

Media and Democracy - what about Romania

George Chirita - executive director Romanian Association for Audiovisual Communications - ARCA

The European Commission's Regular Report on Romania notes that "Many media organizations are not economically viable and their continued existence can depend on the support of political or business interests". The origin of that evolution lies in the fact that the state" tolerated the accumulation of significant arrears by a number of the largest media companies" However, the report does not suggest nor that for the sake of democracy it would be better to let those media companies go to bankruptcy, neither that dead media is better than politically controlled media.

But why are the Romanian media supposed to be economically weak and exposed to political influence? We can provide an explanation for the economic weakness, but definitely there are no coherent arguments to prove the political control. All we have in that respect are only rumors and different limited perceptions and points of view.

I think we can describe the situation by a joke dating from World War II quoted by philosopher Alfred Korzybski (in "the Effect on Perceptual Processes of the Language System")

"In a railroad compartment an American attractive young lady, a Romanian officer, and a Nazi officer were the only occupants. The train was passing through a dark tunnel, and all that was heard was a loud kiss and a vigorous slap.

After the train emerged from the tunnel, nobody spoke, The Nazi officer was meditating, "How clever those Romanians are! They steal a kiss and have the other fellow slapped." The Romanian officer was chuckling to himself, "How smart I am! I kissed my own hand and slapped the Nazi."

Obviously it was here a problem of limited "perception," with different interpretations, and this is also the case of the evaluation mentioned in the European Commission report.

Actually, when limited information on facts is involved, the only one to know the truth is the one who does the facts themselves. Not to mention that the joke quoted here stress that the Romanian were rated to be clever since the time they were expecting the Americans to come. What about now, when they are in NATO and expect to join the UE?!

Following the proposed logic, the only way to find out the truth about the political influence is to ask the broadcasters themselves. But this is indeed a question where nobody will expect an answer. So let us limit to the second issue: why are Romanian television economically weak? Let us have here the point of view of the association of the broadcasters themselves.

First of all, not to forget the tremendous high level of taxation in Romania. However, this is a background condition affecting not only the media.

Secondly, and specifically, we have to remind that the main problem of the development of broadcasting in Romania originated in the concept of local license, which, for almost 10 years, was the only one to operate in granting licenses process. According to that "concept", the winner of the license auction was supposed to broadcast programs dedicated strictly to the needs of a local audience. Audiovisual policy did not consider national range

audience, but only local audience. Despite the fact that the audiovisual law itself had no provisions on “local license concept”, the birth place of that concept was in the National Council's decisions related to the licensing. At the same time, all available frequencies for radio and TV broadcasting were low power frequencies (at a range between 10 and 500 watts ERP- estimated radiated power), i.e. local coverage frequencies. As a result, every licensed broadcaster had to operate its licenses only by producing a local program for each license, despite the fact that this multiplied the cost of broadcasting and diminished its economic efficiency. For each program, the broadcaster had to set up a local studio and a local editorial team, and broadcast it only on a limited local area.

A first break in this local license oriented system was made by regulatory authority only two years ago by the issuing of a decision which set up a network operating system for the existing local licenses of major media companies. This was the end of the unproductive “local license” concept. Soon, this was followed by a new legislation, namely the Audiovisual Law, already in force since the summer of 2002, explicitly allowing private broadcasters to operate national networks. Let me mention that our association was deeply involved in the making of the law in the Parliament, some of the laws provisions emerging directly from the lobby of the association.

Another issue explaining the development difficulties encountered by Romanian radio and TV companies was the artificial scarcity of frequency resources. The lack of information has kept unknown and hence useless a huge amount of high power frequencies - those registered in the "Geneva Plan" and "Stockholm Plan" (international agreements on high power coordinated radio and TV frequencies assignment) -.

At the end of 1997, after buying those plans from ITU-Geneva, our association launched a public debate, involving the Parliament, and the regulatory authorities, on the national resources of audiovisual communications, specifically on the electromagnetic spectrum and its administration. Asking for transparency in the administration of this resource, ARCA managed to bring forth the "Geneva and Stockholm Plans" in the public attention. Due to this, those plans are now regarded by the authorities administering the audiovisual as a main resource for the development of the domain.

Recent regulatory provisions added more constraints to the economic development of TV and radio. For instance, this year we have two election campaigns. Usually, media had good profit by collecting money from political advertising. This time, the new regulations banned the paid political advertising in both campaigns, local and parliamentary. This made disappear an important economic resource for broadcasters. At the same time, those regulations reduce the opportunities to set up the editorial decision on the management of the election campaign on the politically neutral basis of the programming and advertising marketing. Consequently, the absence of incentives to behave simply on the market economy basis could have as result exposure of the editorial decisions directly to political influence.

To be more optimistic, let me stress the not only on the difficulties the TV and radio companies encounter, but also on their moments of glory.

Actually, they have a tremendous influence on the general audience. A recent study shows up that 73%, of the population has the television as its main source

of information (71% for specific political information), while printed is ranked in that respect with only 8%.

Not to forget that the Romanian TV environment was built on the reality that the discovery of the remote control took place in Romania only after 89. With 2 hours programs before 89, to go directly to at least 40 programs on your remote control was a physiological challenge. Now the remote control is selling the merchandises in Romania by the way of audience share measurements. TV advertising became the compass in setting up the targeting of the audiovisual media and the mapping of the mind by means of TV message.

Actually, television becomes the thinking device of the average citizen: “push the button and think” is the slogan of our neighbor, if you ask him.

Consequently, TV becomes the brain surgeon for the general audience. Because, in the absence of strong cultural streams and items, which is probably the dark side of the modern civilization, thinking with television and media become similar to lay down on the surgical table. However, we have to take care on how we treat this brain surgeon and offer him the best instruments and working condition.

To have a precise image on the actual situation the best description is “fabulous number of licenses”. Romania has so far 307 private radio stations, 118 private TV channels and 2361 cable TV networks. While the licensed companies are 128 for radio, 50 for TV and 607 for cable TV. There are also 8 radio satellite licenses and 17 TV satellite licenses, usually working as national networks, with the support of a well developed cable TV system. Have to add to this the public radio and TV broadcasters with a full coverage of the territory. Finally, the first and unique private radio network, “Europa FM”, which recently got the company

of a new national radio license, “Info Pro”, which will start operating very soon. Not to forget mentioning that this second radio license was granted to a company among those referred to by the EC report while describing the fact that the state “tolerated the accumulation of significant arrears”? This is only to confirm that the most appropriate approach of the in case of companies with economic difficulties, in order to support their political independence, is to let them strengthen by compensating the bad results of former “local license” audiovisual policy.

To conclude, I may say that audiovisual media are probably among the most advanced towards the European standards. While for the print press there are no rules, except the civil code or unfortunately even the criminal code, the audiovisual media already works following the rules of the European game.

Implementation of the European acquis had a quite interesting story, with fine tuning coming from the European Commission. The most recent is the demand of the European Commission Directorate general Education and culture addressed to the Romanian Audiovisual Council to withdraw its decision 15/2004 which set limits of the retransmission of programmers coming from EU member countries by requiring retransmission authorization. Not to forget the fine tuning coming also from our association which stands close to the regulatory authority in order to secure a proper understanding and implementation of the European acquis.

As far as our association is concerned, let me mention that this spring we joined the European Association of Radios (AER) as the first association originated in Central and East European Countries. On that occasion we had the pleasure to

contemplate from the first time a map of Europe where Romania joined the 15 (at that time) members of UE.

And finally, let me mention a discussion I recently had in Brussels at the European Association of Commercial Televisions (ACT) with its executive director Ross Biggam.,

That discussion followed to a letter expressing the interest of ACT for developing relations with broadcasters association in a country as Romania which, I quote, “will be the seventh largest Member State once it joins EU”.

In our meeting in Brussels, last week, we made comments on the decision of the European Court of Justice to rule against the request of the European Commission in the case Lois Evin and accept as appropriate the restriction on alcohol TV advertising set up by France. Since in Romania the local regulatory authority set up similar restrictions on TV advertising for alcohol, Ross said that this is a bad future for European televisions. As long as France and the seventh largest EU member, namely Romania, promote the ban on TV ads for alcohol, this will have a serious impact on regulations in other European countries.

Here it is one of the “advantages” for both Romanian and other European TV companies coming from the accession o Romania at the European Union.