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**JURNALISM
INDEPENDENT**

Journalism in 2021:

An obstacle race, with fewer and fewer winners

State of Romanian Mass-Media

2021

Report



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“When politicians get scared, institutions frighten too and start to look at you with hostility. There’s no difference between the behaviour of this PNL government and authorities in general, up to President Iohannis, regarding the Ianculescu case, from the National Waters Administration, and the way things were during PSD’s rule. Absolutely no difference.”

Răzvan Ionescu, publisher at Recorder



Introduction

During the last 18 months, the Romanian society, and its media, lost more than they gained. We lost nuances, as conversations turned to insults on Facebook, thrown between polarized groups. We sometimes lost trust in the authorities, we lost entire years of small victories, from government transparency to proper measures for financing mass-media. Media, as a whole, is on the losing side. Tired, depressed, attacked by politicians, but also by the public, harassed by SLAPPs, accused of being the “mouthpiece” of the Government, the Romanian media fights to gather enough strength to go on. The pandemic showed us that, even if we’re not ready to learn this, we need journalism, we need information, we need people to ask questions on our behalf, and to demand accountability from the authorities.

This crisis showed us that we are way too vulnerable to risk living in darkness. And that, even if it may sound pathetic or as just another cliché, proper journalism brings the light that’s so needed in a democratic society. Without journalists and journalism, we wouldn’t have found out about the disaster in the Suceava hospital. We wouldn’t have known about the embezzlement of some mayors, or about the huge waste of money and resources at Unifarm. We wouldn’t have seen the tragedies in the ICUs. And we have still been living in the country of “we have everything we need”.

From the first moments of this crisis, people turned to journalism for help in understanding the events around them. They sought information and they wanted to know what was happening. And the media institutions were caught between the need to inform their audiences, to fulfil their professional mandate, and the fear that their future was growing uncertain every day. The year 2020 created and expanded the chasm between the two camps in Romanian media: those who struggled and those who enriched themselves; those who informed their audiences and those that transformed a medical crisis into a grotesque spectacle. Left back were the public interest and us, the public.

In the last year and a half, solutions were either personal, or institutional, in just a few best cases. “I just do my work, on my beat. I cannot worry about other things. I just respect my standards.” And the government’s ‘solution’ just delayed the end for some, enriched others, and, unfortunately, eroded the credibility of the entire industry, giving strength to the arguments of those who desire (and benefit from) a weak and vulnerable media.

“I think that, in this period of a year and a few months, journalists had the chance to show how useful they are. In the last ten years we had an eruption of information, but the problem is that we don’t know what’s true and what’s false. During the pandemic, the media had the opportunity to show why people need journalists. Media lost its credibility in the last few years, but it now had the chance to regain its public. I don’t know if we did it or not, but we did have this chance”, says Adelin Petrișor, journalist at TVR, the national broadcaster.

So... how were the last 18 months for the Romanian media?

1. A race to the bottom

Doing journalism in Romania was not easy at all during the period. But last year seems to be the perfect example of the expression “the poor man is aye put to the worst”.

In the March 2020 edition of this report¹, we wrote that newsrooms never truly recovered after the economic crisis of 2008-2009. Although the ad market was growing, the money was limited and went mainly to the central TV stations. The optimistic projections of 2019 could not see the coming crisis of the Covid pandemic. In March 2020, the ad market froze. The big ad players put on hold all their contracts or greatly reduced them. The market shrunk by 39% in April 2020, compared to the same month of 2019². Some parts of the industry quickly recovered, with the help of commercial ads, and also with the help of public money coming from the government.

But high on the list of victims was local media, because the state of emergency and the movement and travel restrictions closed most of the local businesses, which then immediately cut their ad spending. And, also, direct sales of local newspapers went down to almost zero. The local ad business still hasn't recovered, even in the summer of 2021.

Without relevant local media, we are all poorer. We've seen this when we were looking for information in those few days of the state of emergency, when local media had an excellent mobilization. We've seen it during the electoral campaigns, when, tired and focused only on its own survival, local media managed to offer just a superficial forum for public debates. And, while in America there is talk about transforming local media into a form of critical national infrastructure, in Romania the pandemic acted as an accelerant in a fire, exacerbating all the reasons for the ills of local media: competition with public institutions, which offer incomparably bigger salaries and a quieter life; or the lack of commercial ads and the dependency to political ones, for which there is often an editorial price to pay.

The loss of paying readers is mentioned constantly in our interviews with the managers of local media outlets.

“During the state of emergency, we lost readers that we then never recovered, because people couldn't leave their homes. It was a paradoxical situation, because, on one hand, authorities were asking us to promote the new health measures and to inform the population. And on the other hand, we were unable to reach our audience, because, with the exception of ‘essential workers’, people weren't allowed to leave their homes, or just for a short interval during the day, when they were more worried to shop for groceries than for newspapers. So direct sales dropped very much.”

Anca Spânu, deputy editor-in-chief of *Viața liberă* newspaper, Galați.

¹ https://cji.ro/wp-content/uploads/2020/04/STUDIU-PRESA-2020_roBT-rev-01.pdf

² Petrișor Obae, “Agenția Publicis, greșeală de estimare. Acum, online-ul e pe plus și piața TV a scăzut de zece ori mai mult decât au dat inițial”, *Pagina de media* (19 May 2020), <https://www.paginademedia.ro/2020/05/piata-publicitate-scadere-tv-online>

Moreover, this problem was doubled by the lack of salespeople in newspaper kiosks. *“Many of them were pensioners, older people, which, when people started dying, didn’t want to work anymore, and that was completely understandable. But it’s hard to replace them”*, explains Spânu. The same thing was happening in Iași, according to Toni Hrițac, editor-in-chief of Ziarul de Iași newspaper. *“Direct sales were pretty affected, because kiosks were staffed by pensioners and they couldn’t come to work any more. Further still, people living in the suburbs couldn’t visit the central media sales points, because public transport was only available in the mornings for essential workers.”*

Another big factor in plummeting sales was that subscriptions were delivered by the Romanian Post Office with an even bigger latency - sometimes once a week in the case of many daily newspapers. In some cases, the general period of lockdowns overlapped with the renewal deadlines for subscriptions and the reduced activity of postal workers meant that the number of new or renewed subscriptions dropped by a very big margin.

“The profession mobilized itself. It was probably the best reaction I’ve seen, to start a search for information. It was visible starting with the local media, which acted admirably, at least at the beginning, during the state of emergency, when information flowed slowly from Bucharest. They did their job very well. The part that was less good was that oftentimes the reporting should have been more responsible, with less of that ‘entertainment’ drive generated by the background of working on Google and Facebook, when dealing with events that were so important for people’s health and for the society.”

*Cătălin Tolontan,
editorial director at Ringier România.*

One by one, most national weeklies suspended their print editions and many local print newspapers reduced their number of pages, in order to cut costs. Local media editors told us that during March and April 2020 sales dropped by 70 to 90%.

But the need for information was never greater. Online traffic exploded, for digital outlets or the websites of national TV stations. Romanians were glued to televisions and the internet. The website with the biggest audience in March 2020 was digi24.ro, with over 16 million unique users, almost double compared to February 2020.

1.1. Public information was also under lockdown in 2020

The financial insecurity wasn't the only problem facing the Romanian media at the start of the pandemic: *“Transparency grew sick and died this year (2020)”*, says Codruța Simina, journalist at PressOne. *“For us, this was the first time when we truly faced a wall built around public interest information. And this was done by a government that positioned itself as ‘the good one’, the ‘transparent’ one, in opposition to the previous ones”*, adds Simina.

This problem was confirmed by most of the people we interviewed since March 2020, either managers or reporters. They considered it the main problem faced by the media, an almost complete lack of governmental transparency, transformed into state policy.

“Access to information was completely suppressed, at the beginning. And the information that was truly valuable was gathered at the local level by journalists, through their connections, their sources. Not through an official route”, says Cătălin Moraru, editor-in-chief of Monitorul de Botoșani. *“At the beginning, when we didn’t know anything, when we were faced with things that were so confusing and completely changed our lives, we didn’t have access to information which we could have used in society, in our communities”,* confirms journalist Emilia Șercan. *“We didn’t know normal things, which all the other civilized countries made available, maybe not necessarily to the press, but directly to the people, things that helped them make their own decisions, to better protect themselves and their families. This opacity of our state institutions and of that group of so-called ‘strategic communications’ shows that we still have the old mentality, before 1990, when censorship was common”,* thinks Emilia Șercan. And this information blockade continued even after the end of the state of emergency. The degree changed, but important information was still being kept hidden. The names of the people working in the Strategic Communications Group became public only after she managed to learn them from her sources, a year after the start of the state of emergency.³ *“I cannot understand why you need to keep these names a secret, when those people represented the press offices of their institutions, they were chief press officers or spokespersons. Their names are well known, they appear in press conferences, they already act as an interface for the institutions they represent”,* comments Șercan.

“During the state of emergency, the [FOIA] deadlines doubled. The main problem was that you were losing the relevance of the information. Even if you got it after 60 days, what relevance was there in June for the ICU capabilities in April or even May?”, asks Vlad Stoicescu, journalist at the online investigative website Dela0.ro.

“From the first day of the state of emergency, institutions started to reply that either the FOIA deadlines were doubled, or to send us from one source to another. ‘Communications are centralized, so go to the Strategic Communications Group (SCG). Or ‘go to INSP’. INSP said ‘don’t come to us, go to SCG’. And the SCG was an enigma, nobody knew who they were. It was just an email address”,* remembers Stoicescu.

* The Strategic Communications Group (SCG) is the entity that has controlled the entire public communications on the Covid pandemic in Romania since the end of February 2020.

INSP - The National Institute for Public Health

³ <https://pressone.ro/secretistan-ii-cine-sunt-membrii-misteriosului-grup-de-comunicare-strategica>

“When politicians get scared, institutions frighten too and start to look at you with hostility. There’s no difference between the behaviour of this PNL government and authorities in general, up to President Iohannis, regarding the Ianculescu case, from the National Waters Administration⁴, and the way things were during PSD’s rule. Absolutely no difference. Sure, Iohannis’ statement on this subject, extracted with great pains from him by the media, represents a bit more than what Dragnea would have done or said, let’s say, but, in general, the behaviour of the institutions and of those in charge and the impact they had on the media are the same as those from the PSD era. Nothing changed”, considers Răzvan Ionescu, publisher at Recorder.

“I was working in the news department, I didn’t do investigations, but I’m convinced that for those who did it was very complicated”, says Adelin Petrișor, journalist at TVR. *“Even for basic data, for normal things, you had to talk to that famous group.⁵ I was working on social subjects, on hospital stories, where I did not encounter such problems, although we still had to deal with hospital managers. There were hospital managers with which I worked very well, like Beatrice Mahler, who comes and talks to you, she answers your questions, but there were also managers, even in Bucharest, that made you bang your head on the walls in frustration. In a pandemic, I shouldn’t have to send an email and wait 30 days for you to answer. Yes, it was complicated and it depended on the people I interacted with from those hospitals”,* remembers Petrișor.

Oana Despa, editor-in-chief of Buletin de București website, says that the Năstase government prepared her for this period. *“I’ve lived through times when access to information was even worse than now and I developed this capability, shared by many other journalists, of finding alternative ways to reach public information. You don’t depend on just ‘Law 544’, you don’t count on just the information flowing through the press office, you find sources. But yes, I can say that, regarding public acquisitions contracts during the pandemic, there was a delay in publishing them - it still is. We still have unanswered FOIA requests from months ago. The problem is that when you have so many things to do, like administrative things to keep the outlet alive, it’s hard to keep track and follow all these things.”*

The informational blockade was doubled by confusing messaging from authorities, which, on one hand told citizens to get their information only from ‘official sources’, and on the other hand, threatened journalists who dared to publish information from different sources. *“They criticized me for not writing from official sources. I told them I didn’t know this thing even existed. Nobody ever threatened to sue me for not writing from official sources. I’ve been accused of many things, but never this”,* says Cătălin Moraru.

⁴ Răzvan Ionescu mentions one of Recorder’s investigations, published on November 23rd 2020: <https://recorder.ro/singur-impotriva-partidului-copile-nu-te-pune-cu-ei-ca-te-vor-face-praf/>

⁵ The Strategic Communications Group (SCG)

The lack of public information, that could have shown the reality of the pandemic, encouraged the spread of various scenarios based on conspiracy theories. And journalists were unable to deconstruct and refute them, because they needed public information, which was missing.

Opinions sold as news flourished in the Romanian media. *“It seems to me that, after transparency, another big victim of this year was the news article”*, says Codruța Simina.

“News is something different than a quote from an official press release or from statements made by politicians on TV. In some problematic cases, opinions were presented as journalistic materials with facts”, explains Simina.

“I think that, in the end, this was the biggest harm done by the government in blocking access to public information, which could have helped in a very direct way in combating misinformation”, considers Emilia Șercan.

This is not a new problem. We mentioned it in our previous report also, but the pandemic enlarged it. Because of depleted newsrooms, because of the lack of public information, because of work-from-home changes, this type of ‘statements journalism’ expanded exponentially. Toni Hrițac, from Ziarul de Iași, explains that *“working from home means dealing a lot more with PR departments, it means somehow losing the connections to the people, with personal observation, which tells the reader that you were there”*.

Journalists say that, in the last few years, politicians seem to have forgotten that the media represents public interest, that journalists ask questions on behalf of the citizens. Codruța Simina considers that *“there is a reduced disposition in the political spheres to answer questions from journalists”*, and that politicians learned that they can communicate on their Facebook pages or they can go to friendly TV shows, with *“moderators that are not journalists and who don’t do journalism, but instead act as an audience to their political guests, and the people watch and think it’s enough”*. In the past, *“when you wrote about them and revealed something, the political reaction was ‘ok, you got me, we’ll cancel the contract’. You could see some kind of an effect. But now, in this hostile environment, we’re perceived as a sort of enemy to politicians or to administration workers. I don’t see that reaction anymore, ‘ok, we must do something’. Instead, now it’s ‘I’ll sue you’ or they accuse us of ‘fake news’”*, explains Codruța Simina.

With the exception of televisions, most newsrooms moved into the kitchens and living rooms of their reporters. *“We had to work without direct contact, which is difficult in a profession that implies interpersonal communication, creativity, and debates on subjects”*, says Cristi Pantazi, editor-in-chief of G4Media.ro, an online news portal.

Work-from-home journalism, done from the couch, is frustrating both for the journalist and the newsroom, as for the public. *“We got hit hard by the FOIA law changes at the beginning of the state of emergency”*, says Codruța Simina. *“You already had to fight for answers and haggle during those 30 days, but now that new horizon of 60 days made some of us say ‘the hell with it, I won’t send any more*

requests'. The general psychological stress reached a new dimension, with no end in sight. Add to it the fact that you couldn't go out on reporting. It's very hard to communicate with people behind a mask and get from them things that were hard to get even before, in face to face discussions. The relationship between the journalist and the people from whom you have to get a story changed a lot."

In the first months of the pandemic, the relation to **sources** was a problem especially for investigative journalists or for those who were reporting on the medical crisis. People were scared for their lives, but even more of losing their jobs. Investigative reporter Victor Ilie says that, when reporting on the problems in the County Emergency Hospital „Sf. Ioan cel Nou” in Suceava, where we had one of the biggest outbreaks of Covid in Romania, he approached over 50 hospital employees. Of them, only 10 agreed to talk on the record and only two accepted, in the end, to be quoted with their full names.

“They were scared, because we all had a wrong understanding of what a state of emergency means. They thought they would be court martialed for showing me even a receipt from their institution. But, slowly, people realised we were not at war and they're not selling secrets to the enemy”, remembers Ilie.

In spite of all the pressure and threats of criminal files if employees from public institutions offered information to the press, there were whistleblowers.⁶ *“This year, starting from the autumn of last year, I had more articles based on whistleblowers than any time before, which should make the government think. As long as they keep a lid on public information, they're fuelling resentment in the people inside, who will eventually come out with reports”,* considers Codruța Simina. The same thing is mentioned by Victor Ilie. *“There are more and more sources. I talk to more and more people from public institutions. Before, you had the impression that every school inspectorate or every public health office is an SRI unit.”*

Burnout is also starting to be felt in newsrooms, a year after the start of the pandemic. *“In those first months we didn't have time to think about the psychological attrition”,* says Vlad Stoicescu, journalist at Dela0.ro.

Diana Oncioiu, also from Dela0.ro, says that, for her, the rejections were a form of motivation. *“It seemed to me like an incredible audacity to refuse to give me public information, which I was asking for on behalf of my readers. It meant I had to do 30 phone calls that day. Not 30 dials, but 30 numbers, called repeatedly. This motivates me, meaning that I won't go away if you reject my request, I'm like a dog with a bone with this thing. But it also drains you a lot. I'm not complaining, because it is our job. But to do it day after day, for months on end, it drains you.”*

⁶ More information on the subject of whistleblowers in the first months of the Covid pandemic can be found in Chapter 2.1 of our report 'Fundamental Freedoms Under Siege' published by CIJ in September 2020: https://cji.ro/wp-content/uploads/2020/09/Raport-libertate-de-exprimare_final.pdf

The psychological wear came from fighting the authorities, from an increased number of hours spent working, and also from the horrors seen during reporting. *“I’ve been to more hospitals in this year and a half than in the last 25 years as a journalist”*, says Adelin Petrișor, from TVR. Even though he wasn't on the health beat, the job was the same: *“You have to find answers to questions.”* He tried to learn as much as he could about concepts that he didn't know, learn about viruses and diseases and listen to experts. Even more complicated were the personal effects of his reporting. *“At one point, I became overwhelmed by the ugly things that I saw and I felt like dropping to the floor crying. I saw young people, 30 years old, in the ICU, with doctors telling me that they will not make it. And then, after two days, learning of their deaths. When I'd find out that I was scheduled to film in ICUs, I couldn't sleep the night before, as I was tired of the pain, of the grief and desperation”*, remembers Petrișor. *“You also had that paranoia after every shoot in a red zone, which you cannot escape: What if I moved my mask, what if I touched my glasses?! I would have rather gone to Afghanistan, or I would have stayed a year in Iraq. It would have been easier for me, as a war reporter. Then there were the relatives of the patients, people who couldn't go into hospitals. Plus, the chronic patients that you knew were going to die because of lack of care. It was an emotional load that was very, very, very ugly and hard to control.”*

Then came the public backlash and **negative comments**. All of a sudden, journalists found themselves in the role of enemies of the people, hated not just by politicians, but also by the people they were writing for.

“At least online, the reactions were mostly negative towards our Covid reporting and it generated a backlash against the paper”, adds Anca Spânu, from *Viața liberă* in Galați. *“It is hard to handle, because you want people to buy your newspaper and read your reporting, not to constantly swear at you.”*

“Reporters send me on a daily basis comments that affect them profoundly, because all they did was their job. We do our reporting for the community, we’ve done it for 25 years, but we don’t have the same effect. Ok, these are new events, the pandemic is a new thing, we didn’t encounter it before, but I didn’t expect this level of hate and anger”, says Cătălin Moraru.

“Usually, we had like 25% negative comments in a regular day, but now the percentage is opposite. The moderators had to read all these invectives, including death threats, ‘We will kill you all’, even if they weren't published. The impact on our two moderators was very profound. We talked about this in the newsroom, but it’s very hard to handle.”, adds Anca Spânu.

“It was never this bad. Never in my 25 or 30 years on the job had I wanted to quit my profession as in these months”, says Cătălin Moraru, from Botoșani.

“It’s extremely hard now to talk to people, to report, to explain things to people who have already made up their minds. No, it’s not extremely difficult, it’s actually impossible. People don’t want to be convinced. They don’t want to understand. All these frustrations, from the mask wearing to having travel restrictions, they all had to be channeled, like in a lightning conductor. And, unfortunately, it struck us, the media. It got to the point that I now have to threaten to sue people that accuse me of being paid to write. It’s unnatural, because they were my audience.”

Adelin Petrișor says that he talks to people on his Facebook page, but only with those he feels he can reason with. *“But when people come and talk about the ‘plandemic’... you’re wasting time even reading the message.”* Even more, he says that invectives and attacks on social media pollute the comments and discourage people from engaging in a debate or a normal dialogue, because they don’t want to be exposed to all this abuse.

Cristi Pantazi, from G4Media, also felt the radicalization of the audience on subjects related to the pandemic or nationalism. *“After the AUR party grew in the polls, and during the period before parliamentary elections, and right after them, we felt a radicalization manifested in even more negative messages addressed to us. It wasn’t a surprise, because we’re used to navigating against the current, to put on the public agenda subjects that our audience may not agree with, to raise questions even when we knew that a lot of our readers think differently. We’re used to this attitude, we assume our role and do it all the time, because it’s part of our DNA as journalists.”*

Cătălin Tolontan emphasises that journalists should remember never to confuse comments with the public. *“There are studies that say this very clearly. Just one in a thousand readers leaves a comment. So, we always have 999 people that don’t speak. We appreciate comments, but we don’t consider them to be an equivalent of our public.”* *“When there are hundreds of comments, they may overwhelm you”,* says Diana Oncioiu. *“But we got used to fake news, to manipulations. You see so many fake accounts, so many copy-paste comments. They may be frightening, they really are sometimes, but they don’t scare me anymore, because I won’t consider them as representative of my readers. I realized this by talking to people who read us, but don’t comment, so you have to be careful to not think that they don’t exist.”*

“The bad things that happen during our contact with authorities, with the people from whom we have to get information, are far worse than online interactions with anonymous accounts”, considers Vlad Stoicescu. *“What would I choose, if I had the chance, to stay in front of my laptop and read bad comments or go to Huși and be thrown out of the church by people you approached in good faith, trying to get their comments for your article?”*

“Or when the minister of Labour accuses you of writing fake news. That’s worse than someone swearing at me online”, adds Diana Oncioiu.

There is also a difference in the abuse received by women journalists, compared to their colleagues. *“If I and Vlad write the same thing, he doesn’t get the same level of invectives. They come to me because I’m a woman, so it’s easier. They don’t do it to Vlad. He may get some abuse, but they don’t go all out as in my case”,* says Oncioiu.

The lines are sexist, they imply sexual threats or scenarios. *“If you’re a journalist and a woman, they look at your profile and send you disgusting messages. I received a lot of sexual messages, threats of rape, from fake accounts”,* tells Codruța Simina.

“Many of these commentators do it on the off chance that they may scare you, intimidate you. If you’re afraid, maybe you’ll self-censor next time”, adds Vlad Stoicescu.

“The media has this overwhelming stress that comes from a chaotic and long work schedule. Many media outlets work 24/7 and it adds up, it bulbs tension inside you”, says Cristi Pantazi. “Last year we had two electoral campaigns, a pandemic, the fall of a government, and several votes of no confidence. It’s a general state of tiredness, on a background of insecurity, that was felt in many newsrooms. It all piled on, but I also see a new energy in newsrooms, now that we’re returning to the office and that cases are dropping and all those negative numbers went down.”

The problem of finding **financing sources**, of keeping the business going, added to an already complicated landscape. Media organizations tried to diversify their funding sources, by writing grant proposals and going to unfamiliar areas. Project management *“takes a lot of your time, it consumes a lot of energy and takes you out of your journalism niche, and you start to feel it at a certain point”*, explains Oana Despa, from Buletin de București. The same problem is mentioned by Cristi Pantazi, who says that project management eats all the time you may get from working from home, and also by Cătălin Moraru, who also tried to apply to international grants, even if it’s even harder for local media to access them. *“The European Union will learn this when it’s going to be too late, as even now we’re invaded by populism and nationalism. The EU ‘woke up’ recently that it needs to give money to the media, but it gives it in a bad way, hard, and bureaucratic. It’s an uneven fight for media institutions. And when they will finally realize this, the media will be gone. My main fear is that when my business model will not work anymore, I will disappear. I will not have a choice, because I won’t do volunteer work. My employees need a living wage.”*

The pandemic accelerated the **depopulation** of newsrooms. In the first months of the crisis, the work volume increased, but the salaries were reduced again, sometimes by 30 or 50%, even if they were already low. In many cases, managers were forced to cut some reporting jobs. The loss of good journalists accelerated. *“From a point forward, it becomes tiring and grueling, that you can’t go on like this anymore. You want a normal life, you want to be able to relax in the evenings, to watch a movie”*, says Codruța Simina. *“But you can’t do it after an agitated day, when you get so annoyed that nobody wants to talk to you and that you need to fight for some things that were normal four or five years ago.”*

Bogdan Marta was a journalist for 18 years. In February 2021, he decided to quit journalism and move into public administration. *“I was feeling less and less satisfaction in what I was doing. And I wanted a break after 18 years of continuous work. I got this new challenge, to move from reporting and criticizing things, to building them.”*

Toni Hrițac, from Ziarul de Iași, also says that his newsroom suffers from a lack of resources.

“In order to have a good critical voice regarding government actions, you need experienced journalists. You need that middle level of experienced people in a newsroom. Unfortunately, I don’t have them anymore, because the media industry became just a race to get a quote or a breaking news story.”

“Public television should be stronger, and it’s not. It’s weak”, says Adelin Petrișor. “The profession, the people in this country and the politicians must come to an agreement to strengthen public television, because a strong one would make a real difference in times like this. A weak TVR means trouble exactly in these kinds of moments, when commercial media needs to sell in order to survive. But when the public station has these low audience numbers, it can’t change anything. Right now, you can find balanced shows, including the news. The news shows are not hysterical, and are not partisan”, considers Petrișor. “Politicians want us weak and we are scared, because they can pull the plug any time they want. We don’t have a public tax anymore, we depend on the state budget. They just have to raise their eyebrows and say ‘Don’t forget we’ll talk about your budget next year - or next month’. So they have control.”

“Politicians want the entire media to be vulnerable and easy to buy, because it is way more simple to control it than to fight its findings on non-conform masks or on the money wasted in the pandemic”, says Adelin Petrișor.

He thinks that TVR offers more freedom, if you want it, than any other TV newsroom, and emphasizes that he’s not an ‘easy’ journalist to deal with and there were times when he contested his bosses’ decisions. But it comes with a price, which makes life harder in the newsroom.

“It was hard for me to go and shoot in Suceava, in an exclusive material in a Covid ICU, because my bosses kept saying no. I wanted to cry in frustration and wished I was working for Voiculescu or Sârbu, where my managers would have asked me only what would I need to get there first and film in a place like that. And here I needed diplomacy in order for me to go do my job. I had to have been given permission to go do something that I needed to do as a journalist”, remembers Petrișor.

Government ad contracts contributed, sometimes unduly, to the loss of media credibility and gave people a new weapon for harassment. *“When they got angry at things that we wrote that were bothering people or contradicted their beliefs, when they disagreed with us, this was the first thing they told us: ‘You got paid by the government to write this.’ That was their first reaction. It didn't matter that you hadn't taken any money. They were also posting lists with the names of those who accepted money and they could see you weren't on there, but it didn't matter. The accusation became very easy to use”*, says Diana Oncioiu from Dela0.ro.

Sebastian Zachmann, a political journalist from Prima TV, also says that the problem was that *“you couldn't convince people who had no trust in you, who didn't believe you could still have objectivity. This financing undermined the entire premise of journalistic objectivity.”*

“People know that we take money from the government and say that, when the government pays you, you have an extra motive to write in a certain way about the pandemic”, says Cătălin Moraru, from Botoșani. *“I've tried to explain, I've written articles on how the money is distributed by the government, what click-bait is and how traffic is done online. Many of them understand, but, as usual, there's a loud minority that stands out. When you see somebody from that loud minority come and write ‘You are all liars’ and swear at you, and he gets 300 likes on that comment, you feel like giving up. It's a very unfair fight. The government communicates too little and very badly. So now I'm in a position to be the one that explains things to people.”* But Cătălin Tolontan thinks that things are a little bit different. *“Criticism is permanent and constant, no matter what you write, and is part of this new reality of our job as journalists. We're used to a lot of accusations on a daily basis and we didn't feel this new wave. We didn't feel that this specific contract affected our relationship with our audience.”*

Sebastian Zachmann mentions that, in spite of all these problems, he saw investigations of the highest quality about the pandemic and the public theft from this period. *“It shows that the media survived these hard times and it's still going strong, in times of war or pandemics. It somehow manages to survive and it seems like an essential thing for democracy.”*

2. The financial crisis that wasn't there. Or it was, but only for some.

The medical crisis struck almost all industries, and mass-media was no exception, although not every niche was affected equally. If local media is still fighting to make up its losses and find a direction in a post-pandemic context, televisions are enjoying some of the best times, economically. The biggest help came from authorities, through public funds. *“The companies operating the biggest TV stations and websites in Romania were not affected by the crisis. To the contrary, most of them grew their business and profits in 2020, compared to 2019”*, writes journalist Elena Deacu in an article in EconoMedia.ro⁷ at the beginning of June 2021.

According to data published by EconoMedia.ro, in 2020 Antena TV Group SA saw its profits grow to 168 million lei, from 103 million lei in 2019, and the profit of Antena 3 SA grew with almost a million lei, reaching 14.3 million lei in 2020. Kanal D's profits almost doubled, to 68 million lei. In 2019, Digi24 TV station was moved to another company, Campus Media SRL, whose profit was 42.000 lei during that year. In 2020, Digi24's profits grew to 18 million lei. Adevărul Holding tripled its profits in 2020, reaching 2.9 million lei. Evenimentul Publishing House and Capital SRL saw a rise in profits from 120.000 lei in 2019 to 5 million lei in 2020.

In 2020, Pro TV had a profit of 249 million lei. România TV lost 6 million lei in profits, but still cashed 21 million lei in 2020. Europa FM reported a big loss in profits, from 20 to 8.4 million lei. Ringier România, the company that publishes the Libertatea newspaper, reduced its losses from 5.3 million lei in 2019 to 2.1 million lei in 2020

Răzvan Ionescu has a short analysis of the first months of the pandemic, from an economical side of the industry, for the Recorder media outlet: *“Things started to move again, after a period of about three months when our income was obviously falling, for two reasons. The first one had a subjective nature, as people and the market were scared by the pandemic, and even donations were lower. The second one was more objective, related to our special projects with advertisers. People see Recorder as a video platform mainly, and they didn't come to us during March-April 2020 because they thought we couldn't film anything, because people were in lockdown. But then things started to pick up, because we restarted some of our special projects and we also had a few investigations and stories that generated donations.”*

⁷ <https://economed.ro/profiturile-televiziunilor-si-site-urilor-de-stiri-au-crescut-spectaculos-in-pandemie-pe-fondul-ajutoarelor-date-de-guvern-in-schimb-sectoare-precum-horeca-nu-si-au-primit-nici-acum-banii.html>

2.1. Government funds - an oxygen tank or a Trojan horse?

After two months during which authorities eroded the credibility of the media, by telling people to read ‘only official sources’ (mainly, governmental ones) and hindered the work of journalists in the entire country, by blocking access to public interest information and threatening whistleblowers with prosecution, the Romanian government decided that mass-media is important for the public, so it must be helped to survive the economic crisis generated by the pandemic.

The Center for Independent Journalism considered it a dangerous idea to use public funds, both for mass-media, and for the Government, in the absence of clear communication objectives and strict criteria for transparency and performance, as the fund is a form of masked subsidy, in its best case. Also, CIJ asked the Government to consider other financial mechanisms for helping media that take into consideration its real needs and that could help mainly the sectors that were hit the hardest (print and local media).

After talks with some industry associations and a few local media institutions, the financial aid took the form of an ad fund worth 200 million lei, to be used for financing ad campaigns in mass-media promoting protection measures against Covid-19 in a period of four months (May-September 2020). Emergency ordinance 63/2020 was published in the Official Gazette on May 8th 2020 and was updated in July by the Romanian Parliament, which also raised the sum to 240 million lei (50 million euros) and extended the period to the end of 2020, with the possibility of extension.

Perceived as an oxygen tank for the industry, the decision was accepted with no objections by most media institutions. The critics, including CIJ⁸, were few.

By July, it was already clear that parts of the industry made a comeback and that lost income was starting to come back. *“The masked help offered by the Government came at a time when it was already clear that most of the central media companies were not registering the losses estimated at the start of the pandemic, which scared everybody”,* says Cristi Pantazi, from G4Media. *“Furthermore, the contracts were awarded at a time close to the two electoral campaigns and it was becoming obvious that, apart from a rise in readership, at least at the start of the campaign, bringing increasing profits from ad campaigns, the two electoral campaigns were also bringing new ad contracts for the media”,* explains Pantazi. G4Media was one of the media institutions that refused to participate in the state funding program offered by the government. *“We said that authorities should do a quick and clear analysis of the impact on the local media of the governmental decisions to restrict the activity of the business environment, and act where the problem was.”*

⁸ <https://cji.ro/fondul-de-publicitate-pentru-mass-media-naste-suspiciuni/>

“At the central level, some media institutions registered record profits last year, several times greater than in 2019, which shows that it wasn’t a real problem of cash flow or income. But at the local level, many publications, radios, and local TV stations were hit very, very hard during the pandemic, and still are, because they mostly live on ads from the local businesses affected by the Government’s restrictive measures”, says Cristi Pantazi. He adds that state money financed a new form of unfair competition:

“How can you have an equal start when you only spend what you produce through your own efforts, compared with someone who also gets a subsidy? It’s a classic situation in the history of economics and politics. The subsidy offers a competitive advantage and it distorts the market.”

One of the main criticisms for this initiative regarded the way in which the contracts could be abused by the authorities, leading media outlets to censure or self censure, for fear of losing the money. Along the years, public funds ads often came with editorial restrictions - either in a direct way, through censorship and explicit conditions included in the contracts, or indirect, through self censorship, for fear of losing the money if the reporting were to be too ‘critical’⁹.

But the managers we interviewed said that in many cases it wasn’t the main problem. Cătălin Tolontan considers that *“the money from the Government didn’t affect our work, because it was a general offer, which didn’t single out anybody. Individual contracts are the ones that also bring influence, sometimes bought directly and explicitly. For example, when city halls offer targeted contracts, when politicians offer those contracts from ministries or public institutions. Those funds are the ones that distort the market.”*

“Do you know what the thinking is at the local level? The government is far away. It doesn't interest us what it's doing. They issued the law and must pay. But they ruined the quality of the press by the way they formulated the law. They didn't help it, they never helped journalists with it. It's not self censorship in this case. Self censorship comes at the local level when you try to get local money, not government money”, explains Cătălin Moraru. The same thing was said by Toni Hrițac, from Ziarul de Iași: “They can’t do anything to you. If I write something, they can’t remove me from the program, the law is clear. My circulation is X, my online readership is Y. They may have thought they’re buying goodwill from the media, but they don’t have any legal means to do it.”

One of the problems with this measure was that it didn't have any strategic logic, with a long term view. It solved, or tried to solve, a temporary problem for some of the media and some of the authorities, but the discussion is way more complicated, thinks Codruța Simina, from Cluj. “What does it mean to me, as a country? Will it help things five years from now, if trust in the media is dropping? Because you’ll need media, inevitably, as a politician. You can’t hold your press conferences on Facebook, you’ll see that you just can’t, and you’ll see that the hate you generate online is gonna come back at you eventually, like a boomerang.”

⁹ See chapters Economical vulnerability and The capture of mass-media from the report State of Romanian Mass-media in 2020, published by CIJ in March 2020: [STUDIU-PRESA-2020_engBT-rev-01.pdf \(cji.ro\)](#)

“We received a Trojan horse, this is what we got. Of course the industry took it. But you need some standards, some criteria. Let’s help somebody who really has a problem. Let’s help a mission”, adds Codruța Simina.

Besides the long-term problems, Toni Hrițac mentions the fact that there are areas with quality journalism that were never helped by this ordinance, or any other governmental action. Furthermore, “you see all kinds of online publications benefiting from huge sums of money without producing journalism. And it makes you think what the purpose was for this campaign. I thought that the objective was to help journalism and promote health measures. Maybe the health measures do appear as ads, but journalism wasn't present in many areas”, says the manager from Ziarul de Iași.

Through this measure, the government actually supported those parts of the media which either could have made it on their own through the crisis, because they already had enough money, or the gray areas which weren't actually producing journalism. “Yes, you can get some money. But the method is wrong, the way the money is distributed is wrong, everything’s wrong”, says Cătălin Moraru. “It helps in the short term, and the press said thanks. The local media, especially, will say thanks for anything. But the problem is that serious local media will disappear in the medium term. This is the result. The ones disappearing won't be newspapers, per se, but quality journalism. It won't survive. We'll say ‘The press is gone, there's nothing we can do about it’. We'll still have newspapers, but with a very low quality of journalism. We often say that ‘Just wait and see what will happen when you won't have media any more’. But what will happen? Nothing. People will just think of as journalism any information they consume”, warns Cătălin Moraru.

Because the funds from the government were allocated based on audience numbers, online traffic and circulation, media organizations were enticed to gather an even bigger audience, sometimes at any cost. “I think most organizations were not affected by this in their editorial policy. Some yes. I don't think that giving money was fundamentally wrong. But the fact that you cannot have proper criteria for it. If you would task me now with splitting money for online media, I wouldn't know what to do, and it isn't the government's fault, it's ours, as an industry, that we don't self-regulate and we don't find even minimal mechanisms to separate those that break all the rules and call it journalism”, told us Răzvan Ionescu, from Recorder. “Those in good faith were happy to take the money, but didn't realize that, in this competition, the others took a lot more and those funds are now also used against them. In the end, they're actually losing, that's the problem”, thinks Ionescu.

Because online traffic and greater audience numbers are easier to reach with scandal, click-bait, conspiracy theories and inflammatory statements, the media started a dangerous game which acted against informing the public, which was the official objective, at least on paper, of the authorities. We could sometimes see clearly a connection between bad content and the way the funds were allocated. “Because this kind of content has a lot of traction online, they do it, they publish it on Facebook and use it to reach their numbers”, says Toni Hrițac, from Iași.

Vlad Stoicescu and the Dela0.ro website didn't even consider it as an option to access funds from the government. They thought they were too small, too niche, too distinct from the criteria used by the authorities, which only looked at traffic. *"It isn't wrong to think of a mechanism to help the media in a pandemic. It may be possible. There are a lot of things that go into this equation of taking public funds. But a small newsroom of just a few people cannot do it. A big newsroom, with 100 or 200 people, needs to do it, because it helps it survive. In those cases, the most important factor isn't that they took the money, it's the culture of the organization. If your organization has a healthy journalistic culture, like Tolontan's at Libertatea, then the boat can stay afloat. If journalists are protected by outside influence, it can work. But if you leave your reporter exposed to calls and negotiations from politicians, then you lose."*

"Economically speaking, it will be complicated. I myself don't see reasons to be optimistic for local media, until there's an actual change in the way the government sees local media. We don't have time to wait for better journalists, coming out of the blue, or for a better-informed public, with a higher level of media and digital literacy. These are processes that take years. And it's going to be too late. The train will have left the station", considers Cătălin Moraru.

"Disguised as an aid to the media, the ad campaign reduced the 'noise' of many voices that were critical to the governing acts, also during election campaigns, with fewer investigations on corruption issues or bad decisions taken by authorities", says Cristi Pantazi.

Through the General Secretariat (SGG), the government had the legal obligation to communicate on a monthly basis information regarding the contracts signed with mass-media entities and their stages. Despite repeated requests from journalists and civil society, including CIJ, the Secretariat didn't offer that information, until the end of February 2021. After numerous requests from CIJ, authorities responded that the Authority for Digitalization doesn't give the data to the government (even if it's an institution subordinated to the government), and when CIJ made an administrative complaint addressed to the Prime Minister and to the General Secretariat of the Government, we were announced that the information was published.

From the data available on the SGG website¹⁰, it appears that, out of 181.6 million lei contracted by the Government, until the end of 2020, a **total of 86.5 million were paid to mass-media companies, with the rest scheduled to be released** in the next period.

The main beneficiaries of the funds awarded by the government were the big media players. Radios, national TV stations and their online websites totaled 50 million lei. Antena 1, Antena 3 and Radio Zu

¹⁰ <https://sgg.gov.ro/1/wp-content/uploads/2016/04/Contracte-media-CAMPANIE-INFORMARE.pdf>

received, together, until the end of 2020, 14.86 million lei. Pro TV received 9.2 million, Kanal D - 7.6 million lei, România TV - 3.5 million, and Digi24 holdings - 3.1 million. Kiss FM, Magic FM, and Rock FM received approximately 4.2 million lei, while Europa FM billed 2.8 million.

On the second tier, in the top of media beneficiaries, were local radios and TV stations, without measured audience numbers, which received a total of 12.85 million lei. It could have been good news, considering that local media was hit especially hard in the pandemic.

Unfortunately, many of them are politically controlled, directly or through intermediaries. For example, the local media trust on the second position as value of the government funds received (around 450.000 lei) is Galaxy SRL, controlled by former member of parliament Eugen Nicolicea, from PSD.

In 2014, the media NGO ActiveWatch¹¹ published a report on the political control exerted over local televisions. It showed that there is *“a worrying number of cases when local television is a political and economical weapon sponsored from public funds, directly or indirectly. Almost half of the 56 TV stations analysed in the report are influenced, directly or indirectly, by politicians. Moreover, more than half of them were documented to have been beneficiaries of public money, but, most likely, their number is even greater.”*

From our interviews with journalists for the present report, and for the one published in March 2020, things have not changed very much since then. Even if politicians have a taste for online publications, television is still an important instrument.

Print media, local and central, together with their online divisions, received around 10 million lei. Out of them, a third went to the biggest central papers. Media institutions that actually needed the biggest help received the least amount of funds. Online publications, without print or TV/radio departments, received around 6.7 million lei.

The conclusion of this campaign is that, although necessary, it actually accelerated the race for traffic and click-bait, especially in a moment of crisis. Televisions and online publications that received money in order to support the national campaign for health measures regarding the pandemic published exponentially more campaigns of disinformation, promoted false information, and acted as platforms for conspiracy theory peddlers.

It is not the job of the government to decide which content represents ‘quality’, and which doesn't. It's not its mandate and we don't want that. But we need the proper functioning of those state institutions that are legally mandated to ensure the quality and legality of the audiovisual content. Unfortunately, the National Audiovisual Council was non-existent last year. Without a strong CNA, or at least functional, the entire public space gets polluted. The signal given by television and radio outlets that can break the laws without sanction is a very strong one in society and represents a dangerous precedent.

¹¹ <https://activewatch.ro/Assets/Upload/files/Harta%20politica%20a%20televiziunilor%20localeFINE.pdf>

2.2. Public money funding mass-media

G4Media.ro showed that, in the last four year mandate, the Bucharest City Hall, run by Gabriela Firea, and its subordinate institutions, spent over 49 million lei for advertising services.¹² Just for the local electoral campaign, Bucharest City Hall spent 1.85 million lei out of public funds for ads in mass-media, according to Libertatea¹³: “Between August 31st and September 6th, there were 635 campaign clips, each 40 seconds long, promoting the activity of the City Hall, on Antena 3, B1TV, Digi24, Realitatea Plus, and România TV”. But the City Hall refused to disclose the sums paid for each media outlet, invoking the confidentiality of the contracts, even if they were paid from public funds.

Gabriela Firea wasn't the only politician to buy ads in the media using public money. Europa Liberă reported¹⁴ how the former mayor of Sector 1 in Bucharest, Dan Tudorache, spent, through the Company for Health Investments and Development, owned by the local council, 300.000 euros to promote a clip showing a mock-up of a planned hospital, but presented as functional. “The largest sum was received by B1 TV, 100,050 euros for 667 clips, followed by Realitatea TV with 100,000 euros, Luj.ro website with 50,000 euros, Luis Lazarus Live with 30,000 euros for ‘awareness’, Romania TV and Digi24 each with 69,000 lei for 75 clips”, is shown in the article published by Europa Liberă.

Mayor Emil Boc, from Cluj, also invested in ads in the election year 2020, according to information published by Ziar de Cluj.¹⁵ While local media received contracts worth 250-300 lei, with a notable exception of radio station Napoca FM with a contract worth 24,000 lei, almost all large contracts were offered to national television stations: Digi 24 - 35,000 lei, România TV - 29,000 lei, B1 TV - 23,093 lei, Antena 3 - 14,397 lei.

In 2021, contracts for local media became even larger, the biggest beneficiary also being Napoca FM, with a contract worth 46,000 lei. Next are five media institutions, with contracts ten times smaller (between 2,800 and 3,332 lei). Emil Boc is well known at a national level for his work in Cluj. What is less known is his attitude directed towards journalists. In our 2020 report, Remus Florescu, at the time president of APPC, the Association of Media Professionals in Cluj, told us that mayor Emil Boc doesn't hold press conferences anymore, even if they are mandated by the law of free access to public interest information. Mayor Emil Boc defended himself by saying that he goes to certain radio shows and that he's also using ‘online means’ (meaning Facebook) in order to present to the public the activity of the institution.

¹² <https://www.g4media.ro/document-administratia-firea-a-inundat-piata-media-cu-pesto-10-de-milioane-de-euro-pentru-publicitate-doua-companii-ale-primariei-refuza-sa-spuna-ce-televiziuni-si-publicatii-au-primit-bani-publici.html>

¹³ <https://www.libertatea.ro/stiri/campanie-electoral-gabriela-firea-spoturi-televiziune-aep-3117107>

¹⁴ <https://romania.europalibera.org/a/prim%C4%83ria-lui-tudorache-a-dat-televiziunilor-300-000-de-euro-pentru-reclam%C4%83-la-o-machet%C4%83-de-spital/30938239.html>

¹⁵ <https://www.ziardecluj.ro/cat-ii-costa-pe-clujeni-pr-ul-lui-emil-boc-cati-bani-au-primit-firmele-de-casa-care-il-promoveaza-pe-edilul-clujului>

The Center for Independent Journalism monitored the direct allotment of ads through the e-licitatie.ro, through SEAP, the Electronic System for Public Procurement, using a series of 19 codes. According to our monitoring, between March 2nd and December 6th there were over 5,500 contracts, with a total value of approximately 19 million lei (almost 4 million euros). **Almost half were allocated in the March-April period, with a total of 8.6 million lei (1.8 million euros).** There were also over 700 contracts awarded through offline assigning and published between March-July 2020, with deadlines in March-December 2020 and a total value of approximately 2.4 million lei (500.000 euros). We have to mention that not a single one of these contracts mentioned in the paragraph above were published on SEAP, so they weren't counted.

The report offers several main conclusions, that are relevant both from the point of view of the institutions that award these contracts, and from that of the media institutions that benefit from them.

1. The ad contracts or subscriptions don't just buy the ad space in newspapers, but also access to editorial content: participation in live or taped shows or even entire shows dedicated to promoting 'news' and 'interviews', and their distribution on their social media accounts. The practice is widespread among institutions that are buying promotional services in the media. The public is misled that it's getting journalism, while the content is actually ad content served as news or shows on radio, TV, or online.

For example, Florești village from Cluj county is placed on the third position in the top of public institutions which bought promotional services in media during this period, with 15 contracts worth 262,401 lei, without VAT. Eight of them stipulate clearly that the object represents print and online articles, their distribution on the Facebook pages of those publications, participation in radio and TV shows, interviews, etc. 13 of those contracts were signed in March 2020.

The County Council in Hunedoara is among the biggest buyers of promotional 'journalism', in fifth place, with ad services worth 215,885 lei plus VAT in 16 contracts, 15 of them signed just before the start of the state of emergency. Seven of them include the creation of informative materials, news, reportaje and interviews. Two of the contracts, worth 85,000 lei, mention the production and publishing of 'news' and shows, during the highest audience hours.

2. In December 2020, were published offers for publications created for local public institutions, especially city halls, branded as journalistic products. This type of procurement shows that public institutions aren't satisfied with buying editorial space in established media products, but feel the need to produce their own 'media channels'. The practice isn't new, but it's important in its development, especially in the context in which these new publications appeared, between April and December 2020, a period that included two electoral cycles, one of them for local public administration.

The biggest sum was allocated by the City Hall in Sector 1 in Bucharest, that offered in July 30th 2020 a contract worth 123,000 lei plus VAT (25,625 euros) to the company CHELGATE LTD UK, specialized in „Reputational and Relationship Management”, for a print publication called “Informative Bulletin for

Sector 1, with a circulation of 100,000 copies”. The procurement description mentions, among other specifications, that: *“The lack of information available for citizens is still a significant problem, allowing for the dissemination and amplification of fake news, and a source of clear and relevant information regarding topics useful to the general public ensures transparency of the relation between public institutions and citizens or between companies and their public. (...) All materials proposed for future issues will be subjected to approval by the Contracting Authority. (...) The subjects chosen will be approached under the form of several species of the journalistic style, in order to capture the attention of the reader and stimulate its interest.”*

The Administration of Public Markets from Sector 6, in Bucharest, ordered in May 2020, in a contract worth 40,000 lei, the production of INFO SECTOR 6 newspaper, with 16 pages and a monthly circulation of 3,000 copies, for 8 months. Its purpose was to “promote the activities of public institutions, public interest information, useful information for economic agents, useful information for citizens, articles and interviews”.

Even if it’s done in way cheaper contracts, this practice is to be found even in small cities and communes, where local authorities order such monthly publications to be freely distributed in 1,000 or 2,000 copies. In the absence of local media that could have offered balanced reporting, these publications that mimic journalism end up as the only sources for information in those communities, leaving them in an informational bubble controlled by the authorities.

In June 2020, the City Hall of Vălenii de Munte ordered “a monthly local newspaper titled Vălenii de Munte”, in a contract worth 24,000 lei. In the description of the requisite services it’s mentioned that “the documentation and the production of the paper should be done in site” and that *“the paper will have 4 pages in colour and will offer useful and relevant information about the activity of the City Hall and the Local Council, will publish the announcements coming from the City Hall and other local institutions, will include interviews, reportages, news, classified ads from citizens”*, and be printed in 2,000 copies.

In March 2020, the Filipeștii de Pădure commune ordered the production of “The Filipeștii de Pădure Gazette”, with a circulation of 2,000 copies per issue.

During March-July 2020, the company SC Excelent Media Info SRL, editor of the Gazeta de Prahova, signed 6 such contracts, worth 109,600 lei, for publications dedicated to local authorities,

3. Offering contracts to all local media institutions in the county/city. This practice shows that the decision to buy ad space in local media isn’t based on some objective criteria, to ensure a sensible spending of public funds or a high impact, in terms of audience or relevance for the local community. The practice was criticized over the years and it’s considered to be a means for the local authority to ensure the ‘quietness’ of all local media outlets.

The Ialomița County Council offered 29 contracts, worth a total of 317,228 lei for media communications. Six of them, 12,000 lei each, were signed in June 2020 with six media outlets, in print and online, and another contract worth 14,400 lei was offered to a local online publication, including

promotions on its Facebook page. Furthermore, the Ialomița County Council offered five contracts worth 30,000 lei each to local television and radio stations and another 75,000 lei contract (15,625 euros) to Antena 3 Slobozia. These were one year contracts and their stated purpose was to promote the activities of the institution through press releases and news. The same thing happened in Călărași County, where the local council awarded 19 contracts with a total value of 132,610 lei.

4. Procurements of media promotion services during the pandemic in order to promote events or actions planned, the cancelled, for the period between March/April and December 2020. Even during the state of emergency, when it was clearly stipulated that all public events and gatherings were forbidden, state institutions continued to offer contracts, sometimes on a monthly basis, to promote socio-cultural and sports events. Between March 4th and April 10th 2020, Mangalia City offered four contracts to Mangalia Media company for “*promotion and photography services covering socio-cultural and sports events in the city*” organized between March-December 2020, with a total value of 70,000 lei without VAT. On March 27th 2020, the Florești Commune in Cluj offered two contracts with a total value of 83,920 lei without VAT to Agro TV Network company, to promote cultural events. Such practices can be interpreted as liquidity injections for certain media companies in order to help them survive the current pandemic crisis.

5. There are media institutions that gather a large number of contracts with public funds. Our monitoring showed 30 companies with over 40 contracts each. One of them, the Unirea newspaper in Alba Iulia, had 204 contracts, between March 2nd and December 6th 2020, with a total value of almost 300,000 lei. In second place was Servus Hunedoara publication, with 130 contracts worth 116,442 lei.

6. There are media outlets extremely successful in selling subscriptions to public institutions, especially to city halls in small cities and communes. The subscription contracts also include editorial promotion. Jurnal de Ilfov weekly, published by Prestige Events company in Bucharest, signed 11 contracts worth 275,260 lei without VAT, to supply newspaper copies to ten local public institutions. Press Grup Moldova company, which publishes two local weeklies - *Bună dimineața Suceava* and *Bună dimineața Botoșani* - signed 34 contracts, between June 16th and October 5th, with city halls for subscriptions to those two publications, including promotional services, worth 53,000 lei.

The dependence of media institutions to public funding sources makes them vulnerable to political interference in their editorial coverage.

"It's a parallel press system, fed with public money."

Cătălin Moraru

3. The electoral campaigns were more visible in media budgets, rather than in proper editorial coverage

If the pandemic were to occur in a different year, the Romanian press could have suffered even more. But with substantial help from the government and two electoral campaigns, things were much better than they could have been.

“Because there was a lot at stake in these elections, we never had as many campaign ads as in those local elections. The electoral campaign helped us to survive. We also had a lot of ads for the parliamentary elections, because they were so important for the next four years. The winners will be able to govern without problems on local and national levels in the next four years. (...) There are a lot of funds on the horizon, international loans, a lot of money - this is what it's all about”, says Cătălin Moraru.

Vlad Stoicescu considers that these electoral campaigns were *“by far the worst in the last many years. Ironically, the pandemic helped the parties.”* The general impression was that the political debate of 2020 was just a ‘dialogue’ through political ads. *“We saw a lot of advertorials, but almost no real political journalism. A big problem, in my opinion, is that we don't have a clear convention for labelling such content. Those who want to do it, write something like ‘recommended by PNL’ or ‘supported by USR’, which can be misleading for readers. Others just included a small ‘A’ for ‘advertisement’, but at the end of those texts, never at the beginning”,* says Stoicescu. Interviews written by campaign staff were published posing as journalism, on a regular basis. *“This bothered me, because, as a journalist, I can see clearly that there's no real public interest information there, just simulated questions for the candidate”,* comments Stoicescu. The same thing happened in Botoşani: *“They wanted to publish an ad consisting of questions answered by the candidate, but they asked me to send them one of my reporters to do it. I told them they should write it themselves, because if I send them a journalist the interview would be very different”,* remembers Cătălin Moraru.

“What I saw in the local elections was a huge PR operation, generating a sort of informational wall fissured by only a few publications that tried to do some proper reporting on some of the candidates”, says Codruţa Simina. *“It was... I can't even call it a mock campaign or debate. The media had almost no interest in covering the elections, the candidates and their communicational departments were opaque, closed off to any journalistic attempt.”*

“I saw only a few interviews, like the ones done by Libertatea, that tried to ask some relevant questions. It's very little for an electoral campaign, which means that local media wasn't able to generate relevant news about the candidates. Because if it could have done it, they would have been picked up by the national media and amplified”, she adds.

For the poorly financed local media, campaigns are cash flow opportunities, says Simina. *“I think every local media manager sits on the dilemma of gathering as much money from the market, which means you can't put the candidate in a*

'bad light' or bother him with questions. On the other hand, with very few exceptions, we also had candidates that were so inconspicuous, that reporting on them would have generated no interest from the public. And if you can't generate an 'audience' for me and if you don't pay me, it's useless for me to try anything. Very, very few candidates had projects or political programmes to deserve coverage or debate", considers Simina. As for the parliamentary elections, *"they were the saddest ones I've even seen".*

Toni Hrițac says that *"these were campaigns in which the candidates ran away from the media and tried to maximize the advantages offered by the media instruments they controlled - 'I'll just use my Facebook account or the party's page and invest some money in Facebook's ads and reach, and that's that.' Every electoral campaign, we did a debate with the three or four main candidates and published it in the paper. Now, nobody wanted to participate in a debate. We said 'Ok, you don't want to face each other in an open debate, let's do individual interviews. Out of the three candidates we approached, only one accepted."*

"It's getting worse and worse, overall. Maybe it was a little bit better than the previous campaign, and probably way worse than the next one", says Cătălin Tolontan. *"We're in a situation in which the electoral campaign became a matter of strength of noise, not a conversation. We saw it on tv, we saw it at any level. The Iași case is a good example. How many debates were there on the national tv stations? Very few real ones, with top political players."*

Even with this general political 'boredom', media attacks were present. *"We had ads like 'You're a local producer, you pay your taxes, you work on your lands, but Ludovic Orban wants you to disappear'. We said we're sorry, but we cannot publish such ads, unless you take up the responsibility of an eventual lawsuit, to pay every damage'. When they hear this, they give up",* says Moraru.

4. We got into an ‘exclusive club’, of countries that don’t protect their journalists (anymore)

Freedom of speech, freedom for journalists, and the understanding of their role in a democratic society are all decreasing globally. The Reporters Without Borders organization shows, in their World Press Freedom Index report from 2020¹⁶, that many governments used the medical crisis of the Covid pandemic to impose new media restrictions, that wouldn’t have been possible in a different context. Romania was no exception. The last 18 months showed us that even fundamental freedoms could be limited at a stroke of a pen; that access to public information could be so easily blocked for journalists; that they could be threatened with criminal prosecution just for doing their job.¹⁷ And the disdain of some politicians for journalists was strongly felt during this period. The prime-minister, annoyed by journalists asking about the National Recovery and Resilience Plan, reproached them that “they didn’t manage to become civilized in these last 30 years.”¹⁸

Even for the new political class, journalists are ‘good’ if they listen quietly in press conferences, if they only ask ‘proper’ questions, if they cover inauguration festivities for unfinished highways, and if they are ‘partners’ to the authorities “in this common effort of properly informing Romanians and teaching them accountability, in order for them to vaccinate in greater numbers, in order for all of us to return to normalcy.”¹⁹

“If we look at those EU states where they got to the point of assassinating journalists, we’ll see that, every time, it didn’t start with the physical aggression, with the murder. It started from making the press less credible, from the state abandoning its role of protecting the Constitution, and from transforming itself into an aggressor of the press”, says Cătălin Tolontan.

“Assassinations start to occur after the state betrays its mission, in its interest to make journalists less critical, and gives the signal that you don’t have to be afraid to attack the press. We already went through all these phases”, warns Tolontan.*

* For example, Daphne Caruana Galizia, the Maltese investigative journalist assassinated in 2017, had 47 civil and criminal cases opened against her by politicians and businessmen.

“All these years when the public’s and media’s focus was on Dragnea were years in which we saw a series of signals telling some people that they can push the envelope a little bit further and further. We just had an assassination of a businessman with a car bomb”, says Codruța Simina. “We crossed some red lines during Dragnea’s period, after which instead of having people come and redrawing them, we

¹⁶ <https://rsf.org/en/2020-world-press-freedom-index-entering-decisive-decade-journalism-exacerbated-coronavirus>

¹⁷ https://cji.ro/wp-content/uploads/2020/09/Raport-libertate-de-exprimare_final.pdf

¹⁸ <https://www.g4media.ro/video-citu-iesire-fara-precedent-la-adresa-ziaristilor-nu-v-ati-civilizat-in-30-de-ani-de-zile.html>

¹⁹ <https://www.facebook.com/florinVcitu/posts/2575751162719527>

saw them come and ‘dance’ around these subjects, giving away money with one hand and restricting all public information with the other, and we did not see the clear changes that society asked for before they were voted into office.”

Oana Despa says that politicians *“don’t answer questions anymore, they don’t care about the media, and from time to time, when they feel threatened, they sue us because they know we’ll have to waste time in courts”*.

“Gabriela Firea made a habit out of this. Every year, she sued several journalists. I don’t think her objective was to take our money, although it’s certainly unpleasant, because journalists are not rich people. But mainly it’s the fear that you’re in trouble, that your credibility is damaged, the fear that you’re losing confidence in your work, that you’re the one with the problem”, explains Despa. “It’s a fear that you’re going to waste months and months in courts, instead of doing your job. This is their method. Especially if you’re not working in the mainstream media, people think that you’re smaller, so easier to defeat. Even if it’s not the case. They can more easily get to a big editor, in order to silence a journalist from a big newsroom, than silence a journalist from the ‘small, bad’ media.”

Gabriela Firea’s harassment tactics are also mentioned by Cătălin Tolontan: *“During the pandemic, the former mayor spoke in paid shows. They had an editorial look, but they were commercial because of their financing. The audience was lied to and every television channel, right or left leaning, had this format.”*

“We have a record number of propaganda websites dedicated to politicians or businessmen. They mushroomed like never before. If we look at the BRAT ranking for online publications, we’ll see that half of the first 6-7 names are fake news websites. Half of them aren’t even related to journalism”, adds Tolontan.

“We have lawsuits like never before. That’s because we’re bothering everybody and it accumulates after so many years of writing. But also, because, in our opinion, politicians have more money at their disposal, in the government or local administration, and they use it to buy or to intimidate the media, from case to case”, explains Tolontan. This happens on a background of a growing misunderstanding of the freedom of speech.

“It’s worse now than it was ten years ago. Among the fundamental concepts that were eroded is freedom of speech.”

Cătălin Tolontan

Cristi Pantazi also considers that we’re now facing a greater temptation for politicians to use lawsuits against journalists as a means to intimidate and to silence them. *“At G4Media, we’re also facing such lawsuits and their number increased during the last period. I don’t want to talk about the rulings, because I haven’t read the grounds for the decisions, and it’s hard for me to enter in a legal debate.*

But yes, this phenomenon is worrying, both at the central and local levels, because I also saw this temptation there, for local politicians and businessmen.”

Cătălin Tolontan says that this attitude is fed by public funds: *“This aggression is because of public money, because people who control them are annoyed by independent media, no matter its size. And they use the money to hit the media, by buying it or scaring it.”* There’s a lot at stake in the next few years, thinks the journalist from Libertatea. *“The big danger that we see for the next few years is that part of the PNRR money, and there’s a lot of money there, will have the same path as the present funds in a city hall, for example. On one hand, they could afford to buy more and more websites or the goodwill of televisions. On the other hand, those that can’t be bought will be intimidated by various means. Or they could just use dark money to buy prosecutors or judicial officers, like we saw in some cases. You - local or central authorities, businessmen, politicians - use expensive lawyers and intimidate people.”*

One of questions that started the reporting of this section of our analysis was if we can speak about a clear attack on freedom of speech.

“The field is set for this attack to take place”, says Emilia Șercan. “The legal system is working in a low gear, and we write for nothing, because the people we write about aren’t even called for questioning. The lack of response from the justice system has given confidence to those people to move against the journalists that write about them.”

If we look at the evolution of the last period, as well as to some decisions by people in charge of applying the law, and to some court rulings, we can see a misunderstanding of the framework of freedom of speech and of the role and protections offered to journalists in democratic societies.

We can also interpret this evolution as a reaction of the judicial system against a general “press”, perceived as some amorphous entity, and a corrupted one, intruding in things that are not its business.

And there are also clear cases of political interference in the justice system and judicial corruption, says Cătălin Tolontan. *“There are some cases clearly documented, like Goleac’s, who ‘bought’ his own man in DNA. Direct bribes in the justice system.”*

“I have two complaints to the police by people from the Police Academy, by the former rector and former pro-rector. In one case, the policewoman who questioned me tried to deny my journalist status. They tried to deny me as a journalist in order to get to my sources”, says Emilia Șercan. “They lodged a legal complaint at DNA, the National Anticorruption Directorate, saying that some private information was disclosed, which then got to me. I published it, so they said I have to tell them who gave it to me. It’s a constant pressure”, tells Șercan.

4.1. Freedom of speech versus the justice system

In 2020, the number of lawsuits against journalists has risen, according to the industry. If we look at the current context and at the background we presented in the previous pages, this phenomenon of journalists being sued by politicians should be worrying us. 2020 was an electoral year and journalists were among those who scrutinized procurements done during the pandemic, for example.

Looking at some of the cases that ended up in courts, we can formulate some conclusions.

1. State institutions are using public resources to sue journalists, asking for damages for the loss of reputation of those public institutions

In 2020, we saw the case of the publication Buletin de București, sued by the Local Police Department of Sector 1, for an article in which journalists were documenting how it awarded, by direct assignment, several contracts worth 1.2 million euros.²⁰ The Public Domain Administration in Sector 2 sued the Libertatea newspaper for another article, claiming that it damaged the reputation of the institution. Another lawsuit was started by a senior retirement home, managed by City Hall. When she was mayor of Bucharest, Gabriela Firea was famous for suing journalists from the publications that criticized her.

2. Politicians or bureaucrats who sue journalists

Politicians and employees of public institutions resorted as never before to suing journalists and, especially, to asking for articles to be removed. Politicians seem to have forgotten that public office comes with an even higher level of accountability and that, because they are in positions of power and control of public resources, they enjoy a weaker form of protection of their right to free speech.

In recent cases, some judges ordered articles to be removed. One such case is the one in which the 'Matei Balș' Institute of Infectious Diseases and its manager at that time, Adrian Streinu Cerel, now a PSD senator, demand the removal of the investigations published by journalist Victor Ilie. Another example is the lawsuit in which Daniel Băluță, the mayor of Bucharest's Sector 4, demanded that Libertatea newspaper remove seven article mentioning another person, Marian Goleac, because it affects the reputation of the mayor.²¹ Both publications appealed the decision. But the jurisprudence of the European Court of Human Rights says that journalists enjoy a higher level of protection in their job and that, in cases involving freedom of speech versus the right to privacy, these two rights must be weighted while also taking into consideration the public interest, the veracity of the information, etc.

Removing journalistic articles could create an extremely dangerous precedent for the exercise of freedom of speech.

²⁰ <https://buletin.de/bucuresti/cum-a-profitat-politia-sector-1-de-pandemie-si-a-atribuit-direct-contracte-de-12-milioane-de-euro-episodul-1-teapa-de-jumatate-de-milion-de-euro-din-spatele-livrarii-de-masti-gratuite/>

²¹ <https://www.libertatea.ro/stiri/in-procesul-civil-judecatoria-sectorului-2-a-dat-dreptate-primarului-baluta-si-a-decis-si-stergere-articolelor-despre-goleac-3566580>

3. Criminal complaints against journalists

The most recent cases are those involving journalists Cătălin Tolontan and Mihai Toma, from Libertatea, and Mircea Marian (senior editor), Alexandru Pop (reporter), and Andrei Sabin Orcan (office manager) from Newsweek, against whom the Sector 4 mayor, Daniel Băluță, filed two criminal complaints at DIICOT, the specialised organised crime prosecution service. The mayor claimed that the journalists were involved in blackmail and organized crime, but presented no proof.²²

The prosecutors opened an investigation *in rem*, only for the facts described by the mayor, not against certain persons, and only to verify if the accusations were founded or not. The journalists were called to DNA as witnesses, in this phase of the investigation. On June 10th, DIICOT partially closed the file on the accusation of setting up an organised crime group, as it stated it only has competence on this part.

As DIICOT cannot investigate the blackmail accusation, it declined its jurisdiction to the Prosecutor's Office attached to the Court of First Instance in Sector 4 Bucharest.²³

The hearings of the journalists from Libertatea turned into a media spectacle, with no means for them to defend themselves, as they were asked to sign a paper saying they will not divulge any information from the case. Several TV crews were present at the DIICOT headquarters to film their arrival and the security checks were done on live TV. Meanwhile, parts from the complaint were published by Gândul.info website, then quoted by other media organisations. Gândul.info is owned by Radu Budeanu, a businessman convicted to two years in prison, even if on a suspended sentence, after he admitted that in 2011 he bribed Elena Udrea, then Minister for the Regional Development and Tourism, with 3.8 million US dollars, acting as a middleman for another businessman which wanted to keep his contracts with Hidroelectrica.

Calling journalists for criminal hearings is a sensible action, for which clear procedures are needed and the examination interviews with journalists should be done only if it's really necessary and after other preliminary procedures.

This practice can affect the credibility of journalists, especially when it's done as in the case of Tolontan and DIICOT. Furthermore, it can lead to demotivation and even intimidation, as sources will not feel safe approaching those journalists.

4. Asking journalists to reveal their sources

The cases mentioned above are some of the most visible ones, but not exceptions. It became a practice to summon journalists in police stations, the Prosecutor's Office, or the National Anti-

²² <https://www.libertatea.ro/stiri/doi-jurnalisti-de-investigatie-libertatea-audiati-ca-martori-la-diicot-dupa-o-plangere-a-primarului-daniel-baluta-3560192>

²³ <https://www.libertatea.ro/stiri/diicot-claseaza-dosarul-plangerii-primarului-baluta-impotriva-jurnalistilor-pentru-grup-infractional-organizat-si-spune-ca-pretinsa-infractiune-de-santaj-merge-catr-3594328>

Corruption Department (DNA) for hearings as witnesses, most times as an excuse to ask for access to the documents used in their journalistic investigations or for them to reveal their sources.

ECHR says that Article 10 of the European Convention on Human Rights also protects the journalists' sources: *"Protection of journalistic sources is one of the basic conditions for press freedom. (...) Without such protection, sources may be deterred from assisting the press in informing the public on matters of public interest. As a result the vital public-watchdog role of the press may be undermined, and the ability of the press to provide accurate and reliable information be adversely affected. (...) [A]n order of source disclosure (...) cannot be compatible with Article 10 of the Convention unless it is justified by an overriding requirement in the public interest"*. (Goodwin v. the United Kingdom, judgment of 27 March 1996, § 39)²⁴

At the European level, we see more and more debates on the subject of journalists harassed in courts with the purpose of intimidation, especially in the context of the Covid pandemic. The phenomenon is called SLAPP - strategic lawsuit against public participation - and represents a form of legal harassment. Its objective is to affect the credibility of journalists, to consume their material resources (as lawsuits take a lot of time and can be very costly, especially if those initiating them have strong legal teams), and also to cause emotional and psychological fatigue. In December 2020, 60 NGOs published a position paper²⁵, asking the EU institutions to implement quick measures to prevent such harassment actions against people working for the public interest.

Such lawsuits are an attack on fundamental freedoms, like the freedom of speech, and can have strong demotivation and intimidation effects. Journalists interviewed for this report said that the recent large number of lawsuits against the media have exactly this purpose.



²⁴ https://www.echr.coe.int/Documents/FS_Journalistic_sources_ENG.pdf

²⁵ https://dq4n3btxmr8c9.cloudfront.net/files/zkecf9/anti-SLAPP_model_directive_paper_final.pdf

Conclusions

At the international level, we see a growing discussion on how to better protect this public good represented by journalism. The pandemic made the press even more vulnerable to risks like financial instability or a dependency on controversial sources of income.

We need a coherent policy at the European level and clear lines and mechanisms agreed by member states to financially support media institutions. But this support must be transparent and strategic, applied where it's needed the most, in order to avoid an abusive use of public funds and also editorial interference.

The National Audiovisual Council (CNA) must start to truly respect its remit and mandate and to protect public interest, as this context highlights the need of proper informing of the public. The last years showed us that the institution is guilty of tolerating an accelerated degradation of public speech. CNA has the obligation to try to clean up the audiovisual space, by a constant and impartial enforcement of the law and the provisions of the audiovisual code.

This year, the national television and radio have new leadership. It's a good moment for these two institutions of such great importance to reaffirm their independence from the political sphere and to assume their public mission and public accountability. Both TVR and the National Radio have the expertise, the resources and the people that can allow them to produce high quality journalism. What 's needed is a will to do it.

We also need EU legislation to prevent SLAPP suits. And, until we get there, Romania needs a proper discussion forum that brings together professionals from mass-media and from the justice system, to reaffirm the principle of freedom of speech as a fundamental right.

Political parties must also ask their members to respect transparency, freedom of speech, and the role of journalists in a democracy. Without a political class that understands that the mandate of journalists includes them asking questions, asking for information, and demanding accountability, democracies cannot function.

On their part, journalists and media managers must start 'cleaning their own house'. In the March 2020 report, we wrote that *"it's necessary that the voice of journalists be heard louder and stronger and it needs to condemn the slippages inside their profession, and to also speak often about good practices. However frustrating and overwhelming this new 'task' may seem,*

without critical solidarity the profession will continue to slip into irrelevance, pulled down by those who profit from the weakening of the professional identity of journalists.” The year 2020 just added new problems for journalists, but it also showed how important it is for them to start associating.

The public also has part of the blame, and part of the responsibility moving forward. Free information, ‘flying’ everywhere, comes at a great cost. It’s often paid by politicians, by state institutions, private companies, etc.

Do we want journalism? Do we want useful information that’s relevant, fact-checked, and correct? Do we want context, in order to make informed decisions? Are we tired of click-bait, partial facts, or enraged breaking news? Then the first step is to pay for news. Quality information has a cost and a price. The next step is to demand that institutions do their job. To sanction politicians who attack journalists and to stop judging the media as a whole. Everytime we say “*the media is lying*” or “*journalists are fake-news*”, we legitimize and power attacks on our free press.





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Journalism in 2021: an obstacle race, with fewer and fewer winners

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