

FINAL NARRATIVE REPORT

Project title and name of partner	STRATEGIC DEVELOPMENT & STRENGTHENING OF LEGAL AND REGULATORY FRAMEWORK FOR INDEPENDENT MEDIA IN MOLDOVA
	Association of Electronic Press
Project period/duration of contract:	From 1 December 2021 until 31 December 2022
Budget and spendings – please state the budget, the actual spending and explain deviations exceeding +/- 10% per budget line.	■

1. QUALITATIVE RESULTS - MOST SIGNIFICANT RESULTS

Please write the most significant results achieved during the project period. This could be examples of actions taken (changes in structures, cooperation/relationships, practices and/or resource allocations) by communities, civil society or duty-bearers (authorities, international tech companies etc) to further democracy, accountability and human rights. It could also be if you as a partner has changed practice or established new cooperations etc. In this section it's important to focus on the results and not the activities – e.g. what happened after a training, how was a research used, how did authorities and communities react to a journalist investigation etc.

Outcome 1: Anti-disinformation amendments to the Media Services Code adopted

The outcome description (3-5 sentences)

In June 2022, necessary amendments to the Media Services Code were adopted by the Parliament. Background: The Code is a law that entered into force in 2019 and transposed into the legislation of Moldova Directive 2010/13/EU of the European Parliament and of the Council of March 10, 2010 (*Audiovisual Media Services Directive*). At the end of 2020, the Parliament, then controlled by the Socialist Party, replaced certain provisions with others, which contravened European standards.

The significance (5-8 sentences)

The changes from June 2022 were necessary, on one hand, to eliminate provisions inconsistent with the European Directive and, on the other hand, to supplement the law with new rules, aimed at protecting the audiovisual information space from disinformation, in the context of the Ukraine war.

The contribution (5-8 sentences)

APEL, as part of the Working Group of Experts on the Improvement of Media Legislation, participated in the elaboration, debate and final drafting of the amendments.

Outcome 2: Anti-concentration amendments to the Media Services Code adopted

The outcome description (3-5 sentences)

In November 2022, the Parliament adopted new amendments to the Media Services Code. Background: in August 2022, the National Commission for European Integration approved an Action Plan for the implementation of the measures proposed by the European Commission in its Opinion on the application for the accession of Moldova to the European Union. According to the Plan, the Audiovisual Council (CA), among other actions, was supposed to propose amendments to the Code to prevent the emergence of ownership concentration in the audiovisual sector and to ensure transparency in the financing of media service providers and distributors.

The significance (5-8 sentences)

For Moldova, these changes are appropriate because in the audiovisual space there have always been and still are politically affiliated oligarchic holdings, financed from obscure sources and which are harmful to the development of a real audiovisual pluralism.

The contribution (5-8 sentences)

APEL elaborated and proposed part of the amendments, expertized the amendments proposed by AC and, within the Working Group, participated in the debate and final drafting of the amendments.

Outcome 3: New electoral code adopted with provisions for mass media

The outcome description (3-5 sentences)

In December 2022, the Parliament adopted a new Electoral Code. The electoral code contains two articles, which refer to the general principles and particularities of election coverage in the mass media.

The significance (5-8 sentences)

The changes are important because they give freedom to the mass media to organize electoral debates, narrow the possibilities of politically affiliated television stations to carry out electoral agitation (party propaganda) and make AC responsible during election periods.

The contribution (5-8 sentences)

APEL expertized the provisions of the two articles of the draft Code, proposed essential changes, participated in the public debate and their finalization.

Outcome 4: Proposals for amendments formulated to projects in progress

The outcome description (3-5 sentences)

During 2022 APEL, as part of the Working Group, expertized two drafts of new normative acts: the draft Law on the Subsidy Fund in the field of mass media (1) and the draft Government Decision on the organization and operation of the Public Institution "Center for Strategic Communication" (2). APEL also promoted the project developed regarding the national media development program for the years 2022-2025 and the action plan for its implementation (3).

The significance (5-8 sentences)

All these three projects are very important for Moldova. Project (1) is important because independent media is facing serious economic problems and a national support system is needed. The importance of project (2) lies in the current challenges faced not only by Moldova, but by the entire region. Project (3) is vital because in the absence of a national program and action plan the media can develop chaotically, which must be avoided.

The contribution (5-8 sentences)

APEL made proposals to improve the projects and participated in their finalization. At the end of the year, the projects were submitted to the specialized parliamentary committee. This commission announced in mid-January 2023 that it will work in the first phase on all three of these projects.

Outcome 5: Normative acts adopted by the Audiovisual Council

The outcome description (3-5 sentences)

Within the IMS project, APEL expertized 12 normative acts of CA, formulated proposals for improvement and participated in public consultations. AC accepted most of the proposals, finalized the documents and adopted them in public meetings or is about to adopt them. We particularly note: *Classification of media service providers; Regulation on the organization and functioning of the Audiovisual Council; Regulation on the issuance of the broadcasting license; Regulation on the granting of retransmission authorization; The development strategy of the audiovisual field for the years 2023-2027; Regulation of audiovisual content; Regulation of audiovisual commercial communications; The methodology for monitoring hate speech in audiovisual media content.*

The significance (5-8 sentences)

These normative acts are essential for the daily activity of the Council in its new composition. Practically, they are intended to bring order to the audiovisual market and to establish a fair system for the operation of media service providers and distributors.

The contribution (5-8 sentences)

APEL continues to make a significant contribution to all these new text developments. At the same time, we appreciate the very good cooperation of the APEL experts with the CA members.

Outcome 6: Normative acts adopted by the Supervision and Development Council of TRM

The outcome description (3-5 sentences)

Within the IMS project, APEL expertized 3 normative acts of the Supervision and Development Council of the public company Teleradio-Moldova (TRM) and formulated proposals for their improvement. It is about three regulations: *The Regulation on the organization and operation of TRM; The Regulation on the organization and operation of the Representative Qualification Council of TRM and the Regulation on the organization and operation of the Managerial Committee of TRM.* APEL also proposed a guide for the development of a medium and long-term TRM development strategy.

The significance (5-8 sentences)

These normative acts are key documents and are very important for the daily activity of TRM and for strategic planning of TRM. The first regulation, for example, is practically the basic regulation for the activity of TRM because it concretizes the mission, attributions and powers of the national public provider, established in the Media Services Code. Likewise, the guidelines in the proposed guide for developing the TRM development strategy are important.

The contribution (5-8 sentences)

APEL had a significant contribution in all these new text elaborations, some of which were accepted by the CSD. At the same time, we appreciate the cooperation of APEL with the CSD management and the TRM administration. We will mention that the CSD in its meeting on May 13, 2022 approved a decision on collaboration with APEL and other media NGOs.

Outcome 7: Monitoring report of the content offered to the public by the 6 most influential televisions

The outcome description (3-5 sentences)

In November, APEL experts carried out a thematic monitoring for one week, between November 7 and 13, 2022, of the contents offered by the top 6 TV stations, according to the ratings of the national TV audience measurement on the topic: the war in Ukraine. It is about RTR Moldova, Primul in Moldova, Prime, NTV Moldova, TV 6 and Jurnal TV.

The significance (5-8 sentences)

The monitoring was aimed at tracking the way that monitored televisions report on the war in Ukraine and determining the possible impact of disinformation. The study revealed interesting facts, namely that some television stations favored Russia in mediatizing topics about the war, and others chose to apply two handling techniques: omission and silence, completely ignoring the events in the neighboring country. We also set out to see if our results and those of CA coincide or differ. And practically they coincided.

The contribution (5-8 sentences)

The presentation of the monitoring report took place during a round table to which representatives of several television stations were invited, including 3 of 6 monitored televisions. It is worth noting that four of the six monitored television stations were left without broadcast licenses in December 2022 during the state of emergency in Moldova for tendentious media coverage of events related to Russia's war in Ukraine, according to a decision of the Chisinau authorities.

2. PROGRESS ON ACTIVITIES AND OUTPUTS

Please list your activities and outputs – as indicated in the project proposal, MoU or contract – in the table below.
 If targets were set in the project proposals, please insert the targets and results below.
 Please disaggregating by gender/sex, when relevant.
 See examples in the annex at the end of the document

Indicator	Target	Result	Comments
Activity 1. To reconvene the Working Group <i>The nominal composition of WG;</i> <i>Number of WG meetings</i>	Reconvened WG ; 10 meetings of WG	The nominal updated composition of WG that includes experts from 6 NGOs: APEL, API, CJI, FH, Internews and IMS; 11 meetings of WG	WG was established by Order of the Chair of the Parliamentary Committee for media on 14 March 2022. Later experts from two more NGOs were included in WG: The Watchdog Community and IPRE. Six of the 11 meetings of the WG were organized online, and five - with the physical presence of experts
Activity 2 Provide draft amendments to the media legislation, attached to the Parliamentary Committee <i>Number of sets of amendments</i>	5 sets of amendments developed in WG on the following acts or draft documents: 1. <i>Media Services Code;</i> 2. <i>Electoral Code;</i> 3. <i>National Media Program;</i> 4. <i>Advertising Law</i> 5. <i>Competition Law</i>	4 sets of amendments developed in WG on the following acts or draft documents: 1. <i>Media Services Code;</i> 2. <i>Electoral Code;</i> 3. <i>National Media Program;</i> 4. <i>Law on the media subsidy fund (3 times)</i>	The advertising law was approved by the Parliament in its initial version, without the need for amendments, and the competition law did not enter the legislative procedure
Activity 3 Provide proposals on the draft amendments to the media legislation, drawn up outside WG <i>Number of sets of amendments</i>	1 set of proposals on the draft amendments to the media legislation	2 sets of proposals on the draft amendments on the following draft documents: 1. <i>Anti-disinformation amendments to the Media Services Code;</i> 2. <i>Draft Government Decision on the creation of the strategic communication center</i>	Initially, there was a project to amend several laws (called anti-disinformation 1), but after discussions and debates, including within the GL, it was decided to amend only the audiovisual legislation. Later, the initiative (called anti-disinformation 2) to create a Stratcom Center appeared in the discussion.
Activity 4 Monitoring/expertise of the secondary legislation of the Audiovisual Council (AC) <i>Number of expertise's</i>	1 expertise presented publicly at a round table	12 expertises including: 2 expertises presented publicly at a round table and; 2 expertises discussed in internal meeting with CA members	During the round tables, two very important normative acts for the activity of the CA were debated: the Regulation on audiovisual contents and the Regulation on audiovisual commercial communications. Also, two expert normative acts were discussed by APEL experts during internal meetings with CA members: the Regulation on the broadcasting license and the Regulation on the retransmission authorization.
Activity 5 Monitoring/expertise of the secondary legislation of the Audiovisual Council (AC)	1 expertise presented publicly at a round table	3 expertises and one guide	APEL's expertise was presented and discussed publicly in a meeting of the CSD but was not debated at

<i>Number of expertise's</i>			a round table because the CSD considered it inappropriate
Activity 6 Monitoring of TV contents <i>Number of reports</i>	1 report monitoring the quality of the contents offered by the most influential televisions presented publicly	1 report monitoring the quality of the contents offered by the 6 most influential televisions presented publicly	Selection criteria: Top six televisions according to the ratings audience, according to the data of the national audience measurement

3. REFLECTIONS ON RESULTS AND ACHEIVEMENTS AND PROPOSED CHANGES AND DEVIATIONS (max 1 page)

Please reflect in brief on the results and achievements described in the boxes above (item 1 and 2). Is the project progressing as planned? Are there any challenges? How were the challenges addressed? Or any need to adjust the strategy or intervention?

The activities that were carried out within the project exceeded our expectations. During the implementation of the project, several challenges arose that required the adjustment of activities to the created situation.

The biggest challenge was the continuation of the Covid-19 pandemic and the beginning of the war in Ukraine. It is for this reason that part of the meetings of the Working Group had to be held online. Parliament had other priorities especially in the first half of the year and we had to comply with them.

Thus, the action plan and media development program were left behind and the need to work to combat propaganda and disinformation coming from the Kremlin appeared in the background.

In the meantime, the Republic of Moldova has become a candidate country for joining the EU. One of the priorities in this new context has become the deoligarchization of the mass media. Therefore, a priority for CA was the legal regime of property and ensuring the transparency of property in the audiovisual field.

These are the basic challenges to which the project had to adjust. The fact that the project has responded to these challenges is demonstrated by the changes that its implementation has brought.

4. GENDER (max 1/2 page)

Please describe any specific activities or results related to gender and inclusion. This can be media content specifically focusing on gender issues, safety of female journalists, gender audits conducted, gender sensitive editorial guidelines etc.

In this chapter, we can note that when we examined the regulation of audiovisual contents, we drew attention to the practice of gender-sensitive journalism. We can be proud that CA adopted this regulation in which our proposals are found.

In the APEL letter addressed to the parliamentary media committee on February 14, 2022 to establish the nominal composition of the working group, we proposed to include 8 experts from media organizations, of which 4 are women and 4 are men.

5. CONTEXT (max 1/2 page)

Please describe any major changes in the local/specific context that your media outlet/organisation is operating in, which affected your activities or possibility to operate. Have there been any restrictions of freedom of expression and restrictions in how the media can operate? Has the situation changed since the start of the project or since last reporting?

In implementing the project, APEL had to comply with some changes in the regional and local context. It is mainly about the severe consequences of the war in Ukraine for Moldova, which also led to complications with the energy crisis.

The changes conditioned the legislative activity and APEL to adjust its activities provided by the project according to the Parliament's priorities in order to be able to continue its activity in this new context.

Anyway, the changes that took place could not restrict the activity of APEL in the implementation of the project, they only caused certain adjustments according to the priorities that appeared in the activity of the Parliament and in that of the regulatory authority of the field. We have faced the challenges so that the project achieves its overall goals.

6. LEARNING (max 1/2 page)

Please describe examples of which intervention strategies/activities/partnerships that were especially successful in contributing to results and why? Looking ahead, how will you use this to increase the chances of achieving results? Are there any best practices or possibilities for scaling up?

Did the project face any challenge, where things didn't work out that well? How was this addressed? What were the learning related to this

The most important lesson learned was the operative orientation to the changes that took place and the adjustment of the activities in the project in a way that would ultimately lead to the achievement of the proposed general goal.

For example, the priority of countering disinformation coming from the Russian Federation, after the massive intervention in Ukraine, changed the agenda of the Parliament and the CA, and APEL had to reorient its activity on two major segments: amendments to the primary legislation, amendments to the secondary legislation of CA.

Another example is related to the remark that 2023 is an election year. Thus, until the Electoral Code was adopted, the APEL experts had an extensive discussion on the amendments proposed by the project and those proposed by the CA. We reached a common denominator, some common amendments with which CA went to the Central Electoral Commission and in the end they were adopted.

The Anti-Disinformation Project. The first project provided for the formation of a repressive body so that in the end, following multiple and heated debates in the WG, to which, in the meantime, two more relevant organizations were co-opted, to reach the common understanding that in this segment it is necessary to create a functional Stratcom with no powers to sanction, block or restrict media activity.

PLEASE FEEL FREE TO ADD ANY OTHER ISSUES YOU FIND RELEVANT AND WHICH WAS NOT MENTIONED ABOVE

In 2022, Moldova became a candidate state for EU accession. One of the major objectives is the adjustment of the national legislation to the community one. In this sense, for the coming years, it will be an intense, complex and difficult activity, and we have every conviction that the accumulated experience of running this project is and will be very useful.