least in part, if the regulator is truly independent in its decisions.

But above all, we need clear, unambiguous rules and transparency of operation of the audiovisual council. Unfortunately, in our work we often encounter lack of an adequate legal framework for effectively combating false news.

In our reality, our main leverage to manage media service providers are legitimate and reasonable sanctions. In this context, during this year, after our monitoring, as well as consideration of the received petitions, the Audiovisual Council registered 52 cases of non-observance of the principles of arm's length relationship, impartiality and dissemination of manipulative and false information in the audiovisual media space. This made us impose sanctions on some media service providers.

Unfortunately, at this stage, the legal framework sometimes leaves room for interpretation, and this misleads both service providers and the courts when it comes to resolving disputes between the Council and TV and radio channels.

It is worth noting that during the election campaigns, and in the period between them, we also encountered such a phenomenon as "political advertising". Unfortunately, the Audiovisual Media Services Code does not provide a legal definition of political advertising. There is no legal definition neither in the Electoral Code, nor in the Law on Advertising. The current law, passed in 1997, is completely outdated. Consequently, media service providers act following the logic of anything not expressly prohibited (or regulated) being allowed.

Because of this, we have had many cases where we were unable to sanction obvious violations.

Let me give you a very trivial example - a report about the opening of a renovated kindergarten in a rural area, where the head of the administration is a representative of one of the parties running in the elections. The event is attended by MPs from the same party, the leader of the party appears over Skype, everyone is getting interviewed, people express their joy and gratitude. All this is broadcast in the main news program. Although it was clear that this was a political advertisement, we were unable to impose sanctions, because there is no such definition in the legislation, and the service provider referred to freedom of speech and the right of citizens to information. And there are many such cases. All hope is for the adoption of a new law on advertising, which will include a political advertising concept, which will give the council real instruments to address this issue.

But to regain confidence towards the media, one cannot rely solely on sanctions, especially in our society. In my opinion, no sanctions will solve the problem if the journalists themselves do not demonstrate integrity and genuine professionalism and do not fulfill their mission, resisting any pressure, regardless of where it comes from - from media owners or from political forces.

It is also extremely important that the state undertakes the mission of educating society, from the education system to journalistic organizations. This should be a priority in countering misinformation.

The same goal was pursued by the online seminar organized by the Audiovisual Council in partnership with the Office of the Council of Europe in Chisinau: AUDIOVISUAL COUNCIL ON MOLDOVA - BETWEEN

ETHICS AND REALITY, with the participation of media experts, which discussed very important topics such as the need for a clear delimitation between editorial and commercial content, ethical principles and deontological norms in journalism - from theory to practice, aspects of information disorder and the danger it poses for democracy.

Again, within the framework of the Council of Europe project "Promotion of European standards in the regulation of the audiovisual sphere in the Republic of Moldova", a series of seminars was organized for the staff of the TV and radio monitoring departments of the Audiovisual Council, dedicated to the phenomenon of fake news and misinformation.

The overall aim of the workshops was to develop the skills of the Audiovisual Council observers, to identify different types of fake news and explore legal opportunities that the Audiovisual Council can use in the process of monitoring and combating the spread of misinformation.

Ultimately, the role of these workshops is precisely to build trust in the media.

And now, with your permission, I would like to briefly dwell on the current state of affairs in the Moldovan audiovisual regulation.

Recently, the parliamentary majority adopted in the first reading the amendments to the Audiovisual Media Services Code, according to which the Public Company Teleradio-Moldova comes under the control of the Parliament. The legislature will appoint the CEO and also be able to dismiss them for misconduct. By the way, it is yet unclear, based on what criteria the deputies will check the activities of the CEO and the supervisory board of public television. Among the proposed changes is the provision on the dissolution of the entire composition of the Audiovisual Council in case the parliament does not approve the annual report on its activities. This proposal is in no way consistent with the postulate that the rules governing the status and appointment of governing and oversight bodies should be formulated in such a way as to exclude any risk of political or other interference. Meanwhile, the recommendation of the Council of Europe (2000) 23 clearly states that media regulators should be protected from all kinds of outside interference, especially from political forces. A strong mandate and irremovability are essential elements to enable Council members to carry out their tasks without the control or pressure of their appointing body.

Non-governmental media organizations have already expressed their concern about these proposals and stressed the need to assess and predict the negative impact of legislation on the legal mechanisms for the appointment, control and dismissal of members of the Audiovisual Council, as well as the supervisory and governing bodies of Teleradio Moldova. Meanwhile, the opposition believes that by doing so, the government will

be in full control of the Audiovisual Council and the Supervisory Board of Teleradio-Moldova, calling the bill a step towards dictatorship.  
I would very much like to hear your opinion on this issue. Thank you for the attention.