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**Case studies on corruption involving journalists: Romania**

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Introduction: the Romanian media system at a glance

The Romanian media system is of Mediterranean type, characterised by the prevalence of opinion or editorialised reporting (as opposed to neutral news), and dominated by television and high political parallelism. Romanian political parties are not steadfast when it comes to their political ideology, a fact demonstrated by their frequent policy changes, instability in alliance formation and their erring from the values and solutions forwarded by the "classical" political families to whom they claim they belong to. All the same, the media are close to certain people rather than certain ideological orientations and were not rare of the instances when an outlet changed its discourse because the person in charge changed his/her political preference.

Television not only attracts the majority of media consumers, but quite understandably the majority of advertising funds. The advertising contracts are also linked to the political factions on any given local market, as well as on the national one. Therefore, most media outlets are in private hands, with the exception of the public radio Radio România (SRR), public television - Televiziunea Română (TVR) and the national news agency Agerpres. National minorities’ (one per minority) publications receive modest state subsidies, as do a couple of cultural publications (following a competitive selection).

Ever since the demise of the Communist regime in 1989, the Romanian media enjoyed a high degree of public trust (up to 80%) surpassed only by the Church and the Army, the latter being two very traditional and conservative institutions, with strong nationalistic positions. Media freedom is considered to this day one of the main gains after the Revolution and, among Romanians, freedom of expression is still one of the best known human rights. Until the mid-2000s, media were perceived as the true opposition power within the country, because the political one was rather weak and ineffective when it came to policy making.

The value of the high trust rates in the media started to erode once political polarization became very visible and as the media outlets and their vectors (mainly talk shows hosts) became not only tools in reflecting certain political views, but active combatants in the political struggle. The impeachment attempt of then president Traian Băsescu in 2007, the local and general elections in 2008 and the presidential elections in 2009 (in which Băsescu got his second mandate) deepened this polarization and extended it to the level of the general public. The perception of political
instrumentalization of the media is so widespread within the public that people usually say that a journalist works "for" an owner or a political figure controlling a medium rather than "with" the given medium. In addition, a common perception is that journalists have to follow the orders they are given by their owners (not necessarily by their editors, which is often the case). The current trust level varies from 40% to 60%, depending on the methodology (Konrad Adenauer Stiftung survey 2014\(^1\); Eurobarometer, 2014\(^2\)).

Political control over the media is not a new phenomenon in Romania. It started in the early 2000s, with a deliberate move from political figures – from the biggest national media down to the local ones – to buy and/or control media through intermediaries. A study released by the NGO Active Watch in 2014 revealed that 40% of the studied televisions had political connections at owner or editorial decision-maker level. Sometimes, these links went across party lines. Noteworthy, increased transparency of media ownership did not affect media consumption patterns. The audience/readership figures have not changed even if people knew that a given media outlet belonged to a certain politician or a controversial business person. It is an indication of the fragmentation of the public, inclined to follow the media that resonate with their already-formed beliefs or political sympathy rather than challenge them and critically assess the situation.

Public media are also controlled by political factors, in various ways, mainly via the political appointment of its board members. The public television is in a catastrophic financial situation (in April 2016 it was expelled from European Broadcasting Union for unpaid financial obligations – the first ever such decision in the EBU’s 60 years of existence). Therefore its investigating capacities are dramatically restricted, even if the willingness would be there, a fact which still needs to be demonstrated. As for the public radio, their situation is much better, both in terms of finances and public trust. Nevertheless, some board members were found to be in breach of integrity criteria (mainly conflicts of interest) by the National Integrity Agency (ANI). ANI’s decisions have been contested in court and decisions are pending.

In Romania, journalistic professional standards exist on paper but are not consistently implemented or observed. There is no efficient and genuine self-regulation mechanism at national scale. Some local media associations have such mechanisms that work properly, but their impact on the overall quality of journalistic products is insignificant. Moreover, the very idea of deontological conduct is a matter of derision in some media. When criticised for their partial and unprofessional conduct, some journalists started to mock the ethical standards upheld by their critics and called them, disparagingly, "deontologists". This word stuck and today it is widely used as a derogatory term.

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Professional standards and norms are generally obeyed only when enforced by an authority, for example by the National Audio-visual Council (CNA), the regulator of the audio-visual market. Irrespective of the latter’s existence, if the individual interests of the broadcasters go against the legal framework, they do not hesitate to violate it. This is particularly obvious during elections when some broadcasters continued to make the same "mistake" of unbalanced exposure of a certain candidate or party even if they were repeatedly fined.

Professional solidarity among Romanian journalists is rather low, as it is their reaction speed in case journalists come under attack. Moreover, there are cases when journalists attack each other in real “character assassination" campaigns.

Recent studies among journalists, editors and media managers indicated a high degree of self-censorship. Moreover, journalists showed signs of what can be called pre-emptive obedience: there is no more need to enforce censorship since it comes naturally to them as they try to guess what is expected from them. This self-censorship extends to them protecting their owners’ interests and this is perceived as a pre-requisite for getting or maintaining a more secure job. The journalistic community is dominated by fear – not of physical harm or retaliation against them but of losing their jobs.3

In Romania, the legislation on free access to information was adopted in 2001 and it contains provisions that are quite favourable for the media (e.g. shorter terms for releasing information). However, there are cases when the information is not evenly distributed to all media. Critical media are prevented from gaining access or are excluded from dissemination lists. Sensitive information regarding people in power is withheld with no explanation. The courts rule mostly in favour of journalists and free expression and blatant violations of legitimate limitations to freedom of expression are sanctioned proportionally.

Corruption (as a topic) and its twin – the fight against corruption – appear mainly in print and online reporting. This is due to the lack of audio-visual formats that would support in-depth investigation, as well as to the close relationship between politicians and the dominant medium. Still, major televisions have at least one such program with a weekly distribution.

Most of the corruption cases are based on information originating from law enforcement agencies or the judiciary. As a result, these institutions play an important role on the design of the mass-media agenda on corruption.

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Corruption and the Media

In Romania, the topic of corruption was introduced by the European Union (EU) as part of the accession process. In the beginning, it was supported and promoted mainly by civil society organizations, while the media performed unevenly regarding this topic. Until 2004, corruption related news on the then Social-Democratic government was quasi-inexistent on television, as the government controlled reporting quite vigorously, mainly through economic leverage (arbitrary state advertising, preferential implementation of fiscal controls, etc). The situation changed in the following years when EU pressures to deal with overspread corruption increased as the accession deadline (2007) neared. The creation of specialized judiciary and monitoring instruments, such as the National Anticorruption Directorate (DNA) having prosecutorial powers, and the National Integrity Agency, having investigatory powers towards politicians aspiring or occupying public office, created new voices when it came to corruption related news.

In terms of weight, the news piece surpassed other journalistic types of reporting. Other types of materials include editorials, notes/short texts, interviews, articles with satiric content/pamphlets and the verbatim official reports of various corruption files. Journalistic investigations are relatively rare because they are both expensive to conduct and may entail negative consequences on the media outlet and its reporters. Few media afford to create and maintain investigative teams. Consequently, most of the investigative efforts rely on grant-based projects or on specialized groups of independent journalists. Petty corruption is still present in the media and is a matter of public debate, especially regarding doctors, teachers and (increasingly rare) police. Worth noting is the fact that there is a certain degree of public tolerance towards petty corruption, based on the assumption that teachers and doctors are poorly paid and that the “gifts” they receive in return for favours can compensate for this situation.

As a general feature, corruption is represented by the media as a series of separate cases and less as a mechanism involving the collusion of several actors. Still, the media recognize the fact that corruption is widespread and present at all levels. The Colectiv club fire in October 2015 that claimed the lives of 64 young people ignited a public outcry and thousands of protesters took the streets chanting “Corruption kills” prompting the government’s resignation. Six month later just one newspaper continues to investigate the Colectiv case.

The 2008-2009 economic crisis impacted the media landscape and its content in multiple ways: plummeting revenues, decreased staff, reduced editorial space/time. As a result, dependency on political factors increased, while the corruption coverage became more “nuanced”: muffled or “selected” criticism and media content used as a political weapon. The vigorous investigation and prosecution of corruption over the last several years (2014-2016) brought the issue yet again in the
media’s spotlight since the cases’ magnitude (sentencing of former prime-minister Adrian Năstase, initiation of a criminal investigation against former prime minister Victor Ponta as he was still in power, arrests and jail sentences for other members of the political elite) made reporting unavoidable.

Corruption reporting followed quite naturally the political divide. With the advent of the Internet and new media (some 50% of Romanians have Internet access and there are over 8 million Romanian accounts on Facebook, the dominant social media in Romania), it was no longer possible to hide/ignore corruption cases once they reached the prosecution phase. But there is a visible difference in the manner in which such cases were treated editorially. For example, when Senator Dan Voiculescu, the founder and final beneficiary of the media group controlling two popular news (Antena 1) and all-news (Antena 3) TV stations, together with the quality newspaper Jurnalul National, was sentenced to 10 years in prison for economic fraud, a whole “empathy festival” was staged and vigorously pursued by his media. The case was described as President Băsescu’s personal vendetta (fiercely and consistently criticised by the three media outlets over the years), as an attempt at silencing free media and as an example of political control over the judiciary. Media attacks were launched against the members of the judiciary (prosecutors and judges) involved in this case to the point when the OSCE report considered this behaviour as a menace to the independence of the judiciary.

Editorial decisions are also influenced by economic factors, such as advertising contracts – be they public or private. Media regularly avoid citing the name of businesses involved in corruption cases out of fear of losing their present and future advertising contracts. Such fears are grounded as there were cases when big companies threatened the media with the withdrawal of advertising contracts because of their editorial coverage. Still, if the case is big enough, such limitations do not apply and even the coverage activity itself can use that particular company’s name. For example, several ex-ministers were investigated under the so called “Microsoft Files” in which a businessman was accused of having acquired Microsoft licenses from the company at heavily discounted prices and re-selling them to the Government at much higher prices. Microsoft itself has no direct implication in the case, though.

Romania sees very few corruption stories initiated by newsrooms starting from their own investigations. Most such stories are the result of project-based reporting, conducted by specialised editorial teams acting independently (such as Rise Project, Casa Jurnalistului, Centrul de Investigații Media or, to a lesser extent, România Curată) who get funding from international donors. Still, the in-depth reporting of corruption very much depends on the willingness of the journalist and the support of the newsroom. Sometimes, the judiciary leaks evidence for anti-
corruption articles to selected media or journalists, based on their visible leaning towards one political faction or the other.

Pack journalism is quite a frequent occurrence in Romania: most media cover the same stories, because the source is usually public. It is the result of a practice present in Romanian newsrooms whereby the editors apply sanctions (usually fines, salary cut-offs) to those reporters who “missed” stories, even if those stories were exclusive materials of a competing publication/channel. The economic crisis decimated the editorial staff resulting in fewer journalists left to cover as many beats as before. Therefore, journalists informally co-operate: they exchange information, share tasks and beats, compile reports together. Moreover, many journalists in the country serve as local correspondents for national media (sometimes for several media at the same time), so that the same story appears on several channels, in more or less the same terms. If a strong story is published exclusively by one outlet, the others re-run it, sometimes with additions and updates, but in some other cases it is copy-pasted without even mentioning the source.

In the early 2000s, when retaliation risks associated with breaking a corruption story were higher, the local media preferred “pushing” the topic towards bigger national media outlets as if it was the latter’s finding. Once the story was published in the mainstream media, the original authors of the investigation could safely “report” on its publication.

Despite the fact that journalism is par excellence a public interest job, some Romanian journalists and media owners abuse this statute and use their editorial influence in order to promote their own interest. Romania has seen cases of journalists and media accused, prosecuted and sentenced for blackmailing. Some (few) journalists use their position in order to gain individual benefits (such as money, or a paid vacation or a social dwelling with low rent). In some other cases, reporting conducted in good faith by journalists is used by their managers as a blackmail tool to obtain advertising contracts. In 2016, Gazeta de Cluj’s group of managers received up to 3 years suspended prison terms for blackmailing businessmen and politicians for advertising. Also, well known TV owner and talk show host Dan Diaconescu received a 5 years and a half prison term for blackmail.

Journalists are acutely aware of the consequences of their reporting, as prosecutors themselves often admitted that they use media reports as a starting point in their investigations. However, some of them apply self-censorship in exposing such cases. They avoid sensitive cases (such as the suspicious academic performance of former vice-prime-minister Gabriel Oprea) or spin the corruption cases if they cannot avoid their publication (as was Dan Voiculescu’s victimisation case, described above). In some instances, this attitude has grotesque effects. When the influential mayor of Craiova, Antonie Solomon was arrested, in 2010, under corruption charges, this news made the
front page in all media, including the national one. As a notable exception, the local newspaper that received most of the local public advertising published, at the bottom of page 3, just a press release of the city hall “commenting on the information that appeared in the press the day before” and explaining that the mayor was invited to the anti-corruption prosecutor’s office to give some statements – with a large quote from the mayor himself. Some other techniques involve “white-washing” politicians and other higher-ups accused of corruption via extremely flattering articles published by some “friendly” publications.

Apart from the “top brass” figures (politicians, businessmen, sports people) corruption cases are often generally briefly reported, because they are not interesting for the public and do not attract an audience. Another reason for such reduced interest is the scarce or “lazy” (overworked) staff. In such cases, the media just copy/paste the official press releases. The backlash of such an approach is that it leaves the impression that corruption is just another technical matter for politicians and judiciary to deal with, thus losing its status of a matter of public interest. At the other end of the spectrum we find a style of reporting dubbed by journalists as “writing for the prosecutors” which relies on a wealth of legalistic and procedural references. As documented and serious such a story can be, it lacks public appeal and is seldom read or followed in full.

As a rule, with the penetration of the Internet and the popularity of social media, no corruption case can stay hidden anymore. The journalists are aware that if the case is big enough, it cannot be ignored without prejudice to their reputation and credibility.

Selection of case studies

When analysing the relationship between Romanian media and corruption, we started from the typology established under the ANTICORRP project that identified four general roles that journalists can play in covering corruption:

a. **Enforcer/initiator** (positive role) - the journalist identifies the topic, investigates it in-depth, follows up and makes a solid contribution in exposing corruption.

b. **Reporter/facilitator** (positive role) - the reporter covers stories broken by other media or reports in a professional manner about the efforts of the law enforcement institutions or other authorities in fighting corruption. While not taking the initiative in investigating it, the reporter is still playing a positive role contributing to the exposure of corruption.

c. **Actively corrupted/collaborator** (negative role) - the reporter is part of a corruption act or network and uses the reporting to offer protection to his or her fellows, while aggressively (and sometimes falsely) exposing his/her foes. In some other cases, the journalist is only sympathetic to
one party and only reports this party's point of view. One way or another, the reporter plays a negative role, violating the rules of fair reporting.

d. **Inactive/Lazy** (negative role) - the reporter is uninterested in covering corruption at all, keeping the public oblivious of the phenomenon, thus violating the professional obligation of correctly and timely informing the public.

In choosing the Romanian case studies, we followed several criteria:

1. **Relevance:** how important, how typical is the case for the daily practice of journalism in Romania and for the mechanisms at work?
2. **High profile:** are the individuals involved decision-makers, opinion leaders or influential in the media profession?
3. **Impact:** the outcome of the case impacted a large number of people, a community? In some cases, we considered that even the lack of stakeholders' reaction was relevant since it was a tale-tell sign in itself.
4. **Complexity:** the journalists and the media involved appeared in various roles, both positive and negative.

We selected three cases, as follows:

1. **Case study 1: The Black-Mailing Watchdog**
   Two reputed journalists/opinion makers blackmail a prosecutor in order to get more information about ministers and presidential candidate Băsescu for future blackmailing.

2. **Case Study 2: RMGC - Poisoned Advertising**
   A corporation uses its advertising and PR budget to silence all critical views toward its gold mining project, including any accusations of corruption against the Government itself. All media generally abide. A corrupted media “fade into” the background of corruption in the politics and business and become incapable of revealing it.

3. **Case Study 3: Bacteristan**
   A reputed sports newspaper develops a solid investigative team and exposes major corruption cases, beyond the sports domain.

   The fourth case emerged almost as a natural choice from the analysis conducted in the preparation of the first three, noticing the frequent and repetitive occurrence of certain names and institutions.
4. **Case Study 4: The "maybe too virulent" secrecy**

Over the years, the intelligence services infiltrated the newsrooms, shaped up the public debate in Romania and gained public trust in the detriment of journalists.
The Black-Mailing Watchdog

Description: Two reputed opinion makers allegedly blackmail a prosecutor in order to get more information about ministers and presidential candidate Basescu for future blackmailing.

Motto:

Bogdan Chireac: ‘This is what those wretched media wrote. I am the wretched media.’

Traian Băsescu: ‘You are. Definitely.’

Narrative: On November 10, 2009, the daily Curentul publishes at length transcripts of tape recordings of a conversation between Cătălin Macovei, the then President of National Agency for Integrity (Agenția Națională pentru Integriteță, ANI) and two reputed journalists, Sorin Roșca Stănescu and Bogdan Chirieac.

The discussions centred on an alleged 100,000 Euro loan that Macovei had gotten, an accusation which he denies (he only signed a paper as a witness to that transaction in front of an attorney). The two journalists also hint to an alleged extramarital affair that Macovei would have had, which he also denies. Afterwards, the three-way conversation focuses on the investigations conducted by ANI against some political figures and the need for such information to get to the media. In this sense, Roșca Stănescu argues with Macovei:

“Help public opinion, pretty please. They will never know it comes from you. Never. I have never disclosed a source. I don’t do such things. After all, you too need to do yourself a favour, to let people see that you and your office do some work, and then they all know that I am not your friend, right? (...) If I get out (A/N: publish) something, it won’t be against your activity, I mean the positive part of your activity, it will be just against some citizens who have done wrong. (...) Nobody will suspect us.”

Later on, in a separate discussion, Chirieac tells Macovei that Roșca Stănescu has “two holograph documents” of an unspecified nature that would affect Macovei. According to Chirieac, the

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4 In Romanian: "presa ticăloșită".
6 Idem 5.
documents had been leaked by “a cunt” *(A/N: a female secretary)* from ANI. He adds that the documents will not be published if Macovei agrees to tip Roșca Stănescu on the stage of the investigations ANI was conducting at the time against ministers Vasile Blaga, Adrian Videanu and Radu Berceanu. All three ministers belonged to the Liberal Democratic Party (PDL), the one that brought President Traian Basescu to power in his first mandate (2004-2009). Macovei insisted that he did not do anything wrong: he did not have a mistress, he was only a witness and not involved in the questionable loan and that everything happened back in 2007, when he worked as a consultant in the private sector, without any public function. Chirieac admits that the “part with the chick is irrelevant”, but insists that the publication of the documents may affect Macovei's public image and credibility (“What is the connection between ANI president involvement and the traffickers in property, with the real estate mafia?”). 

After several such discussions, Macovei requires “time for reflection”, claiming that he does not easily scare.

“I am not that worried. I have a tough ass, to say so... Obviously, it is utterly unpleasant, but, bro, had I stole anything, had I gotten myself into anything [bad] then yes, I would tremble in fear...”

These transcripts and their publication ignited a public scandal. According to the media, some of them were transcripts of ambient tapping (interception of live conversation) conducted in a public space (a restaurant), while others were from within a car. The interception was allegedly performed by the Department for Information and Internal Protection (DGIPI) of the Ministry of Internal Affairs. DGIPI denied any involvement in this case. The transcripts were leaked to Curentul newspaper which publishing them.

ANI filed a complaint to the Directorate for Investigations of Organized Crime and Terrorism (DIICOT) against Sorin Roșca Stănescu, accusing him (according to the media) of blackmailing and of being in possession of documents relating to the agency's activity that were not meant for publication. ANI claimed that the documents had been stolen and leaked by two former employees. The prosecutors explained that, in fact, ANI filed an extension of an older investigation against Fânel Burciu, a former ANI integrity inspector, and Carmen Fluture, Cătălin Macovei’s former chief of cabinet. Both of them were, at that time, already under criminal investigation for allegedly stealing and electronically transmitting information not meant for publication. Also, Macovei

7 Idem 5.
complained against Codru Vrabie, a member of the National Council for Integrity (CNI), accusing him of leaking information not meant for publication. As soon as November 19, the DIICOT prosecutors announced that they will not start any penal investigation against Roșca Stănescu, as they could not find “any link between the documents that had been previously stolen” and the taped conversations between Macovei, Chiriec and Roșca Stănescu. DIICOT also said that, in the latest complaint, ANI did not bring any new evidence. DIICOT’s announcement did not mention anything about any alleged blackmail.

The first round of presidential elections took place on November 22 and the second on December 6, 2009. President Traian Băsescu won a second mandate.

There are several types of actors involved in this case: individuals, state authorities and the media.

Individual actors
Sorin Roșca Stănescu, aka “The Godfather” (Nașul) started his career as a journalist in 1969 as an editor of a students' newspaper. After graduating law school, he worked for the communist youth newspapers and, in December 1989, during the days of the Romanian revolution, launched a new editorial project - the daily Libertatea - taking over and transforming the communist Informația Bucureștiului. From 1989 to 1994, he worked with several mainstream dailies: Libertatea, Evenimentul Zilei, Ultimul Cuvânt, România Liberă. In 1994, Roșca Stănescu founded his own newspaper, Ziua, and later on developed a media group with printing, distribution, IT and media management operations. The group controlled two more papers (Gardianul and Averea).

In early 1990, Roșca Stănescu was one of the founders of the Society of Romanian Journalists (SZR), one of the first associative entities of journalists after the fall of communism. In 1990, together with a group of journalists, he leaves SZR, claiming political interference and starts The Association of Romanian Journalists (AZR). Under AZR’s egis, the Superior School of Journalism was created which was a private alternative to state journalism schools. In 1994, he was instrumental in the creation of a yet another media organization: the Romanian Press Club in which he was a member of its Honorary Council. From 1999 to 2003 he chaired the Club's Owners Department.

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9 Codru Vrabie was nominated for CNI membership as a civil society representative. He routinely and publicly informed the NGOs about the works of the Council, considering part of his mandate to make the Council's activity more transparent.

Roșca Stănescu publicly acknowledged his collaboration, back in 1973, with the communist political police, the Securitate, but he said that he only worked with the Antiterrorist Brigade of the Securitate and only for state security reasons.11

In 2008, Sorin Roșca Stănescu withdrew from all his executive positions, saying that he would like to dedicate more time to his family. He sold his media participation in Ziua for a whopping 2,6 million USD12 that he later on deposited in banks or invested in various businesses13.

In 2012, Roșca Stonescu became a senator for the National Liberal Party (PNL) which at the time was a member of the Social-Liberal Union (USL) alliance that won the parliamentary elections. He was a member of the Senate’s Culture and Media Committee.

In October 2014, he was sentenced to 2 years and 4 months in prison for trading in inside information and market manipulation (linked to his shares in an oil company), as well as for forming an organized crime group. He continued to write and publish while in prison. Eight months later, in June 2015, he was released on parole. Just days after his release, he appeared on TV, commenting on the current political affairs of the country and pleading for a swift improvement of prison conditions.

Bogdan Chirieac's early career as a journalist is linked to the daily Adevărul, where he acted first as a foreign affairs journalist, then as a deputy editor in chief. He was a mentee of the newspaper's director, Dumitru Tinu. After Tinu's death, in 2003, the newspaper’s management was taken over by his daughter, Ana Maria Tinu. Disputes with the new management pushed in five of the newspaper’s most reputed journalists, Chirieac among them, to leave and start their own brand new newspaper, Gândul, in 2005. Chirieac also hosted a talk show (Pro Vest) on Pro TV, the major commercial station in the country. Two years later, Chirieac found himself in the centre of a scandal, after the daily Evenimentul Zilei revealed that he owned a company that got millions of euro worth of contracts with the state14 and that he authored editorial articles that would promote his business interests, trying to influence the authorities' decision. At that time, neither his employment contract, nor any ethics code specifically prohibited this practice. Still, under public pressure, Chirieac resigned. Gândul director, Cristian Tudor Popescu, declared that this resignation was a “necessary gesture” both for the paper and for the Romanian media15. He added that Gândul was to introduce mandatory “declarations of interests” for its journalists in order to avoid future

12 http://www.sroscas.ro/site/autobiografie/
conflicts of interests. Following this case, the Romanian Press Club (also headed by C.T. Popescu) modified its Code of Conduct and introduced a “conflict of interest” clause\textsuperscript{16}. Also in 2007, Pro TV denounced its contract with Chirieac, just days after media quoted anonymous sources according to which he collaborated with the Securitate. Chirieac continued to appear on various TV talk shows as a guest and maintained his notoriety.

In 2010 he founded the online publication DC news\textsuperscript{17}.

Cătălin Macovei had been appointed vice-president of ANI in 2007, when the agency was created. In 2008, he was selected, via a competitive procedure, as its president. He is a law graduate and from 1995 to 2006 he worked as a prosecutor in Bucharest, Giurgiu and with the DNA. He left DNA in 2006 and continued to work as “head of the juridical directorate” of a company whose name is not specified in his official CV. After 2013, Macovei joined a legal firm, being listed as a “lawyer specialised in corruption crimes, cyber-crime and IT security, tax evasion and money laundering, as well as in controlling dignitaries’ assets, conflict of interests and incompatibilities”\textsuperscript{18}.

Victor Roncea is the journalist who broke the story and published the transcripts of the attempted blackmail. Victor Roncea worked at Roșca Stanescu's Ziua from 1995 to 2009, as (among other positions) head of the international news desk and senior editor. Previously, he had worked as a US-based photo-reporter for the same newspaper. He started in journalism in 1990 and worked as a reporter and photographer for various publications (Glasul, Expres Magazin). In 1992 he joins the staff of Romania Liberă (reporter, photographer, US correspondent). In 1993-1994, he worked for Ultimul Cuvânt (reporter, commentator). After leaving Ziua, he worked with Curentul (2009-2010). Since 2010 he has been working with online publications ziaristionline.ro and roncea.ro, and contributes to newspapers such as Tribuna or Bursa (economic newspaper)\textsuperscript{19}.

Roncea was a one of Roșca Stănescu’s close collaborators and followed him as he moved from publication to publication. In 2007, Roncea claimed\textsuperscript{20} pressures coming from Roșca Stănescu for his resignation, after the NGO headed by Roncea, Civic Media, had publicly supported president Traian Băsescu during the impeachment procedure\textsuperscript{21}, contrary to Ziua's position. A couple of days

\textsuperscript{17} www.dcnews.ro
\textsuperscript{18} http://www.nastrut.ro/catalin-macovei/
\textsuperscript{19} All bio data according to https://roncea.wordpress.com/, accessed on September 19, 2015
\textsuperscript{20} http://www.hotnews.ro/stiri-archiva-1090402-victor-roncea-nu-demisia-acuza-stanescu.htm, April 22, 2007
\textsuperscript{21} In 2007, president Traian Băsescu underwent an impeachment procedure for alleged “unconstitutional behaviour”. The popular vote during the impeachment referendum did not lead to his dismissal (the necessary quorum was not met). In 2012, Băsescu was going to survive a second impeachment procedure.
later, Roncea announced that he and Roșca Stănescu reached an agreement and that he would continue his work with Ziua\(^{22}\).

Noteworthy, the four major individual actors were related to each other in various ways. Chirieac and Roșca Stănescu were friends and Roncea was Stănescu’s pupil. Macovei admitted that he befriended Chirieac (“amici”, in Romanian it designates a friendly relation, not too close but stronger that simple acquaintances) a long time before. He had met Roșca Stănescu only once before the meeting in Snagov.

**Institutional actors**

ANI was created in 2007 as part of Romania's efforts to join the EU and fight corruption. It is tasked with verifying the assets that the public servants and dignitaries acquire during their public service or mandates, as well as investigating conflicts of interest and incompatibilities. It is an administrative independent body, its activity being overseen by the CNI, a body composed of representatives of all groups subject to ANI's controls.

DIICOT was created in 2004, as a branch within the Public Ministry (General Prosecutor's Office) and it is tasked with monitoring and investigating major crimes\(^{23}\) as well as dismantling criminal groups.

**Media Actors**

Ziua was a medium size newspaper (approximatively 48,000 copies in 2000) that specialized in investigations. It published several resounding investigations against major leaders of the country. One of the best known focused on the then president Ion Iliescu and his alleged links with the KGB. Ziua was accused of using its investigations as a pressure tool or even blackmail means, but there were no lawsuits or sentences in this respect. Ziua changed ownership frequently and its circulation gradually declined. On January 7\(^{th}\), 2010, Ziua issued its last print copy, and by the end of that month, the online version closed too.

Curentul is a daily newspaper, re-launched in 1997. With a modest circulation in 2006 (4000 daily copies), it converted to a free newspaper. When it was first founded, in 1928, Curentul was reputed for its investigations and attacks against big companies. In order to silence the attacks, these companies used to pay considerable sums to the paper, which invested them in increasing its


headquarters. This case echoed in the history of Romanian media and it resulted in the commonly known saying “a new blackmail, a new floor” (“șantajul și etajul”) 24.

1. The reaction of the media community

The media community reacted harshly and promptly after the transcripts were published, slamming the blackmail attempt. On November 11th, 2009, the Convention of Media Organizations, a loose alliance of journalists' associations, trade unions and small media owners, publicly condemned Roșca Stănescu and Chirieac, for “what it can be considered as an attempted blackmail of a public dignitary”. On the same day, the Romanian Press Club, the association gathering the biggest media publishers and broadcasters (and on whose Honorary Council Roșca Stănescu stood) issued a statement in which the actions of the two journalists are considered as “an offence to all journalists who are working honestly and making a decent living.” 25

Later on, the Club’s Media Commission – an ethical joint body of the CRP and the Association of the Journalists in Romania – recommended to all media outlets to no longer present Roșca Stănescu and Chirieac as “journalists” when they invite them as guests on TV talk shows. At the same time, the Commission considered that ANI chair, Cătălin Macovei, was also in breach of rules of his own profession. 26

The public television cancelled Chirieac's contract the day the transcripts were published (November 10). They did not provide any explanation for this but for the following statement made by Cătălin Dumitru, communication advisor of TVR’s president-general manager:

“The contract we had with Mr. Bogdan Chirieac was for the production of a foreign policy show. As of now, the program is suspended”. 27

The two main actors seemed unfazed by the public scandal. Roșca Stănescu declared himself “amused by this whole story”. He added that his is “the first case” when a journalist is under criminal investigation “for possessing documents that should have been protected by others”. 28

Bogdan Chirieac declared that he is innocent of any accusation. In a TV interview broadcast by the B1 TV channel, he said that he only accidentally attended the meeting in Snagov and that he has

24 http://www.europalibera.org/a/25058178.html
26 Idem 18
28 http://m.romanialibera.ro/actualitate/eveniment/diicot-nu-a-inceput-urmarirea-penala-impotriva-lui-rosca-stanescu-170391
nothing to do with whatever had been discussed between Roșca Stănescu and Macovei on that occasion.

2. The corruption context

This is a multi-layered case, with journalists appearing in both positive and negative roles when it comes to exposing corruption. It is a case involving corruption at national level and touching multiple sectors:

1. Politics: it involves high-ranking political figures, including the then president who was running for a second mandate. The political implication is underlined by the fact that the scandal broke just days before the presidential elections.

2. The justice system: it involves a body (DIICOT) that is part of the juridical system and whose decision to prosecute or not to prosecute the actors was crucial to the case’s outcome (or lack thereof). It also involves ANI, an agency tasked with monitoring the integrity of public office holders.

3. The media: two prominent journalists working for prominent mainstream media are involved in negative roles (as actively corruptor and/or collaborator - Type 3 in our proposed classification). Nevertheless, a journalist exposed the corruption situation, thus playing the positive role of initiator (Type 1). As the case was selectively covered by the media, various media channels played either the role of investigator (positive) or of a (negative) “enforcer” in exposing corruption.

The main crime is an alleged blackmailing attempt (considered as a “major crime” by in Romanian legislation) and leaking/getting access to information that is not meant for the public.

Despite the legal definition that would have justified the accusation of attempted blackmail, Sorin Roșca Stănescu offered the media his own definition of “media blackmail”:

“Media blackmail occurs only when a journalist or a media outlet representative asks for money in exchange for (not) publishing some compromising materials. In short,

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29 The Penal Code in force at the time of the case described blackmail as follows: Art.194 (1) Forcing a person, by violence or threats, to give, to do, to not do or to suffer something, if this is meant to unjustly obtain a gain, for the perpetrator or for somebody else, is punishable by 6 months to 5 years in prison; (2) When forcing is done by means of threats to divulge a fact, real or imaginary that would compromise the threatened person, their spouse or a close relative, the prison term is from 2 to 7 years. Source: (Old) Penal Code, available at http://legeaz.net/cod-penal-actualizat-2011/art-194-cpen, accessed September 20, 2015. A new penal Code was adopted in 2009 and came into force as per February 1, 2014.
when they ask for money in exchange for not publishing compromising material. Why should we complicate things?²⁰

He added that he never blackmailed anybody.

Interestingly enough, not even ANI chair, Cătălin Macovei, officially complain against the attempted blackmail. In an interview for Gândul newspaper, he did not confirm or reject that he filed a complaint for blackmail. Still he said that he “felt blackmailed”. Asked why he continued the conversation with the two, he said:

“I wanted to see how far they would be willing to go with the information they have.

Professional habit. And then, after all, there was the sheer curiosity. It was the first time
I got blackmailed. I wanted to see how a blackmail looked like”.²¹

According to DIICOT press releases, ANI chair complained about the information leak from within his agency. He accused Roșca Stânescu of holding “information not meant to publication”, an accusation that the latter found “amusing”. Roșca claimed that his is “the first case” when a journalist was under criminal investigation “for possessing documents that should have been protected by others”.²² He was correct in saying that it is not a journalist's job to protect classified information. The law on free access to public information makes it clear that the responsibility for enforcing the protection of information to which the public does not have free access is borne only by the persons and public authorities that hold such information, as well as the public authorities tasked by law to protect information.²³ However, Roșca Stânescu mistakenly considered his case as being a first. In 2006, two local journalists from Focșani, Sebastian Oancea (Ziua's correspondent in Vrancea county) and Marian Gărleanu Romania Libera's correspondent) were under criminal investigation for one year and a half for inadvertently getting classified military information. Neither of the newspapers published the information and both signalled the leak to the Defence Ministry. While the ministry closed the leak case in some ten days, applying only a minor administrative sanction to the person found guilty, the two journalists remained under criminal investigation for more than one year, despite local and international protests.

Actually, leaking documents is the key to reading this case, as it appears in various moments and with various purposes. Curentul broke the story based on leaked recordings and transcripts of the conversation between Macovei and the two journalists. The origin of this leak was only marginally


²² See note 20.

discussed: it was initially attributed to the DGIPI that denied any involvement in their surveillance. No further investigations were made as to their origin and no public entity took action against Curentul or its journalists. Leaked documents are cited as evidence against Cătălin Macovei’s alleged wrong doings. Without too many details, Chirieac mentioned that the proof against Macovei had been offered by one of the latter's employees. Sorin Roșca Stănescu was exonerated in this case, with DIICOT deciding (quite legally) not to start any penal investigation against him on this accusation. Last but not least, what the journalists asked from Macovei was to leak them information about the investigations against some high placed political figures close to President Băsescu. In all three cases, the mechanism was the same: accessing information not meant for the public because it was either part of an on-going investigation or regarding the private life of an individual. What made the difference in making it acceptable was the public interest test: was the benefit of exposing the information bigger than the damages brought to its subject? If the answer is “yes” in Curentul’s case, it is a definite "no" in the two other cases, irrespective of the arguments that Roșca Stănescu brings in his plea towards Macovei:

"Help the public opinion, pretty please. (...) (I)t will be just against some citizens who have done wrong".  

Apart from Curentul, that broke the story, the rest of the media limited themselves to report on the matter. The maximum of effort was to interview one or another individual actor (Macovei, Roșca Stănescu) and to get reactions from the institutional ones (DIICOT, DGIPI, the public TV). Even so, this topic dominated that particular week in the media.

3. Conclusions

As spectacular the case was – given the prominence of the individuals involved and the tense electoral moment – it did not have any major consequences on any level. At political level, President Băsescu was re-elected for his second and last mandate in 2009. He survived a second impeachment procedure in the summer of 2012 and completed his term in November 2014. One month after the scandal broke and the media community advised against them being labelled as journalists, Sorin Roșca Stănescu and Bogdan Chirieac were again featured in talk shows on the Realitatea TV channel. Sorin Roșca Stănescu ran for senator in 2012 on behalf of the PNL and won a seat in Parliament. He was convicted in 2014 for trading in inside information and market manipulation. He served 8 months in jail and was released in June 2015. He kept writing on

34 Idem 2.
his blogef{35} from prison commenting on current affairs of Romania. Bogdan Chirieac reappeared on public TV as soon as 2010. He started his own online publication, DC News, and continues to be invited to talk shows as an analyst. Cătălin Macovei completed his mandate as head of ANI and withdrew from public life.

The only positive side effect of the case was to raise the awareness within the media community of the possibility of having “conflict of interests” in journalism. Media organizations such as the Romanian Press Club and the Convention of Media Organizations introduced in their ethics codes provisions against conflicts of interest. Still, these provisions are largely ineffective, as are the codes themselves.

This case indicates the capacity of corrupted networks to protect themselves. It proves that in Romania there is no moral sanction against corruption neither in politics nor in the media field and that despite the momentary blame from the media profession, the actors did not suffer any form of punishment – morally or financially. This case only underlines the need for stronger integrity criteria genuinely adopted and applied by both media and political parties in order to avoid promoting individuals with tarnished morality.

\begin{footnote}{35}http://www.sroscas.ro/site/\end{footnote}
RMGC – Poisoned Advertising

Description: The RMGC mining corporation uses its advertising and PR budget to silence all critical views toward the Rosia Montana project, including accusations of corruption against the Government itself. All media generally abide. A corrupted media "fade into" the politician’s corrupt background and become incapable of revealing it.

Narrative: The story of the gold mining project in Roșia Montana is convoluted and encompasses more than 10 years. Roșia Montană is a small village in the Apuseni Mountains, where gold mining has been present since before the Roman times. The region enjoys a pristine environment, featuring impressively preserved basalt columns, natural lakes and tracking routes. After the fall of the communist regime in 1989, the mining industry declined all across Romania and Roșia Montană was no exception. There were few development alternatives offered to the region and these were far apart. Therefore, the exploitation of the region’s mineral resources seemed like one reasonable way to go. The alternative, less productive but apparently more sustainable, was eco- or agro-tourism.

On September 5th, 1995, the state company specialized in copper mining, Regia Autonomă a Cuprului, published an announcement seeking a partner for the exploitation of gold and silver ore in Roșia Montană. The deadline for the presentation of the bid was 30 days. The selected company was Gabriel Resources N.L., an Australian company founded in January 1995 by the Romanian-born businessman Frank Timiș. Still, as journalists with RISE Project revealed, the contract with Gabriel Resources was signed on September 4th, one day before the announcement was published. The deal is sealed during Nicolae Văcăroiu’s (PSD) mandate as Prime minister.

In 1997, Gabriel Resources and Mininvest Roșia Montana (the former Regia Autonomă a Cuprului) create a joint company under the name EURO GOLD RESOURCES. In 2000, this company changed its name into Roșia Montană Gold Corporation (RMGC). Mininvest retained 33,8% of the shares, the rest went to Gabriel Resources, via Gabriel Jersey, belonging to the same Frank Timiș. The deal is sealed during Victor Ciorbea’s (CDR, Democratic Convention) mandate as Prime minister. The Democratic Convention, composed of the Christian Democratic National Peasant

Party (PNȚCD) and the PNL, won the 1996 elections against the Social Democratic Party at the time.

In December 1998, Mininvest received the exploitation license via direct acquisition during Radu Vasile’s (PNȚCD) mandate. The license was classified as a state secret in its full, despite legal provisions that required only the sensitive parts to be protected from public scrutiny. The license becomes operational in June 1999. In November that year, RMGC’s ownership structure changes, leaving Mininvest with only 19.31%. From 1997 to 2000, RMGC conducted geological explorations in order to estimate the dimensions of the gold deposit. According to the company's estimation, the area hides 314 tons of gold and 1480 tons of silver in situ. A total of 214 million tons of ore had to be excavated from four different sites.

In 2000, Romania adopts a new Law on urban planning on national territory. Roșia Montană is mentioned in the law as an “area with a very high concentration of built patrimony of cultural relevance of national importance”. In October 2000, the exploitation license is transferred from Mininvest to RMGC. Thus, the Romanian state loses control over the mining operations in Roșia Montană. In 2002, the local council approves new urban development plans for Roșia Montană, including the surface mining operations. In the years that followed, these plans were twice invalidated in court following contestations made by local activists. The project starts to attract the public’s attention. It became known that the exploitation plans include open mining that will result in the disappearance of four mountains in the area, the use of dynamite that may endanger the houses and the historical landmarks around, a cyanide-based treatment of ore that will result in a lake of potentially toxic waters. The resistance of some local people and environmental activists took the form of the Save Roșia Montană campaign. Consequently, RMGC’s plans were contested by environment activists, historians, academics, members of the Romanian Academy and UNESCO experts, all claiming that the exploitation will result in permanent environmental damages and significant losses of invaluable cultural and historical heritage. The Green parties in Europe, the Hungarian Government and NGOs, international experts and bodies have, turn by turn, expressed their opposition to the project. A draft law banning cyanide-based technologies is submitted - and rejected - in the Romanian Parliament in 2005, while a second similar draft is submitted and 2007 and is still pending debate. A 2008 draft law that would have turned Roșia Montană into a national and archaeological preserve was rejected by the Romanian Parliament.

39 In 2000, the dam of a similar lake near Baia Mare (Romania) gave way, resulting in the largest ecological disaster in Europe, after Chernobyl. Local rivers, but also Tisa and the Danube rivers had been poluted. Hungary and Serbia had been seriously affected.
In the meanwhile, RMGC started buying properties in Roșia Montană and relocate the inhabitants. Their steps to obtain an environmental permit were halted in 2007 by the government led by Călin Popescu-Târiceanu (PNL). The permit to dig in the area of Mount Cârnic (one of the four mountains under threat) certifying that the area has no archaeological interest was contested and annulled in court in 2007, and in 2010 the Government led by Emil Boc (PDL) announced that it started the procedures to include Roșia Montană in the UNESCO World Heritage list. Still, the same government resumed the procedures for releasing the environmental permit for the gold mining project. In 2011, a new archaeological permit is released by the Culture Ministry. In December that year, people took the streets protesting against RMGC’s project. The protests expand into January and February 2012, fuelled by the decision of the Ministry of Environment to release the requested permit to RMGC.

In August 2013, the government led by Prime Minister Victor Ponta (PSD) approved a draft law on gold and silver mining in Roșia Montană and sent it to Parliament\(^{40}\). The draft grants RMGC unheard-of liberties: the right to get concessions over all buildings belonging to the Romanian state within the prospective mining perimeter without any bidding, obliging the National Agency for Natural Resources to reconfigure, at any time, the mining perimeter following a simple request made by RMGC, obliging the Romanian authorities to release in a speedy manner the needed permits for the exploitation to start. All in all, the new law would have exempted RMGC from as much as eight laws applicable to everybody else. This decision triggers the largest street protests since 1989. Week after week, people gather in various Romanian cities and march through them in protest against the Government’s brutal intervention. The law was finally rejected by the Parliament in June 2014\(^{41}\).

In 2014, RMGC laid off 75% of its some 400 personnel, and in April 2015, it announced that it would terminate 35% of its remaining staff, as a result of “unjustifiably long delays in evaluating and approving the gold mining project, despite all our efforts”\(^{42}\).

As seen above, the odyssey of RMGC’s project encompassed more than 10 years, four presidents and 13 governments involving all political parties present in the parliament. It enjoyed obvious political support from all these governments, enticed opposition from abroad and stirred powerful emotions among the local public. Accusations of corruption flew every now and again, but were never proven or at the very least investigated.

\(^{41}\) http://www.cdep.ro/pls/proiecte/upl_pck.proiect?ipid=13777
\(^{42}\) http://adevarul.ro/locale/alba-iulia/rmgc-concediaza-35-angajatii-mai-lucreaza-proiectul-rosia-montana-1_551bf550448e03c0fd1e3469/index.html
One would be inclined to believe that this entire saga enjoyed copious media coverage. The striking reality is that it did not.

1. Role of the media

Starting from the year 2000, RMGC invested large amounts of money in advertising and below-the-line activities. In 2010, this was considered "the most flagrant case of economic pressure involving a company". By 2011, RMGC was the eighth biggest advertiser in Romania, after sizeable industries such as telecom and pharma. According to its own statements, RMGC spent on advertising in Romania some 8 million Euros in the first 9 months of 2011. According to Forbes, RMGC paid over 2.7 million Euros in advertising only for the print media. It was the largest sum ever invested by RMGC in advertising, a sum 152.6% higher than in 2010 and 86% higher compared to 2012. All major newspapers received such contracts. The same trend was visible in radio advertising: RMGC paid an estimated 426,000 Euro. The 2011 radio ads budget was twice as big as the one in 2012 and almost 10 times bigger than the one in 2010. There are no certifiable figures for RMGC's 2011 TV advertising budget. The company stated that this was part of its effort to improve its communication with the public with regard to the advantages of the mining project and dissolve public mistrust. The increase in spending coincided with the open statement of support made by then president, Traian Băsescu, who said that he had been "a steady supporter of the project for a long time already not just since yesterday". RMGC’s total advertising budget is unknown to this day and it is hard to compile. According to media estimates (based on rate card prices), the company invested some 12 million Euro in advertising from 2007 to 2010. RMGC continued to invest massively in advertising until 2014, but the budget diminished year by year.

RMGC’s advertising campaigns were composed of a series of ads and video spots promoting the project. Some of them were talking about the number of jobs, the direct sums invested by RMGC in...
Roșia Montană and the overall profit for the Romanian budget if this project were to be implemented. Others presented supposedly local people from Roșia Montană talking about their difficult lives, the hopes they have and how the mining project will help their hopes to be fulfilled. In this sense, “People in Roșia Montană only want to work” was the slogan of one of its campaigns. The CNA received over 2000 complaints regarding the content of these ads, accusing them of being deceptive and manipulative. In 2011, the CNA suspended RMGC’s spots from airing, considering them misleading and on October 15, 2013, the Council decided that the spots were contrary to Romanian legislation on promoting a healthy life (“cyanide is detrimental to public health and the environment”). The Council asked RMGC “to bring the spots in line with current legislation” and suspended any airtime until after this requirement was met. In June 2014, a new series of RMGC spots were once again banned, just days before the end of the presidential campaign.

In exchange for its generous advertising contracts, RMGC received not only advertising space, but also positive coverage and all voices contrary to its project were muted. According to the “Freedom of Expression in Romania” report (produced annually by the non-governmental organization ActiveWatch), in the first semester of 2011, Evenimentul Zilei daily (the beneficiary of the largest advertising sum) published 23 favourable articles, two neutral and none critical. Similarly, Jurnalul Național published 13 favourable articles, one neutral and two critical. Another quality newspaper, România Liberă, deleted two articles from its webpage - one regarding a protest directed against the project and one indicating that a majority of Romanian MPs would support legislation banning cyanided-based mining technologies. Nonetheless, the site hosted articles such as “Roșia Montană supports Romanian rugby” or “Builders in favour of Roșia Montană project”. Other methods used to consolidate RMGC’s positive image included partial reporting (with only favourable parties interviewed), deleting materials from online editions shortly after their posting or “hiding” articles on the websites (one could access them only if you knew the specific link, as they were not accessible via the front page).

The situation was similar with regard to television. A monitoring activity undertaken by the CNA vis-à-vis 13 TV stations from September 1st to October 15th, 2013 found that all had aired RMGC video spots. The lowest number of airings was registered by Pro TV (spots broadcast 13 times), while B1TV, a station close to President Băsescu, aired the spots 135 times. Even channels specialized in folk music, such as Etno TV and Taraf TV broadcast the videos 45 and 47 times respectively.

50 http://www.iqads.ro/creatie/3868/rosia-montana-vise
51 http://www.mediafax.ro/cultura-media/11-spoturi-de-promovare-a-proiectului-rosia-montana-oprite-de-la-difuzarea-pe-tv-de-ena-11516610
During the same time period, on top of airing its ads, some TV channels organized debates and programs sponsored by RMGC. The monitoring report showed that “the average daily time of debates dedicated to RMGC by Antena 3 was 113,64 minutes, 97,55 minutes by B1TV, 110,55 minutes Realitatea TV, 36,09 minutes by România TV and 30,64 minutes by Digi 24”. RMGC’s powerful influence on the TV channels’ editorial agenda is easy to understand if one correlates the above data with the fact that the monitoring period coincided with large street protests which were organized in Bucharest, across Romania and by Romanians living in cities around the world. These protests were triggered by the draft law that would have granted RMGC almost unlimited powers on all state policies dealing with Roșia Montană (see above). Every evening, thousands of people occupied Piața Universității – a central point in Bucharest where two major traffic avenues intersect – to protest more against the government’s arbitrary decision than the project itself. On Sundays, the number of protesters reached 15 to 25,000 people, being the largest street protests in Romania since the fall of communism. Irrespective of this fact, the first week of protests was covered on TV only by a handful of channels. Not even the public television covered the topic properly, although protesters managed to block traffic in the city centre for hours. As the protest became more and more powerful and visible on social media, the televisions could no longer ignore them and their coverage increased. Noteworthy, the tone on some TV channels was critical towards the protesters who were dubbed “stupid”, “manipulated”, “bored hipsters” or “agents provocateurs”. Mihai Gâdea, one of Antena 3’s (a station close to the then Prime minister Victor Ponta) most popular TV talk show hosts called the protesters “Băsescu’s slaves” and implied that they are drugs users under influence (the accusations were not only offensive, but ridiculous, as Băsescu declared publicly that he supports RMGC’s project). In addition, the protesters’ actual number was systematically reduced (sometimes to “hundreds” even though official estimations indicated thousands), cameras intentionally filmed only emptier parts of the street so as to imply that there are just few people in the streets, or focused on more exotic looking or flamboyant protesters who were depicted in a grotesque manner. Many reporters insisted that the protests were “unauthorized” underlining the peoples’ ill-will and unlawful action although Romanian law does not oblige protesters to obtain an official authorization for such rallies. The protesters reacted vigorously against these techniques; one of their slogans was “Bring in the media/To take their leash off” (“Aduceti presa/Să îi scoatem lesa”).

Not all media complied with these pressures or RMGC’s advertising siren song. For example, in 2010 the daily Adevărul refused the advertising contract it was offered. “Roșia Montană is a controversial project and we don’t want to be associated with it. I consider this project deeply immoral”, said then Adevărul’s general director, Peter Imre. Nevertheless, up until that point Adevărul has published favourable advertising for the Roșia Montană project. All the same, the online publication Hotnews refused for years to accept RMGC’s advertising. When they finally decided to publish RMGC sponsored content, they marked it as such, differentiating it from their original content.

In March 2010, 13 journalists with the satirical weekly Academia Cațavencu left the publication, claiming, among other reasons, pressures from the management on the editorial team including on the Roșia Montana topic. Among those who resigned was Mircea Toma, renowned freedom of speech activist and a fierce opponent of RMGC’s project.

RMGC’s relationship with the media and journalists was not limited to advertising and editorial pressures. In 2010, a group of 14 reputed journalists were invited to New Zealand to visit, among other things, a gold mining facility using cyanide-based technology. The cost of the trip was estimated at 10,000 Euro per person and included treats such as playing golf and cruises on luxury boats. All of these costs were covered by RMGC. The journalists – all of them in high editorial positions – denied any wrongdoing and insisted that it was a fact finding visit that they could not otherwise afford and that it came with no strings attached (i.e. positive coverage). They seemed absolutely oblivious to and vigorously denied any self-censorship effect that such a trip may have. Some of them posted about their trip and described their visit to the lake filled with industrial waters that resulted after cyanide treatment. They claimed that the water was so clear and so pure that they even drank from it. Moreover, they retaliated against criticism from their fellow journalists in rude terms. According to a communication specialist contracted by RMGC, “from 2004 to 2010, local politicians and journalists from almost all media companies travelled to Finland, New Zealand and Spain to visit mining projects that used cyanide-based technologies similar to the one RMGC plans to use in Roșia Montană”.

By analysing the media’s conduct in relation to RMGC and its advertising strategy, one could easily conclude that the money was used to pre-empt and silence criticism coming from the media. Thus, in this case, the media system as a whole acted as a corrupted actor and a collaborator in a

54 http://www.paginademedia.ro/2010/07/adevarul-mi-va-rea-publicitate-pentru-ro%C8%99ia-montana
corruption act (Type 3 in the typology we propose) by accepting to engage in self-censorship en masse.

Entire newsrooms accepted to trade their editorial independence for the material benefit of their companies. Moreover, the situation became tenser as the advertising market in Romania was hit by the economic crisis. If this market in Romania stood at 540 million Euro in 2008, it diminished to 309 million in 2011 and 306 million in 2012\(^\text{57}\). Under these circumstances, RMGC’s advertising budgets were a much needed gulp of air for many media outlets in Romania. Journalists were aware of this difficulty and considered that, if not for RMGC, their salaries would not have been secured. Worth mentioning is the fact that especially the high ranking editors and managers were the ones who engaged in this type of trade-offs, setting the tone of a sweeping manipulation of information across all media.

With such an extended de facto embargo on balanced coverage on Roșia Montană, the task of providing such information was taken up by independent journalists, NGOs and concerned individuals, especially on social media. This shift from professional to alternative information sources affected the legacy media’s credibility, a fact which became apparent in the manner in which the street protesters treated the journalists covering these events in 2013.

2. Conclusions

The RMGC case clearly demonstrates how poor economic circumstances can influence the media’s conduct, even at a nation-wide scale. The economic crisis, corroborated with low managerial skills and strong political polarization created the “perfect storm” environment that allowed one single company, which did not produce anything, without a market and without a considerable workforce, to influence the media’s agenda in collusion with media managers and journalists. Economic vulnerability pushed even the media which in the beginning resisted the idea of accepting RMGC advertising contracts to become more flexible and to find solutions to satisfy their client while trying to stay within the limits of ethical journalistic conduct.

The case also demonstrated how powerful trans-party interests are. The RMGC saga span over a 10 years period during which this company received open or covert support from all Romanian governments. What was also visible by analysing the conduct of the media who was close to one political actor or another was that if the economic interests were congruent, irrespective of the political party, media coverage was similar on all channels. For example, arch-foes TV stations

\(^{57}\) http://www.paginademedia.ro/2014/05/media-fact-book-piata-de-publicitate-estimata-la-306-milioane-de-euro-in-2014
Antena 3 (close to Prime Minister Victor Ponta) and BITV (close to President Traian Băsescu) had the same type of coverage of the September 2013 street protests by diminishing its importance and depicting the protesters in a negative or grotesque light.

A very important feature of the media’s conduct was the almost total absence of any discussion regarding possible corrupt acts. Exploitation permits released against expert advice, unprecedented advantages granted to a private company and exemptions from a considerable number of laws, tailor made legislation to meet the needs and the wishes of RMGC, the authorities’ decision to enter a deal that was economically unfavourable to the Romanian state – all these were strong journalistic triggers which would have launched an investigation on possible wrongdoings. Not even Victor Ponta’s September 2013 statement that he knew RMGC “had bought politicians” did not stir any serious reaction, neither from the authorities, nor from the media themselves. Apart from isolated revelations made by some journalists or media projects (Mihai Goţiu, RISE project), the issue of possible corruption related to the whole RMGC project was not a topic for the Romanian media. Somehow, the media’s corrupt actions and behaviour made them “fade into” the larger corruption landscape and influenced journalists not to investigate or report on corruption occurring inside state authorities.

Another problem exposed by the decade-long RMGC story is journalists’ vulnerability and the lack of internalization of professional standards. There are probably tens of journalists who have directly benefitted from the incentives offered by RMGC (fact finding trips abroad, trips to Roşia Montană, etc). Apart from punctual reactions, no significant professional movement took place within the media community. On the contrary, those who benefitted from these incentives responded aggressively to their critics, although some of them pretended to be champions of fair and ethical journalism.

Last but not least, this case showed the way in which social media, concerned citizens and alternative media can take over the public need for information, on leaving behind the legacy media and contributing even more to the erosion of their credibility. Once again, the RMGC story demonstrated that no information can be hidden or concealed from its lawful beneficiary, the public.
Bacteristan: unveiling of a years-long scheme of corruption and negligence in the health system in Romania

Description: A reputed sports newspaper develops a solid investigative team and exposes major corruption cases, beyond the sports domain.

Motto:
"Unfortunately, there are sports media and they keep an eye on us".

Monica Iacob-Ridzi, then Sports and Youth minister, June 2009, quoted by GSP

Narrative: On October 30, 2015, the Colectiv music club was hosting a concert and the fireworks prepared for the event set the club ablaze, choke-full with fans, most of them young. Some 30 people died on the spot or immediately after in hospitals. The number of casualties kept on rising as time went by, reaching 64 by March 2016. Another 160 people needed medical attention and were hospitalized. The Colectiv fire triggered a huge public outcry. Tens of thousands of people took the streets in major cities the day after, in a silent march, to commemorate the victims, in a rare display of solidarity.

After the first hours of confusion, the Romanian health authorities started a sustained communication campaign, declaring that they are in full control of the situation and that public hospitals and medical doctors are completely up to the task. At the same time, on social media networks, Facebook in particular, individuals were asking for the public’s assistance for the doctors and nurses in these hospitals (some of them having have worked for three days in a row) and for badly needed medical supplies. Concerned individuals (many of them not directly affected by the fire) organized themselves to bring food and water to both medical staff and families stuck in hospitals, but also medical products and medicines needed in for major burn victims. Private companies contributed various products and medical supplies, as well as food, liquids or money.

Only after four days did Romania ask for international help made available under EU emergency plans. Some of the wounded had been transferred to hospitals in Austria, Belgium, Germany, The Netherlands, UK, Israel and Norway. It is from these sources that the Romanian public found out that many of the wounded transferred from Bucharest suffered from life threatening nosocomial

infections (infections from hospital germs). In Romania, the principal causes of death cited by medical staff were burned air pipes, asphyxia, smoke intoxication and the toxic fumes poisoning. However, news of people dying of septicaemia started to surface. Also, various details of the case were dissected by the public, such as the fact that the club was overcrowded (as many such clubs are in Bucharest), that it did not have the proper permits, mainly the one from the Emergency Situations Inspectorate (including the Fire Department) and that safety regulations and operating norms had been overlooked in exchange for bribes. The day after the disaster, Cristian Popescu Piedone, Mayor of Bucharest’s 4th District where the club was located (in the abandoned and repurposed head-quarters of a communist-era sport shoes factory), publicly stated that he had nothing to reproach himself for since, from his point of view, the club had all the necessary permits. He claimed that his office staff visited the club several times, but since the inspectors work only until 5 PM and the club opened at 8 PM, inspections could not be conducted.

Popescu's statement stirred a huge public outrage and, on November 3rd, 25 000 people again took to the streets of Bucharest and in other Romanian cities asking for the government’s resignation because of its poor crisis management reaction. More importantly, the protesters held the entire political class responsible for this event because of its tolerant attitude towards rampant corruption throughout the years. These were the largest street protests since 1989 having corruption as a central focus – the main slogan used was “Corruption kills”. On November 4th, 2015, Prime Minister Ponta (himself under criminal indictment for corruption acts as per June 2015) resigned. Nevertheless, the protests continued and pressure was placed on the political parties to appoint a responsible, non-corrupt, technocratic government. No political party showed any interest in ruling at that point in time, just one year before the regular legislative elections scheduled in fall 2016. On November 10th, after “consultations” with the “representatives of the street” (a quite contested move and a quite contested “representation”), president Klaus Iohannis appointed Dacian Cioloș, former EU commissioner for Agriculture, as Prime Minister. His government of “technocrats”, people with no visible political connections, was sworn in on November 17th, 2015. It was dubbed “the Street's Government”, to signal the fact that it embodies the hopes if not the wish of the street protesters.

Criminal investigations were launched immediately after the fire. One by one, the club’s managers and owners, Mayor Popescu Piedone, the company who provided the fireworks, the company who built and decorated the club were questioned by prosecutors. The mayor and the three club owners were held in detention pending trial (the mayor was released in November, the owners were released into house arrest in late December 2015). In April 2016, Cristian Popescu Piedone announced his intention to run for a new mayoral mandate in the local elections scheduled for June.

His candidacy was rejected by the court, on procedural grounds (he had not been properly endorsed by his party).

Quite naturally, the tragic fire and the agonizing period that followed had been extensively covered by the media. The tone of this coverage had been extremely emotional and vindictive, both journalists and media consumers claiming “justice”. Memorial programs were aired, the victims’ pictures were regularly displayed against an audio background featuring funeral music and, in one extreme case, one of the victims’ five children (the cleaning lady of the club) were brought on a live fundraising TV show only two days after their mother’s death.

Information on the case came from on the one hand official sources – the government, hospitals, prosecutors – and the victims’ friends and families, on the other hand. The leading governmental voice was that of Raed Arafat, then state secretary in the Health Ministry, in charge of the emergency integrated systems (fire brigade, ambulances, and paramedics). He was the one who insisted that the Romanian medical system was fully equipped and staffed to cope with a severe crisis like the one at hand, that hospitals in Bucharest had all the medical supplies they needed, that conformity inspectors from the Emergency Situations Inspectorate (ISU) had never heard of Club Colectiv as the owners never applied for a license to the Fire department and, therefore, that ISU was completely unaware of the potential danger.

Behind this display of (understandable) emotion and the (predictable) editorial exploitation of the drama, there were a few voices in the media, such as Gazeta Sporturilor’s (GSP) investigation team made up of Cătălțlin Tolontan, Mirela Neag and Răzvan Luțac, that tried to follow the story even further in order to uncover more information and bring those responsible to trial. On November 5th, they uncovered the fact that ISU inspectors, an elite unit within the Interior Ministry, have routinely been asking for sponsorships from the companies they were scrutinizing and that they even had a "quota" to fulfill. These sponsorships were directed towards two fire fighters associations and were used to support international travel to events, but also financial assistance for their employees in need. Even the unit’s gold-embroiled flag was paid for with money extracted through this type of sponsorship. Later that month, the GSP team revealed a large network of ISU officers, agents and members of their families involved in commercially providing consultancy for ISU licensing. The journalists had asked ISU to release a list of all sponsorships received from private entities and they reacted vocally when they were given nothing else than a simulacrum of information. The sponsorships lists were made available for 29 out of the 40 Romanian counties Romania only in January 2016.

On November 25th, the GSP team found that the company that organised the fireworks invited ISU agents to assist them in organizing a music festival in Club Colectiv (with an expected participation of 2000 people) in September 2015, a request ignored by ISU. Therefore, earlier claims that ISU was unaware of the club’s existence were exposed as sheer lies. ISU’s leadership was demoted and state secretary Arafat was forced to admit that he misinformed the public.

On December 1st, the GSP team published proof – documents, text messages, WhatsApp messages, interviews – demonstrating that, even though officials had repeatedly claimed that the hospitals were fully equipped and able to treat the wounded, the doctors were actually struggling to keep the patients alive and asked the families to provide even the most basic medical supplies such as paracetamol pills and vitamins. “They lied to us again”, wrote the journalists.61 On December 3rd, they published, for the first time, sensitive information on nosocomial infections in Romanian hospitals. GSP quoted a doctor saying “we saved them from a fire bomb, but they died in a microbes’ bomb (“slum”).” 62 The interviewee claimed that “the system” (meaning the official discourse) tries to hide the truth. The investigations continued with testimonies given by the families of the wounded who were denied transfers to hospitals in Western Europe.

Over the following months, the Colectiv topic faded-out and eventually disappeared from the media altogether, as many hot topics do in Romania at the end of the proverbial “three days of scandal”. GSP rarely covered the issue, as, for example, when the Prime Minister’s Control Body released its official report revealing that the hospitals’ response was poor and disorganized. Apparently, the scandal died off, running out of editorial steam. However, on April 7th, 2016, the GSP team published an article entitled “Bacteristan”, demonstrating that at least 13 of the Colectiv victims died of multiple nosocomial infections, some of them with pathogens resistant to any antibiotics. The article also revealed that the hospitals in question, out of fear of law suits, refused to grant families access to the medical records of their next of kin. On April 25th, GSP revealed that none of the biocides used in Romanian hospitals has ever been tested for conformity (provided the composition on their label is respected). On April 28th, the GSP team published test results – paid for by themselves – delivered by the only accredited laboratory in Romania of a disinfectant bought from the Hexi Pharma company, a major biocides provider for Romanian hospitals. The result indicated that the active biocide agent was diluted ten times compared to the label, confirming the information they got from a whistle blower within the company itself63. One day later, they revealed that Hexi Pharma’s owner is financially linked to the laboratory that officially tested biocides sold

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62 http://www.tolo.ro/2015/12/03/colectiv-medic-de-la-spitalul-de-arsi-i-am-salvat-dintr-o-bomba-de-foc-si-au-murit-intr-o-bomba-eu-microbi/
63 http://www.tolo.ro/2016/04/28/am-facut-probe-de-laborator-dezinfec tantul-folosit-in-2-000-de-sali-de-operatie-din-romania-are-o-substanta-activa-diluata-de-10-ori/
to hospitals. On April 30th, after the Health Ministry declared that they would conduct their own tests, GSP revealed that the methodology used for testing the biocides was developed by a person who also runs an association financially sponsored by Hexi Pharma. Day after day, new materials appeared revealing the links between Dan Condrea, Hexi Pharma’s owner, and the entire public health care system. Moreover, Condrea controlled an off shore company, registered in Cyprus, that bought biocide agents from Germany for some 8 Euro/litre, and re-sold them to Hexi Pharma at a price seven times higher. In addition to this, another of Condrea’s companies was hired to manage the archives of several Romanian hospitals.

On May 5th, the Health Ministry revealed that it conducted “sanitation tests” (measured the germs’ concentration on surfaces in hospitals) and only under 5% of the samples came out positive. GSP showed that sanitation tests have nothing to do with dilution tests since the former targeted only microbes, not viruses, spores and fungi. In addition, the ministry’s inspection was announced in advance, so that these low positive results might be deceiving. Despite the health minister’s “You are safe” statement, several publications and hundreds of people pressured the ministry to publish the lists of hospitals where the tests came out germ-positive. After an initial opposition, the list was published on May 6th and these showed that pathogen agents had been found in 50 major hospitals out of the 290 in Romania, among them some of the hospitals where the burned victims had been treated and died.

As a consequence of these alarming disclosures, the Prime Minister announced that the healthcare system was going to be his government’s top priority for the remainder of his mandate and launched extensive investigations in all hospitals, including quality tests for all biocides in use. That evening, about 1000 people again took to the streets in Bucharest to protest against the health authorities’ lack of reaction, the government in general charged with protecting and promoting corruption and requested the Health minister be sacked. On May 9th, Health minister Patriciu Achimas-Cadariu resigned claiming “differences of approach in dealing with the crisis” with the Prime Minister while acknowledging that he is a “man of the (health) system”. On May 19th, Vlad Voiculescu (no family link with the politician and media mogul Dan Voiculescu) was sworn in as a new minister. Voiculescu came into the public’s attention as the creator of the so-called "cytostatic network". Based in Viena, working as a financial consultant, Voiculescu, using private donations, pressed for extensive investigations covering all hospitals in Romania.

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64 http://www.tolo.ro/2016/05/03/de-ce-dilua-condrea-dezinfectantele-de-10-ori-fiindca-isi-vindea-lui-printr-un-off-shore-substantele-active-de-7-ori-mai-scumpe/

65 The very same day, a 27 year old football player collapsed on the field during a football match and died an hour later at the Floreasca Emergency Hospital, just meters away from the stadium. According to media reports, the ambulance that carried him had no defibrillator and the man did not receive CPR on the spot, a problem attributed to a general tolerance towards ignoring minimal safety and good practice standards in health care.

66 http://www.digi24.ro/Stiri/Digi24/Lejer/Sanatate/Patriciu-Achimas+Cadariu+explica+motivele+demisiei+de-la+Ministere
helped cancer patients in Romania to get free of charge the medicine on which their lives depended on and which was unavailable in their country. The products were brought to Romania by private individuals travelling back home from all over Europe. The network thus created numbered some 400 volunteers, in an unprecedented effort of community solidarity. Voiculescu is also a vice-president of the European Cancer Patient Coalition (ECPC). On May 27th, the Supreme Council of National Defence (CSAT) decided to create an official network of laboratories licensed to test biocides and disinfectants.

On May 22nd, Dan Condrea died in a car crash after hitting a road-side tree, speeding on an otherwise desert road. The circumstances of his death were still unclear at the moment of the writing of the present report, but according to the official reports, the suicide was the most probable scenario.

1. The role of the journalists

On May 6th, the street protesters praised the media for their contribution. It was for the first time in many years when protesters positively acknowledged the media’s involvement in matter of public interest. This comes in a context where the Romanian media’s credibility has been on a downward spiral for the past several years from a hefty over 80% in the early 1990s, to a mere 40% in 2014.67 The key contribution in this case came from an apparently unlikely source: a sports newspaper published by a group close to a controversial political figure with a solid background in corruption.

Created in 1924 and with a convoluted history, Gazeta Sporturilor newspaper was dissolved under the communist regime, in the late 1940s. The editorial team of the former communist sports newspaper, Sportul, privatized the newspaper immediately after the fall of the communist regime in 1989 and revived the title. After several changes in ownership, Gazeta Sporturilor is currently published by Convergent Media and its general manager is Cătălin Tolontan.

Convergent Media is majority-owned by sisters Camelia and Corina Voiculescu, Dan Voiculescu’s daughters, with small shares owned by Grupul Industrial Voiculescu and Fundația Umanistă Dan Voiculescu. Dan Voiculescu is a controversial businessman and politician, currently serving a 10 years prison sentence for economic fraud68. He was the creator of one of the largest media groups in Romania, including Antena 1 TV channel, all-news Antena 3 TV channel, Jurnalul Național daily and other media (a womens’ TV channel, a successful youth radio and others). In 2005, he withdrew from business, leaving the company to his two daughters and became fully dedicated to

68 Sentenced pronounced in 2014.
his political career. He was elected senator in 2004, 2008 and 2012 on behalf of the Conservative Party (until 2005 known as the Humanistic Party). Despite the official separation, the public perceives him as being the final beneficiary of the media empire he created. This was especially visible when his trial neared the sentencing phase and TV channels, particularly the popular *Antena 3*, launched vicious attacks against the prosecutors and judges, to the point where EU reports on Romania listed them as “threats to the independence of the judiciary”69. When the final sentence was handed down, *Antena 3* aired hours and hours of live shows, in an almost funeral atmosphere, decrying the court’s decision and invited the viewers to publicly display their discontent. The media outlets in the group are recognised for their fierce stance against ex-president Traian Băsescu, Dan Voiculescu’s arch nemesis. Two years after the end of his second presidential mandate (2014), Băsescu is still the main topic of political debate during *Antena 3*’s talk shows.

*Gazeta Sporturilor* (GSP) is a successful newspaper, with a relatively steady circulation (+/- 25,000 copies per day). Part of the content is cross-published on its online version (gsp.ro) and on Tolontan's blog (tolo.ro). Convergent Media used to publish niche BBC magazines (Top Gear, Good Food and Science World), but they ceased issuing them as per January 1, 2016. While affected by the economic crisis, as any other media company in Romania, and by the collapse of the nation-wide (formerly state-owned) distribution company Rodipet, Convergent Media registered a net 2 million Euro net gain in from 2006 to 201370. Most of this financial success is owed to GSP, as the niche magazines had a hard time breaking even.

Although the likelihood of a sports newspaper undertaking an investigative task outside the realm of sports was quite low, GSP’s work was hardly surprising. Tolontan and his team are reputed for two other investigations that managed to uncover grand scale corruption cases.

**The Ridzi case**

In 2009, GSP revealed that then minister for Youth and Sports (MTS), Monica Iacob-Ridzi used public funds for political advertising. The investigation started from the observation that in May the MTS invested huge sums of money to celebrate "National Youth Day", an otherwise quasi-unknown holiday. For these celebrations, Iacob-Ridzi organized music concerts on the beach in a sea resort traditionally visited by young people (Costinești). Out of the 730,000 Euro dedicated for the event, an estimated 220,000 Euro were used for visibility and promotion. Three major television channels – *Pro TV*, *Realitatea Tv* and *Antena 3* – broadcast 45 promos and 7 advertorials related to this event, an advertising volume hardly accounting for a tenth of the sum calculated at the rate-card

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70 http://www.gsp.ro/despre-noi/balanta-financiara
prices for that amount of air time. At the same time, the three channels aired some 600 news stories featuring Ridzi together with Elena Băsescu, the daughter of then president, Traian Băsescu, who, at the time, was running for a seat in the June 2009 European Parliament elections. GSP accused the minister of using public funds for buying favorable media coverage in her own benefit, and in the benefit of Elena Băsescu. According to Romanian legislation, news cannot be bought, sponsored or used for product placement and this is the sole responsibility of the editorial team. In June 2009, the National Audio-visual Council decided that part of the coverage falls under “political advertising” criteria, thus confirming GSP’s accusations. Investigations launched by fiscal authorities revealed that the contracts awarded for the May 2nd celebrations violated public procurement legislation. Moreover, in order to cover her tracks, Iacob-Ridzi ordered the ministry’s staff to falsify and delete various electronic documents. In July 2009, Monica Iacob-Ridzi resigned and in August an official criminal investigation was launched against her and the trial started in 2011. She was sentenced to a 5-year prison term in February 2015.

The Gala Bute Case

In 2011, Elena Udrea, then minister for Regional Development and Tourism, vice-chair of the Liberal Democratic Party and a close ally of then President Traian Băsescu, decided to organize a boxing gala having as guest star the famous Romanian boxer, world champion (IBF) Lucian Bute. The gala, organized together with Rudel Obreja (a former boxer himself), was officially meant to “promote tourism” and it was financed through EU funds earmarked for promoting Romania’s country brand. The Government approved its organization in January 2011 although Prime Minister Emil Boc had already declined Obreja’s proposal in 2010. Obreja got a preferential loan, guaranteed by the Ministry for Regional Development and Tourism (MDRT), from the Romanian Bank for Development allegedly thanks to Elena Udrea’s direct influence. In order to pay back the loan, the MDRT gave Obreja's company about 2 million Euro, while about 10 other companies close to the party's leadership contributed another 430,000 Euro. For the last instalment of the debt, Obreja received, for unspecified services, money from another private company, close to the minister and benefitting from many other contracts awarded by the MDRT. The DNA case prosecutor started to investigate and in 2013 the case was ready to go to court, with only Rudel Obreja as a defendant. But a higher up DNA prosecutor rejected the case and sent it back for further investigation. In April 2015, Elena Udrea was officially indicted, together with some of her close aids, accused of extortion, misfeasance in public office and attempting to use false or inaccurate documents and

statements in order to access EU funds. The prosecutors said that the sponsorships offered by companies were actually payments meant to secure smooth and timely payments for their other contracts with the ministry. During the hearings, it became public that Udrea was patronizing a system meant to control the media and that in 2011 she paid substantial sums of money to an array of media channels and bloggers to counteract the effect of GSP’s investigations.\textsuperscript{73} The court’s judgement is pending, with Udrea under probation.

These deep, system-impacting investigations are characterized by the fact that they are entirely original, deriving from field work undertaken by GSP journalists. From this point of view, Cătălin Tolontan and his team fall under the positive-active role that a journalist can play in uncovering and fighting corruption: that of \textit{Initiator/Investigator of a corruption story}, \textbf{Type 1} as per the typology that we propose. Most of the articles start from the reporters’ direct observation (such as the Ridzi case where there was an over-exposure of media coverage for an otherwise irrelevant event) or from their curiosity or doubts (such as the Colectiv nightclub fire). In their quest to unveil the truth, GSP reporters managed to sometimes attract insiders and whistle blowers while the journalists acted as fact-checkers. According to their own narratives, all the documents they published were thoroughly double-checked. Actually, this thorough investigation process justified the period from January to April 2016 when GSP did not cover the Colectiv case in its own reporting. These months were dedicated to laying out the facts, document and gather proof and write subsequent series. From April 25\textsuperscript{th} to May 28\textsuperscript{th}, 29 different articles of varying length were published related to this case, with an almost daily frequency. This publishing strategy whereby the reader is given bits of information – sometimes new information, some other time just describing the snowball effect of institutional reactions and consequences of the investigations – was aimed at maintaining the public’s interest as the stories unfolded.

This type of investigation deserves some ethical considerations, regarding three main aspects: the protection of sources, protection of personal data and cooperation with the authorities.

Protection of journalistic sources is only marginally covered by Romanian legislation. The Audiovisual Law states clearly that the confidentiality of sources used in preparing an audiovisual program is guaranteed by law and that the journalists are free to choose not to reveal any data that could lead to the identification of the source. Such a disclosure can be imposed only by court order and only if it is in the interest of national security or public order. All the same, disclosure of information so as to identify a source should not be deemed necessary unless 1) it can be

\textsuperscript{73} Four TV stations (ProTV, Acașa TV, Realitatea and B1), a news agency (Mediafax), two dailies (Evenimentul Zilei and Ziarul Financiar) received pre-written media articles meant to create a positive image for Udrea. Tens of individuals were also paid to post on social media either positive materials regarding Udrea or to denigrate her critics. Source: http://www.tolo.ro/2015/11/10/doi-blogeri-cost-a-1-200-de-euro-tva-inclus/
convincingly established that reasonable alternative measures to the disclosure do not exist or have been exhausted by the individuals or public authorities that seek the disclosure, and 2) there is a legitimate interest underlying the need to disclose and this clearly outweighs the public interest of non-disclosure. This reflects the position of the Council of Europe present in Recommendation R (2000)\textsuperscript{74} and quoted repeatedly by the European Court of Human Rights by arguing that the protection of a journalist’s sources was one of the basic conditions for freedom of the press. As ECHR repeatedly underlined, “without such protection, sources might be deterred from assisting the press in informing the public on matters of public interest and, as a result, the vital public-watchdog role of the press might be undermined. The disclosure of a source could only be justified by an overriding requirement in the public interest”\textsuperscript{75}.

While not a subject of the Audiovisual Law – therefore not enjoying a specific guarantee for the protection of sources – the GSP journalists have always protected the identity of their sources. They published interviews with individuals – doctors, fire fighters – whose identity was concealed, but have always followed up and verified their allegations via on the record interviews with other people. For example, when a (kept anonymous) file and rank fire fighter revealed the fact that the ISU inspectors were also fundraising for their associations from the very companies that they had to investigate, GSP confirmed the information with the head of the Bucharest ISU unit in an on the record interview they published. Similarly, when a doctor in a hospital alleged that the victims of the Colectiv fire that the wounded are bathed, one after another, in the same bath tub, with little care for infections, the information was confirmed through an on the record interview with the director of the hospital in question. This kind of care for both their sources’ anonymity and a thorough verification of the information provided made GSP investigations more credible and encouraged whistle blowers to come forward and volunteer tips.

Regarding the use of personal data, the public interest in revealing the data prevailed. In their article published on April 7\textsuperscript{th}, 2016, called “Bacteristan”, GSP journalists published the pictures of medical case files of 13 Colectiv victims that had been infected while being treated in Romanian hospitals and who later died. According to article 21 of the Romanian Patients’ Rights Law, “all information regarding the status, the results of the tests, the diagnosis, the prognosis, the treatment, the personal data of a patient are confidential, even after the death of the said patient.”\textsuperscript{76} According to article 10, access to such information can be granted to a third party only after the patient gives

\textsuperscript{74} http://www.ravnopravnost.gov.rs/jdownloads/files/COE_R%20(2000)%207.pdf
\textsuperscript{75} http://hudoc.echr.coe.int/eng-press?i=003-2185312-2334715#{"itemid":["003-2185312-2334715"]}
\textsuperscript{76} http://www.dreptonline.ro/legislatie/legea_drepturilor_pacientului.php
him/her written consent. Based on this article, the victims’ families were denied all access to the case files because the patients (some of them unconscious or deceased) did not give their consent. GSP journalists decided to push the law’s boundaries in the name of public interest and published the photos without revealing any other data regarding names, gender or status. The photos clearly show that all 13 patients, coming from four different hospitals, had been infected while in medical care, some with very aggressive and drug-resistant germs. One of them was infected with as many as seven different germs. In this case, they agreed that disclosing this information was in the public’s interest, a fact that overrode privacy rights. Nevertheless, they did not hand the medical files to the victims’ families despite desperate attempts to bring to light the causes of their loved ones deaths. They argued that if the doctors wanted these files to get into the families’ hands, they would have directly given them themselves. In addition, it is the hospitals’ task to give these documents to the families since this is the only way for them to have any legal value. Finally, the journalists refrained from delivering evidence to those families that had sued the hospitals.

“By definition, the journalists are not biased towards anybody; just as they do not produce evidence for the authorities, they do not help those that are the subject of their writing”, said the “Bacteristan” article.

While discussing the ethical aspects of this investigation, it has to be said that Convergent Media is a company that conducts itself in a transparent manner in the business field. It supports the so-called “Initiative for a Clean Media”, launched by a group of NGOs and published information regarding their stakeholders, their advertising clients, their annual revenues and their state debts. Despite this momentary disclosure, the abovementioned information stops in 2013 and has not been updated ever since.

As mentioned before, Convergent Media belongs to Dan Voiculescu’s daughters while he is presently serving a 10-year prison term for fraud. They also control some other companies and manage other outlets that once made up Voiculescu’s media empire. There is a clear distinction between GSP’s editorial conduct and the other media outlets that enjoy the same ownership. GSP did not engage in open attacks against Dan Voiculescu’s political enemies and treated in a reasonably fair manner his trial and subsequent sentencing. Moreover, they did not hesitate to disclose Antena 3’s participation in the abovementioned positive coverage buying scheme orchestrated by minister Iacob-Ridzi. None of the other media companies belonging to the Voiculescu sisters joined the Initiative for a Clean Media.

78 http://www.tolo.ro/2016/04/07/bacteristan-13-dosare-ale-mortilor-de-la-colectiv/
79 http://www.romaniacurata.ro/english-reports/
80 http://www.gsp.ro/despre-noi
Importantly enough, although they were by far the leading force, the GSP team did not pretend to have exclusivity on the Colectiv topic and they even signalled articles on the same topic produced and published by other journalists and gave them due credit (especially those of Ovidiu Vanghele, an experienced investigative journalist working for his own editorial project, Centre for Media Investigations, and for Euractiv.ro81). Conversely, many other publications signalled and re-ran GSP’s articles and gave them due credit. By doing this, these media met the criteria for the role of a reporter/facilitator on a corruption story (Type 2 as per our proposed typology). When playing this particular role, the journalist gives the story the necessary visibility for the readership/audience of the media outlet he works with that may not necessarily overlap with the initial audience. Thus, other journalists contribute to increasing the impact of a single story.

But not all media and journalists supported GSP’s investigative endeavors. Beginning from the Ridzi case, GSP, and Cătălin Tolontan especially, has been the target of fierce, and quite often, extremely rude criticism. Tolontan was accused of being “used” by the intelligence services or other branches of power (such as prosecutors) and that these entities are the ones which provide him with the needed information. The investigations he conducted were dubbed as being “political” since he attacked a minister who supported President Băsescu’s daughter, as well as the President's closest political protégée, Elena Udrea. And as GSP is published by a company owned by the family of Băsescu sworn enemy, Dan Voiculescu, it “went without saying” that GSP investigations were actually ordered by Voiculescu himself. At the same time, journalists working with media belonging to the same owners called Tolontan names live on TV or on their blogs, using extremely vulgar language, trying to minimize the relevance of his investigations. One of his most adamant critics was Mircea Badea, a very popular Antena 3 TV talk show host and an active blogger. The attacks were mainly caused by the disclosure of information that was detrimental towards Victor Ponta’s government, supported by Antena 3 at the time.

Tolontan was also accused for making too much money out of his editorial position. Stelian Negrea, an investigative journalist himself, published on his Facebook page information regarding the money Tolontan received from “Dan Voiculescu’s media empire” (an average of 37,000 Euro per month). To support of his claims, Negrea published Tolontan’s fiscal declarations which also showed that he paid the proper taxes for that amount. In a nutshell, he did not accuse Tolontan of fiscal fraud, but just of being paid too well. According to Negrea, the documents were presented to him by a source within the Romanian National Fiscal Authority (ANAF). Tolontan reacted to this and underlined that his publication is one of the few that manages to be profitable on a market where very few media outlets do so. Therefore, his managerial performances were appreciated.

addition, he mentioned that his fiscal documents had probably been leaked to Negrea by the head of ANAF, a close friend of Elena Udrea. When Tolontan first exposed Elena Udrea’s role in Gala Bute case, the latter publicly threatened him that she will “dig and find something” against him. Udrea also threatened Tolontan in 2009, when he published the Ridzi case investigations that led to her resignation and, later on, sentencing for corruption.

It was not the first time that Cătălin Tolontan was targeted by state authorities. In at least two occasions he was followed by alleged officers working with the intelligence services. These two occasions coincided with the investigations he conducted in the Gala Bute and Colectiv cases. Tolontan’s exposure of the surveillance activity he was subjected to was received with mistrust and irony by some of his fellow journalists, while NGOs dealing with media freedom took him seriously and asked the Parliament to investigate the case.

In these particular cases, the media behaviour indicated that, when political and economic interests are at stake, journalists working with instrumentalised media can itself became an instrument of corruption (Type 3 according to our typology) whereby the journalist is an integral part of the corruption network rather than a corruption fighter.

2. Conclusions

This is considered to be the biggest corruption case ever exposed by the Romanian media, not in terms of money since cases involving bigger sums have been exposed in the past, but in terms of the magnitude of the corruption network, the number of people affected, as well as in terms of institutional effects. In just about one month from the first article, the topic went viral, the Health minister resigned, well-respected hospital managers and doctors were placed under investigation, policy changes were announced and the matter was recognised as a one pertaining to national security.

But probably the strongest effect was that journalism and journalists reclaimed the public’s trust and their professional pride which had been lost over the years. This is visible in thousands of public comments, especially on Facebook (the most used social network in Romania, with over 8 million accounts), but also in the outpouring of support from other journalists and media active in a profession marred by fierce competition and characterized by rather weak solidarity.

There were a couple of elements that facilitated this investigation’s impact. Firstly, we have to mention the consistence, persistence and accuracy of GSP’s reporting. The GSP team worked with multiple sources, published evidence whenever possible, launched the media campaign only

when they were reasonably certain that they checked all the facts. This explains the abundance of information they managed to get access to and that was even volunteered to them. Their behaviour is also an indication as to why valuable sources agreed to talk to them, even after the story took a very nasty and potential dangerous turn, evolving from a greedy businessman’s fraud mechanism to a state wide network of corruption which also involves the intelligence services.

Secondly, we should underline the journalists’ commitment and resilience. They were subject to attacks from all sides, they were placed under surveillance, and their investigations were politicized by one political group against another. Ever since the Iacob-Ridzi case, Cătălin Tolontan, the most visible member of the team, was threatened - both publicly and in private. The attacks grew when the team exposed Elena Udrea’s wrongdoings. At that moment, President Băsescu himself used a classical intimidation technique when he implied publicly that Tolontan will suffer some undisclosed consequences for unspecified illegalities. On two occasions, Tolontan went public claiming that his house was put under surveillance, while his colleague Mirela Neag claimed that she was followed on the street. Tolontan was accused by politicians and fellow journalists of being "used" by the secret services to manipulate the public or of being an intelligence officer himself, animated by ulterior motives. There is no other explanation, his accusers claimed, for the kind of information he is able to unearth and publish. To all these pressures, the GSP team replied publicly by presenting their side of the story in a composed manner and refraining from trading accusations.

It is important to mention that Tolontan is in a power position, as the sole administrator of the publisher Convergent Media, GSP’s director and the head of investigative team. Thus, there is no censoring authority that could intervene in these investigations and he is free to follow his own editorial standards.

Thirdly, the sheer dimension of the investigations and the emotional impact contributed to keeping the disinfectants saga present in the media. It was also fortunate that some other investigative teams were looking into the topic or similar topics at the same time, which helped create a growing critical mass of readers. Noteworthy is the fact that these stories cross-pollinated and various publications (Centrul de Investigații Media, Euractiv, Hotnews, România Curată among

83 In August 2014, Stelian Negrea, an investigation journalist himself, published documents proving that Convergent Media, GSP’s publisher, received a development loan from Crescent group belonging to Dan Voiculescu and his family - the same people that own Convergent Media. The loan contract was signed by Tonontan in his capacity as Convergent Media’s administrator. Negrea also accused Tolontan of being “paid as a royal”, supporting his claims with the tax statements Tolontan had submitted to the fiscal authorities, documents that are supposed to be protected by the private data protection law. Soon after this, President Băsescu stated in a TV show: “I used to see some of those pillars of justice and law (...) Meanwhile, they were agreeing to receive money from Crescent for their companies. And these papers were not signed by simpletons, but media professionals who are very well informed. (...) And then I ask myself: how far can crooks go?” He added that he would like to see prosecutors look into this deal and for "the guilty ones to be held accountable". The president's appeal to prosecutors was invalid as the loan contract was apparently legal. What Negrea implied was Dan Voiculescu’s questionable moral quality which, via his business and financial links, would extend to Convergent Media and Tolontan, thus questioning the journalist's independence.
others) referred one to the other's stories. This is a remarkable development given the fact that a common practice in Romania media is to ignore your competitors’ stories or copy-paste them without mentioning the initial source. The GSP investigation led to a snowball effect that impacted the media, the public and the state authorities. As journalist Lucian Davidescu wrote in his article entitled "Investigating Cătălin Tolontan's investigation": "Whether you trust its authors or you don't, the investigation initiated by GSP is legitimate, important and it now has a life of its own that nobody can stop - with or without Condrea (A/N: the deceased owner of Hexi Pharma). The big challenge now for the entire Romanian media is that information is coming to light quicker than it is able to process."84

Fourthly, we have to underline the existence of a favourable political background in which the whole drama unfolded. Dacian Cioloș’ Government was dubbed “the street's cabinet” because it came to power following the Colectiv protests. Therefore, it was mandated not only with the public’s trust, but also with its hopes in a much promised, but always delayed and thus long overdue administrative and governance reform.

It is important to note that the public officials who downplayed or denied the case’s magnitude were eventually sacked or replaced. The Health minister, Patriciu Achimaș-Cadariu, was not removed from office because he was held responsible for the infections in the hospitals since he was in office for a few months before the news broke out, but for trying to downplay the consequences, to minimize the health managers’ responsibility and, ultimately, mislead the population into thinking that there is no public health crisis. His successor, Vlad Voiculescu, released information on all public procurement which was done for disinfectants just days after he was sworn in. Consequently, the public learned that Hexi Pharma won 607 contracts with various Romanian hospitals in 2015 alone. The managers of the biggest emergency hospital in Bucharest (Floreasca Emergency Hospital) were sacked and placed under criminal investigation when it became clear that they tried to lie to the new government by claiming that the top-notch O.R. for major burn victims was functional and that some 70 Colectiv victims had been treated there from November 2015 to March 2016. However, this facility, renovated and equipped through EU funds, was still not functional even in May 2016.

The continuous and rich flow of information indicated the extent and depth of the corruption network. One could not build and operate such a mechanism without the knowledge or cooperation of individuals placed in high-ranking public or political offices. This political support also explains its successful concealment and outright protection from its inception in 1994 to its unravelling in 2016. Romania’s political situation – the existence of a caretaker, technocratic government without

84 http://www.romaniacurata.ro/ancheta-anchetei-lui-tolontan/
political ambitions enjoying a limited mandate until the fall of 2016 while also having to organize parliamentary elections and push for true administrative reform – allowed the media investigation in the disinfectants case to evolve unhindered by one or another political force and to have a profound impact. It is important to note that this was not the case for another investigation which was equally accurate and professionally conducted, but with a much lower media visibility. We are referring to the plagiarism accusations made against high-ranking political figures, such as former Prime Minister Victor Ponta or former Interior minister Gabriel Oprea together with the academic fraud accusations made against The Academy of National Security Sciences, an entity founded in 2012 under the authority of the Ministry of National Defence, the Ministry of Interior and The Romanian Intelligence Service.

Last but not least, the series of reports published by GSP were not seen or conducted as a commercial, profit-making endeavour, but as a public interest demarche. The daily articles that revealed step by step the enormous dimensions of this corruption network and the state authorities’ lack of interest were published on Tolontan's personal blog and re-run only in GSP’s blog roll. In the meanwhile, the publication kept its focus on sports events, faithful to its main audience and it did not bank on the investigation’s huge publicity. Moreover, GSP’s sports readers actively contributed to the investigation’s online and offline dissemination. According to Tolontan, the investigations "brought about zero increase in circulation" or GSP.

He added that the advertising went also down, as advertisers "do not want to be associated with [journalistic] investigations, because they are uncomfortable". "The mobilisation on Facebook was exemplary, admirable, but if not for the sports fans... The sports fans [who bought the newspaper] carried us on their backs", said Tolontan in a talk given during the Interactive Central and European Fest, in June, in Bucharest.

As experienced journalist Mona Dîrțu stated very early in the investigation, the scope of GSP’s reporting is larger than just a company selling diluted disinfectants:

“What Cătălin Tolontan’s team does, with remarkable efficiency, is to point the finger, legitimately and unequivocally, right where it should be pointed: beyond the producer and the bushy businesses where our intra-hospital security lies, crucified and helpless. And they do this like a machine-gun, text after text, day after day – exactly how one should conduct a media campaign backed by a rationale, having a mission, a target. Basically, the GSP team point their finger to the Romanian state”.

87 https://www.facebook.com/mona.dirtu/posts/10154164496419704
This focus is so clear that the accident in which Hexi Pharma’s owner died\(^\text{88}\) was barely reported, despite the fact that it was the main topic for the rest of the media, who engaged, days in a row, in long and diverse analyses and comments, with (non)experts ranging from forensic psychologists to mediums and intelligence commentators being paraded on live TV talk shows. Dîrțu compared GSP’s work to the one portrayed in the Oscar-winning movie “Spotlight” and the mantra: “we're going after the system”, which later on became a hashtag used by Tolontan to accompany the published articles.

In an interview for the online publication Republica.ro, Cătălin Tolontan summarized their investigation as follows:

> “When the princes of Health and the kings of the disinfectants business will ask themselves who brought this onto them, they’d better drop all that speculations about foreign interventions, intelligence services or I don’t know what interest groups. They have to know this: a 23-year old journalist\(^\text{89}\) exposed them! Generational change and, in a way, this investigation, that would have never existed if not for the Colectiv fire, is our heritage left for younger journalists. They have to be motivated; it's their turn to go after the system! And I think that it goes for everyone in Romania, in all professions.”

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\(^{88}\) Dan Condrea died in a car crash within peculiar circumstances. He was uncharacteristically driving a weak Opel automobile, despite the fact that he was regularly driving powerful 4x4s. The car was very badly damaged, as was the face of the victim, but the IDs found on him were Condrea's. No break marks were found on the road. The media speculated on various possibilities: a suicide, a framed “extraction”, sabotage, an elimination operation perpetrated by the intelligence services for which Condrea was believed to have worked. Exactly the day after the accident, Condrea was supposed to appear in front of the prosecutors for his first interrogation.

\(^{89}\) Răzvan Lutac is the third member of the GSP investigative team working on this case. He is 23 and has been working at GSP for seven years.
The "maybe too virulent" secret services

**Description:** Over the years, the intelligence services infiltrated newsrooms, shaped public debate and gained public trust in the detriment of journalists.

In January 2015, George Maior, the head of the Romanian Intelligence Service (SRI) admitted publicly, in an interview for B1 TV, what everybody already suspected: that his institution had undercover officers working in the media:

“There are undercover SRI officers in the media, a practice which exists in other democratic states. (...) Their mission is to gather information relating to the state’s national security”.

He also added that such an undercover officer is a “powerful weapon” for any secret service.

George Maior's statement stirred a moderate public outcry and a rather bleak professional debate, as the topic was anything but new. His statement was not a revelation, but rather spelled out clearly what everybody else knew, assumed, suspected or feared: that intelligence officers are infiltrated in the media and that part of the information in the public space is actually “manipulated” or circulated based on ulterior motives, other than just genuinely informing the public.

While analysing the relationship between media and corruption and the role that journalism and journalists can play in fighting corruption in Romania, alleged or confirmed connections with the secret services stood out as the common feature in various cases. They took many forms: either the topic was of national interest, or the people involved were in high-ranking positions and thus able to affect national security or the journalists were accused of letting themselves be manipulated by the secret services. The following case study is an attempt, based on publicly available information, at mapping in a very brief and limited manner the convoluted relation between the media and the Romanian secret services.

1. **Short history**

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91 The time line combines the information provided by Gândul’s online publication with various other sources, mentioned when relevant. [http://www.gandul.info/stiri/sri-lucreaza-linistit-comisia-parlamentara-vegheaza-pentru-tine-13806839](http://www.gandul.info/stiri/sri-lucreaza-linistit-comisia-parlamentara-vegheaza-pentru-tine-13806839)
The communist history of Romania is intrinsically connected to the party’s political police, the “Securitate”. The Securitate was powerful and omnipresent in both public and private spheres. On December 30, 1989, just days after Nicoale Ceaușescu’s flight, expedient trial and execution, the Securitate was dismantled via an order given by Romania’s new political leader, Ion Iliescu. In March 1990, after the bloody ethnical confrontations in Târgu Mureș between Romanians and Hungarians, a new national security entity was created: the Romanian Intelligence Service. In 1991, the Parliament adopted the Law on National Security and established several bodies: the Romanian Intelligence Service (SRI), the External Intelligence Service (SIE), the Protection and Guard Service (SPP), as well as several other specialised structures within the Defence Ministry, Interior Ministry and Justice Ministry. In 1992, the Special Telecommunications Service (STS), a technical unit providing secure telecom services for the central and local state apparatuses, was added to this list. A Permanent Joint Committee within the Chamber of Deputies and the Senate tasked with supervising the SRI was created in 1993, and a similar Permanent Joint Committee for supervising SIE was created in 1998.

In 1995, two journalists with the daily Zia in București spotted two intelligence officers following their fellow journalist Tana Ardeleanu at "Terasa Anda". Ardeleanu was the author of a series of articles criticising president Ion Iliescu and accusing him of being a KGB agent. SRI claimed that the two were in a counter-intelligence mission, but the Parliamentary Committee overseeing the SRI declared itself "not convinced". This was the first scandal in which SRI was accused of spying on journalists.

In 1996, Constantin Bucur, at that time a SRI employee, revealed in a press conference that SRI had been illegally tapping the phones of politicians and journalists and their families during the electoral year. Bucur tried to bring these violations to his superiors and the Parliament’s attention but there was no reaction. After the press conference, Bucur was brought in front of a military tribunal, found guilty, sentenced to two years in prison (suspended sentence) and dismissed for divulging professional secrets affecting national security.

Bucur, together with journalist Mircea Toma, working at the Academia Cațavencu satirical weekly and the latter's minor daughter sued the Romanian state to the European Court of Human Rights in 2002. Toma's family and office phones had been tapped and conversations between father and daughter recorded and filed. In 2013, the ECHR ruled in favour of the plaintiffs acknowledging a violation of articles 10 (freedom of expression), 8 (right to privacy), 6 (right to a fair trial) and 13

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92 "Terasa Anda" later became the generic name of the case by which it is still remembered among media professionals.
(right to effective remedy)\textsuperscript{93}. Bucur received moral damages worth of 20,000 Euro, while Toma and his daughter were given 7,800 Euro.

In 1997, Foreign Affairs Minister Adrian Severin declared in an interview and a live TV show that he has a list with the heads of publications, journalists and party leaders that are spying on behalf of various foreign services. The "List of Severin" was never made public and Severin was never officially confronted on this topic. In 2014, he still stood for his allegations.\textsuperscript{94}

In 2002, journalist Stelian Tănase presented evidence that, back in 1991, during the “Mineriad” (attacks perpetrated by coal miners against the Government’s detractors on the streets of Bucharest), the SRI tapped the phones of 13 opinion leaders, among which Ziu director Sorin Roșca Stânescu and himself. SRI admitted the tapping, but claimed that these had been legally conducted “in the context of existing social realities, when the institutions of the democratic state were in danger”\textsuperscript{95}. Two years later, SRI was still intercepting "some journalists's phones", as admitted SRI director Radu Timofte\textsuperscript{96}.

In 2005, SRI director Radu Timofte said that two Romanian journalists are under surveillance and that their phones are tapped as they are suspected of engaging in espionage on behalf of other states. Despite public pressure to reveal the names, SRI kept silent.\textsuperscript{97}

In 2005, three Romanian journalists were kidnapped while covering the Iraq war. It was the first such situation in Romania. In exchange for the journalists, the kidnappers asked Romania to withdraw its troops from Iraq. After 51 days in captivity, the journalists were released and the investigations led to Syrian businessman Omar Hayssam, who lived and owned a profitable business in Romania. He was accused of kidnapping and other economic crimes, among which, arms trafficking. In April 2006, Hayssam, suffering from cancer, was placed in house arrest and managed to escape the country by the end of that month. It turned out that the SRI was no longer monitoring Hayssam as its mandate had expired and had not been renewed by the prosecutors. In this context, the media and politicians alike speculated that Hayssam enjoyed political protection from a very high-ranking politician\textsuperscript{98}.


\textsuperscript{94} http://adrianseverin.com/de-la-pucuiul-lui-ianaev-la-lista-lui-severin-2/

\textsuperscript{95} http://www.gds.ro/Local/2002-06-20/Comisia+SRI+facl++investigatie+de+proportii+in+cazul+interceptarilor+din+1991/

\textsuperscript{96} http://www.sri.ro/interviul-directorului-serviciului-roman-de-informatii-alexandru-radu-timofte-acordat-postului-de-televizie-realitatea-tv.html

\textsuperscript{97} http://www.9am.ro/stiri-revista-presei/2005-01-27/sri-ascula-doi-ziaristi-acuzati-de-spiionaj.html

\textsuperscript{98} Omar Hayssam was captured and sent to prison to complete his 20 years sentence in 2013. The judges who decided his release back in 2006 have been later on questioned by the DNA in a case involving a doctor who allegedly asked for 2 million Euro in bribe in order to facilitate Hayssam’s release.
In 2006, Victor Roncea, Ziua journalist and head of the Civic Media Association sent to The National Council for the Study of the Securitate Archives (CNSAS) lists with the names of 2000 opinion leaders and asked the Council to verify if they had been Securitate informers or collaborators during the communist regime. The lists comprised journalists from central and local media, media publishers and owners, NGOs leaders and activists. In just a couple of weeks, several people were exposed, voluntarily or by their newsrooms as former Securitate collaborators. By October 2006, 6 journalists (three working with Ziua), a university professor and a priest were exposed. A detailed description of the “Clean Voices” campaign and the way it was reflected in the media can be found in the “Media in Media” study conducted by the Centre for Independent Journalism.99

In 2006, former journalist Claudiu Săftoiu was appointed as the head of SIE. In 2004, Săftoiu left the newsroom to support the Traian Băsescu’s 2004 electoral campaign. After the elections, he was appointed as a presidential adviser for internal affairs. He left SIE after just 5 months, pursuing his journalistic career as a commentator. In 2012, Săftoiu became a member of TVR’s Board on behalf of the PNL. He was elected President Director General (PDG) of TVR, only to resign one year later.

In 2009, SRI is fined 5000 Euro for illegally intercepting the phone conversations and mail of businessman and media owner Dinu Patriciu, one of the wealthiest Romanians at the time and a leader of the PNL. Patriciu was one of Traian Băsescu’s fiercest foes. Later that year, he was to reveal, during the electoral campaign for the presidential elections, a video allegedly showing Traian Băsescu hitting a child during an electoral rally back in 2004.

In 2013, former journalist and owner of Ziua newspaper, Sorin Roșca Stănescu, now a PNL Senator, accused Deputy Sebastian Ghiță (PSD) of being an undercover SRI officer. Ghiță is the ultimate beneficiary of România TV all-news television and the general secretary of the parliamentary committee charged with supervising SRI’s activity. The committee invited SRI director George Maior to disclose how many MPs are intelligence officers. Maior declared that none are undercover officers and that this cannot be proven, but as long as his statement before the committee has legal value, it has to be taken as an undeniable truth.

One crucial moment in the media-intelligence services relationship was in 2010 when the CSAT adopted the National Defence Strategy100 in which it cited the media among other vulnerabilities affecting national security in the following manner:

“The phenomenon of commissioned media campaigns aimed at denigrating state institutions by spreading false information regarding their activities; pressures placed by media institutions on

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100 http://storage0.dms.mpinteractiv.ro/media/1/1/1687/6440848/2/strategia-aparare.pdf
the political decision making process in order to gain economic advantages or a better positioning vis-à-vis state institutions”.101

The institutions in charge of national security and defence derive their individual action plans from the National Defence Strategy. Consequently, the SRI and other power institutions (Interior Ministry, Defence Ministry) had to adopt and implement measures to combat this “media vulnerability”. Despite protests coming from of media organizations, both local and international, and journalists themselves, the strategy was endorsed by the Parliament. The 2015 strategy no longer mentions the media as being a vulnerability and refers only allusively and marginally to corruption.

2. Personal stories

This general overview is doubled by individual cases of journalists accused or claiming that they were recruited or approached by SRI.

The most notorious case is that of Robert Turcescu. Turcescu started his career in journalism at the tender age of 18 and worked in print, radio and TV. He became very famous for his radio and TV shows, informed and incisive. In 2009, he moderated the final TV confrontation between presidential candidates Mircea Geoană and Traian Băsescu. In September 2014, he surprised the whole media community by appearing on TV in order to make a “confession”. Mixing religious references and looking very emotional, he exposed himself as being an undercover lieutenant-colonel.

"I chose not to betray the good God and make this confession public. I refuse to be Judas before Christ even if, to those who read and see this text, things may not appear too clearly for now. Pray for me and with me for all of us to be forgiven and receive absolution. I am prepared to receive the public shame, I deserve it, but I hope we have laws and fair judges. Let's go into God and everything will be fine! I apologize to all of you!", wrote Turcescu on his blog on September 21, 2014.102

He also published some pay slips and his military ID, featuring his name, rank and picture, dated 2010. His move stirred a huge public debate going in all directions. Some considered it a publicity stunt, other took it for granted. Others contested the documents’ authenticity. But nobody was able to really pinpoint Turcescu's action and understand his reasons. Turcescu withdrew for a time from the media life, but he continued to post on his blog articles regarding corruption acts. One year later, he rejoined Evenimentul Zilei, announcing a series of daily interviews. In November 2015 he

101 Id. p 14
launched his own online TV, UNDE TV\textsuperscript{103}. Previously announced his plans to build an independent television and asked for crowd-funding. According to his own statement, he only collected about 5000 euro.

In April 2016, he surprised once again the public opinion announcing his candidacy for the mayor of Bucharest, on behalf of the Popular Movement Party (PMP) created around the former president Traian Băsescu. After this, he suspended his activity as a journalist.\textsuperscript{104} Questioned by journalist Dan Tăpălagă from Hotnews.ro about his activity as an undercover officer, Turcescu stubbornly refused to answer (the question was asked several times), declaring that from his point of view, the subject was closed.

"I have never followed, as a journalist or in other capacity, the orders of a secret service", claimed Turcescu\textsuperscript{105}.

Daniel Befu is an investigative journalist living in Timisoara, after a long career in Bucharest working with mainstream newspapers. On September 26, 2014, Befu published the story of his own attempted recruitment by the SRI\textsuperscript{106}. He posted the story on a site called "Censored Investigations", claiming that it was written back in 2009, for the newspaper Gândul, but his bosses refused to publish it. Befu describes how a long lost former high school mate called him one day, demonstrating a very good knowledge of Befu's family, address and personal issues. The school mate claimed that he was a SRI officer and proposed a collaboration. He would have to inform SRI if there were articles that do not get published, if there were pressures put on journalists to spin the articles in a certain direction. About once a year, SRI would have given Befu articles that he should publish - just "special cases", when a corruption file is postponed for too long by the prosecutors and when publishing would speed up the procedures. The officer assured Befu that all the information he would receive would be accurate and that he would be free to double check it. For his efforts, Befu was supposed to be compensated with the equivalent of a minimum wage\textsuperscript{107}. If the information he provided were important, he could get to the status of collaborator and gain 1000 lei monthly (approx. 230 Euro). After a couple of meetings and personal soul-searching moments, Befu refused the collaboration and offered his bosses to publish the whole story. Claiming that the story cannot be documented with proof, the editorial heads of Gândul declined the publication.

"When, during our first meeting, the officer who recruited me explained to me that it's a matter of patriotism to tell when I see editorial censorship or perversions in a newsroom, I still had to

\textsuperscript{103} www.unde.tv
\textsuperscript{104} Local elections were held in Romania on June 6, after the completion of this study.
\textsuperscript{106} https://investigatiicenzurate.wordpress.com/2014/09/26/am-ochi-albastri-cum-m-a-racolat-sri-povestea-mea-completa/
\textsuperscript{107} In 2009, the minimum wage stood at under 600 RON/month - approximately 140 Euro)
feel censorship on my own skin. But between 2012 and 2013 I felt it big time. I don't know if by recruiting me they were seeking the public good or something else or a mix of the two. I simply don't know. One more thing: the fact that I was able to publish this story, even on a blog, shows that Romania is a democracy, even if a faulty one", concluded Befu.108

Journalist Radu Moraru also revealed how he was courted by the intelligence services, back in 2010. He was invited to lunch by Gântul Opâr, then Defence Minister and George Maior, the SRI director. He was offered to be made a colonel of the Romanian army. Bluffing, Moraru asked: "Why only colonel?" He immediately received a road-map: in six months, he would have graduated the National Defence College, would have gotten a PhD and advanced to general. Moraru refused. He tried to link this to disappearing advertising contracts for the television he worked with at that time (BITV), despite increasing audience numbers.

"To me it was clear, one way or another, Maior wanted me in his collection of journalists; then I realised that [Elena] Udrea nourished the same desire. To be under their orders! So, first you block my funding and salary payments, then you appear as the saviour of the most liked TV channel, over 6 million Romanians likes us then!"109

In 2011, Moraru founded ("by public subscription") his on TV, Nașul TV ("Nașul" - Godfather - was Moraru's nickname). According to his own story, once again Maior "advised" him to partner with Nicolae Dumitru aka Niro, a businessman who was also a partner with Elena Udrea, because otherwise the project would not succeed. Since 2014, Niro is investigated by the DNA under several charges.

Another journalist's name mentioned in relationship to SRI is Sorina Matei's. Matei, the head of political section, left Antena 3 TV in 2011, following a dissent with her editorial superiors regarding an interview with president Traian Băsescu. She moved to Realitatea TV where she found a newsroom divided among the two owners of the company, Sorin Ovidiu Vântu and Sebastian Ghîță, so she left again, for BITV, controlled by Dan Andronic. After a couple of months and following Realitatea TV's split, Matei joins the newly created Romania TV, controlled by Ghîţă. She claimed several acts of censorship, linked mainly to the gold mining project at Roşia Montană. According to her, Ghîţă and his close collaborators asked the journalists not to cover the September 2013 street protests against the Ponta government and the Roşia Montană Gold Corporation's plan mining project.

108 Idem 11.
109 http://www.ziarulevenimentul.ro/stiri/actualitate/scenariu-teribil-tv-radio-ziare-la-mana-sri--202007.html Moraru narrations are to be found on several sites who have re-run or commented on his story. It is no longer available on his own site, though.
"One day, just half an hour before the start of the broadcast, his (Ghiță’s) acolyte Iacobescu called to threaten me explicitly, in Ghiță’s name, that if I will broadcast just a single shot from the street protests, they will run me over with a car. Just like that."

In December 2013, Matei resigned from Romania TV and moved back to B1 TV. In April 2015 she left again B1TV and joined, in January 2016, Digi 24 TV. On her blog, Sorina Matei continued to cover corruption cases in which Sebastian Ghiță is investigated by the anticorruption prosecutors. In May 2016, she formulated publicly, on her blog, two questions regarding an alleged involvement of SRI in the case Hexi Pharma, the company that sold diluted disinfectants to most hospitals in Romania. She implicitly accused the SRI parliamentary committee of passivity. Ghiță accused Matei of being used "for retaliation in the war between generals".

"Sorina Matei is renown in all the newsrooms as an influence agent for the [intelligence] services. She has been hired by România TV, B1TV and Digi 24 following pressures or backing from some important generals. If today she is being used for power plays within one service or between various services, this can become a problem our Committee is able to tackle. I believe that she is used for retaliations between generals and wrongly involves SRI in the HexiPharma scandal. The SRI officers are duly performing their duty and inform about various serious situations in our society", said Ghiță.\(^\text{111}\)

He also claimed that Dan Andronic could support his statements (regarding the SRI influence in hiring Matei), which Andronic did on his Facebook wall.

"Yes, I do confirm that she was hired following interventions from persons in SRI", Andronic said.\(^\text{112}\)

Valentin Zaschevici, editor in chief of Jurnalul Național, was fired in 2012 under the accusations that he was an infiltrated SRI agent in the newsroom. The decision was based on an alleged report from within SRI, published by reputed journalist Cornel Nistorescu on Cotidianul.ro\(^\text{113}\) According to the report (allegedly leaked to Nistorescu by a lady in a grocery shop), a SRI officer interviewed an informer (whose identity was blackened, but not enough, so the name "Sofia Teodorescu" was still visible) regarding an article about some corruption accusations related to the SRI hospital published by Jurnalul Național in 2006. From the report, one could assume that the editorial boss of the reporter was the same person with the SRI informer and that the discussions with the SRI liaison officer were routine. As the editorial superior of the reporter was Valentin Zaschevici, without further ado and without conducting an internal investigation, Zaschevici was fired. At the time of the announcement, Zaschevici was on a field mission, commissioned by his newspapers and was

\(^{110}\) https://www.facebook.com/sorina.matei/posts/534806943368754
\(^{112}\) http://www.soim.ro/sorina-matei-sri/
\(^{113}\) http://www.cotidianul.ro/politie-politica-la-jurnalul-national-191366/
not able to defend himself. He was later on interviewed by other media and denied any involvement with SRI.\textsuperscript{114} SRI reacted to the materials published by Cotidianul.ro and announced that it will start investigations to identify the author of the leaks. They also said that the investigations in 2006 were linked to the need to identify the person from within the service who has leaked the information regarding the corruption in the SRI hospital. According to SRI official position, that person had been identified, tried and sentenced for violations of norms regarding the classified information.\textsuperscript{115}

3. The intelligence services and their connection with the corruption cases under scrutiny

As previously mentioned, in studying some corruption cases in Romania, the alleged or confirmed participation of the intelligence services came up as a common feature. In the "blackmailing watchdog" case, the principal instrument used for both exposure and blackmailing were leaked transcripts or private documents. Two journalists tried, using potentially damaging leaked documents, to persuade the head of the National Agency for Integrity (ANI) to provide them with information on several political leaders ahead of the electoral campaign. The attempted blackmail was exposed when Curentul newspaper published transcripts of the conversations between the journalists and the head of ANI. If the source of the sensitive documents was identified within the National Agency for Integrity itself, the source of the leaked transcripts of tapped conversations remained unclear. According to the media, some of them were transcripts of tapping (interception of live conversation) conducted in a public space (a restaurant), while others were from within a car. The interception was allegedly performed by the Department for Information and Internal Protection (DGIPI) - the internal intelligence service of the Ministry of Internal Affairs. DGIPI denied any involvement in this case. No further investigation has been conducted to clarify the matter.

The link between the intelligence services and our second case study, "Poisoned Advertising" was less visible and, as most subject related to Roșia Montană Gold Corporation (RMGC) mining project, less covered. In 1995, the Romanian state signed an agreement for the exploitation of gold and silver resources in Roșia Montană. Via a series of contested and unfavourable decisions, the Romanian state lost control over the operation, while keeping all the risks and the environmental obligations. Long years of activism and street protests resulted in the annulment of permits and the apparent death of the project (as per 2016). It is only in 2013, after street protests that brought together tens of thousands of persons in Romania and abroad, that the Parliament created an ad-hoc

\textsuperscript{114}http://www.evz.ro/Dezvluirile-ziaristului-concediat-de-la-Jurnalul-naional-despre-scandalul-agenii-sub-997898.html
committee to look into how the Roșia Montană project evolved. In September 2013, the Committee invited, among others, the heads of the SRI and SIE to discuss "the reliability of the RMGC and the possible influences over the decision making process". As not all the members of the ad-committee were cleared for receiving classified information, the heads of the two services refused to appear before it. They did appear, though, before the specialised SRI and SIE committees respectively. In his deposition, the SRI director George Maior said that SRI has sent over 500 reports regarding Roșia Montana between 1999-2013.

"The topic of Roșia Montana has been permanently in the SRI's focus, ever since 1999. Roșia Montană is a matter of national security. Our informative work was aimed to avoid the risks of detrimental outcomes for the Romanian state in the field of gold and silver extraction, and the violation of law by affecting the environmental, patrimony and social balance."116

He added that SRI also identified "interested actions meant to influence the decision making process and attempts of extremists and eco-anarchist structures to exploit or influence the protests".117 The head of the SRI Committee, Georgian Pop, added that the service did not identify any case of corruption, trafficking in influence or blackmail among politicians, in relation with Roșia Montană project.

This last point seems to be contradicted by the exchanges of accusations between journalist Sorina Matei and her former bosses, Sebastian Ghiță (a member of SRI Committee) and Dan Andronic. Matei based her accusations on her own experience of censorship of the protests on Ghiță's television, but also on the revelations of the RISE investigation project, who mapped all those who benefitted from RMGC payments - Ghiță and Andronic (or companies they control) among them.118

The issue of Roșia Montană appears also in the SRI Monograph - 25 years in which it is written that "unfortunately" the investment was stopped by "attitudes/reactions induced in various media, either on the side of the support or the opposition to the project"119

In 2015, in a surprise movement, Nicolae Ulieru, former SRI spokesperson between 1990-1997, was appointed as a spokesperson for the Geology Institute, an institution whose director fiercely opposed the RMGC exploitations project.

The involvement of the secret services is even more visible in the third case we studied, “Bacteristan”. The case reveals, step by step, a huge fraud with medical disinfectants, overpriced and diluted up to 4000 times120, sold to hospitals across Romania by Hexi Pharma. The lack of

117 Idem
120 According to test performed by health Ministry, cited by http://www.telegrama.ro/sanatate/item/49431-dezinfectan%C8%9Bii-hexi-pharma-dilua%C8%9Bi-de-pana-la-4000-de-ori.html
efficacy of these disinfectants made nosocomial infections widespread in the Romanian hospitals and contributed to the death of probably hundreds of patients. In early May 2016, GSP journalists published the statements of a doctor who declared that he had been informing SRI for 8 years already about the disinfectants.

"I am talking to you now because I have talked to them for years already and nothing happened. (...) If they get upset, that's it", concluded the source.121

The same day (May 9), SRI said in a press release that the service circulated to those with the necessary clearance over 100 reports, including on nosocomial infections. According to the SRI parliamentary Committee, who looked into the matter, only 4 of these reports were actually about Hexi Pharma. The reports were related to rigged bids to favour the company, preferential contracting, violations of the terms of reference for bids or faulty procurement procedures. These reports have been sent to three local authorities and the Health Minister.122 Ironically enough, the SRI hospital bought Hexi Pharma products too, but they stopped the contract after noticing irregularities in the bid.

When the owner of Hexi Pharma, Dan Condrea, died in a car crash, on May 22, 2016 the secretary of the SRI parliamentary Committee went public, just hours after the accident, claiming that the Committee will ask SRI to reveal everything they know on the case. "It's time for us to get to work", said Sebastian Ghiță, visibly disturbed, in a live phone interview for Realitatea TV123. He added that he was sure that Condrea was under SRI surveillance and that those who conducted the surveillance may know what really happened. After the questioning of SRI representatives, the Committee announced that, while SRI has been following the case of nosocomial infections, Dan Condrea was not, per se, a case of national security, therefore there was no surveillance measure for him.

4. Influence and reactions to secret services in the media

With or without the presence of alleged undercover officers in the newsrooms, some side-taking of the media is obvious for any observer. This is particularly visible when topics related to national security or issues on SRI agenda reach the public space.

One such instance was the debate around the so-called "Big Brother" laws: data retention law, registration of pre-paid SIM cards and cyber-security laws.

Romania adopted the Data Retention Law (a transposition of the European Directive\textsuperscript{124}) in 2008, but the law was found in violation of basic human rights and declared unconstitutional by the Romanian Constitutional Court (CCR), in 2009. With some amendments, the law was again adopted in 2012 - and once again declared unconstitutional in 2014. Under the pressure and with the contribution of a handful of NGOs, the law was finally adopted a third time, in September 2015\textsuperscript{125}. This time, the law was no longer about universal data retention, but about access of law enforcement institutions to information that was already detained by the telecom operators. In order to access such data, a judge has to approve a mandate.

The law on the compulsory registration of the pre-paid SIM cards was adopted in July 2014 and declared unconstitutional in September same year, again following the efforts of (the same) NGOs. SRI director, George Maior criticised the CCR decision and said that Romania was left in a "total juridical vacuum" that created "a major vulnerability". The CCR decision was equally criticised by Sebastian Ghiță, who declared it "a huge mistake", but also by the chief prosecutor of the National Directorate for Anticorruption, Laura Codruța Kovesi\textsuperscript{126}. In February 2016, the Government announced new plans to pass such legislation.

In December 2014, the Parliament adopted the Law on Cyber-security that would have allowed the law enforcement agencies (including the intelligence services) to access all electronic systems, including the individual computers or smart phones, without a previous mandate form a judge. In January 2015, CCR declared the law unconstitutional. "It is a pity not to understand what the 21st century means, the technology, its evolution in terms of threats. (...) When a catastrophe happens, I will know whom I to point out to", declared George Maior following the CCR decision\textsuperscript{127}. One week later, he resigned. He later admitted that his resignation is related to the failure of passing the Big Brother package "that I supported maybe too virulently".\textsuperscript{128} He was succeeded by Eduard Hellvig, a former Development Minister (he replaced Elena Udrea in 2012), former MP and MEP. Geroje Maior was appointed Romania's ambassador in the US in April 2015.

As mentioned before, the main effort in fighting the laws that would have allowed the intelligence services almost unlimited liberties in interfering with the privacy and personal data of all citizens was lead by a couple of NGOs (Romanian Helsinki Committee, Center for Independent Journalism, ActiveWatch, Association for technology and Internet, Miliția Spirituală). The media though were

\textsuperscript{125}In July 2014, The European Court of Justice had declared the whole data retention Directive as being unconstitutional.
divided on this law package. There were media who openly and consistently supported the point of view of SRI and who played down (sometimes mocking) the concerns regarding the civic liberties. Just a handful covered the actions of the freedom of speech activists. Still, all of them covered the story, especially when the CCR decisions were issued. For example, in March 29, 2016 the public television transmitted live the presentation of SRI annual report. The expert invited to discuss the event commented on the episode of the pre-paid SIMs saying that "some exaggerated human rights fighters (...) sort of" "made a big fuss", "a big scandal" about the topic. The moderator added that, in the new context (the Brussels attacks) would not be a problem to pass the law. The guest continued by saying that "there will always be trouble makers" reacting "hysterically". Neither the guest (a history professor with the National School for Political and Administrative Sciences, SNSPA), nor the moderator (a public television journalist) mentioned the Constitutional Court consistent decisions in protecting the human rights and pinpointing the flaws of the law package.129 The same opposing opinions are to be found around the topic of undercover officers infiltrated in the newsrooms. Some opinion leaders said that it is actually natural for the intelligence officers to work in the media as they, very much like the journalists, work with information and in the public interest. All the same, others decried the situation and asked for a "cleansing" of the newsrooms and for the services to withdraw their employees from the media. Among them, Stelian Tănase, the PDG of the public television, wrote to SRI asking for their officers to be withdrawn from the public television, in February 2015. A similar request was made by a group of media and human rights NGOs.130 The NGOs also requested a specific prohibition for such infiltrations in the media to be included in the law for national security, as political signal that this practice is not acceptable in a democratic society. None of these moves elicited any response from the services.

5. Conclusions

The relationship between media, intelligence services and corruption goes a long way back in time and it is full of intricacies and innuendos.

One should note the omnipresence of the intelligence services in the debates over sensitive topics and in various institutions not obviously linked to national security. When the National Agency of Fiscal Administration boosted its activities to curb tax evasions and started to raid businesses, in March 2015, Prime Minister Victor Ponta confirmed that some 140 SRI officers had been detached to ANAF to help. "It’s only normal", he said.131 In September 2015, new regulations on online

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129 http://www.tvrplus.ro/editie-editie-speciala-434625, min 40 onward.
130 http://www.cji.ro/cerem-sri-sa-lase-la-vatra-ofiterii-acoperiti-din-presa/
gambling came into force. Romanian gamblers are allowed to use only sites licensed by the National Office for Gambling (Oficiul Național pentru Jocuri de Noroc). In case they try to access unlicensed sites, a warning screen appears to prevent them to violate the law. Just a handful a people knows that the screen is actually prompted by a server of the Special Telecommunications Services (STS), where all the potentially illegal hits are directed. When asked why STS and not the individual Internet service providers are doing it, the answer of ONJN head was "They volunteered". SRI is touring high schools, presenting the students promising career opportunities. In 2016, SNSPA annulla a contest for a lecturer position after academics with the school revealed that the only two people who were running without any competition (after the competition withdrew) for the available jobs were SRI employees, already detaining teaching positions with the National Intelligence Academia (Academia Națională de Informații).

In August 2015, SRI hired a new spokesperson and press advisor for the SRI director, in the person of Ovidiu Marincea, an investigative journalist with 15 years of experience, working for Realitatea TV. "He is a big lover of Romania, he is not just a simple journalist", commented Rareș Bogdan, the host of the "Power Games" show. According to the GSP investigation team, Marincea was contracted by Elena Udrea (former minister for development, leader of the Popular Movement Party and close ally and protégée of former president Traian Băsescu) to produce and edit "news, video clips and online content" during her electoral campaign in 2014. The move seemed to pay off, as SRI started a new way of communicating with the general public. It is like they started a "charm offensive". Some posts on their Facebook page took a humoristic note and were virally shared. For example, the post marking "SRI Birthday" (March 20), said:

"On our birthday, we like the good wishes, but we don't like surprises".

The post had some 4400 likes and over 430 shares. The one to mark the beginning of the spring (March 1, a popular celebration in Romania) showed a meme featuring a couple of snowdrops raising from the snow with the text "No more undercover" (the post got 11,000 likes and some 4700 shares). Other posts include practical advice for cyber-security, how to react in case of bomb threats, spy movie recommendations and, of course, news about the activity of the service. Their page has over 50,000 followers.

132 The author of this article participated in that meeting, no media report covers the topic.
133 Moreover, the two were the wives of the influential SRI deputy director and the first-adjoint of Romania's general prosecutor, respectively. http://www.romaniacurata.ro/comunitatea-academica-din-snspa-reactioneaza-impotriva-imixtiunii-sri-in-spatiul-universitar/
134 http://www.realitatea.net/rare-bogdan_1771744.html
135 http://www.tolo.ro/2015/10/20/purtatorul-de-cuvint-al-sri-a-negociat-cu-elena-udrea-un-contract-de-10-000-de-euro-in-campania-electorala/
136 https://www.facebook.com/sri.oficial/photos/a.437031263048325.1073741828.422946311123487/998210413597071/?type=3&theater
137 https://www.facebook.com/sri.oficial/photos/a.437031263048325.1073741828.422946311123487/980779655340147/?type=3&theater
In March 2016, several media covered, in a period of a couple of days, the topic of air marshals, their training by SRI in a facility in Grădiștea and how they guard the air security of the Romanian planes. As none of the stories indicate a source for the very similar information, one can speculate that a study tour to the facility was organised for selected journalists.

We have expressly avoided the term "secret service(s)" preferring the term of "intelligence service(s)". A basic search by the names of the directors of the SRI between January 2012 and June 1st 2016 returned the following results:

Table 1: Number of mentioning of SRI directors in four main quality newspapers (online editions)

<table>
<thead>
<tr>
<th>Name/Newspaper</th>
<th>Adevărul</th>
<th>Gândul</th>
<th>Evenimentul Zilei</th>
<th>România Liberă</th>
</tr>
</thead>
<tbody>
<tr>
<td>George Maior</td>
<td>245</td>
<td>240</td>
<td>302</td>
<td>48</td>
</tr>
<tr>
<td>Eduard Hellvig</td>
<td>156</td>
<td>213</td>
<td>405</td>
<td>58</td>
</tr>
</tbody>
</table>

As it turns out that, for the last four years, the heads of the main intelligence services were in the media a lot, almost once a week. There is a visible tension between the large number of apparitions in the media and the secrecy in which the services actually (or are supposed to) work. In the words of former SRI head Maior, the services promote their agenda "maybe too virulently"\(^{38}\). Once feared and detested, it looks like the intelligence services are gradually gaining public trust. An opinion poll in 2013 indicated a 42% trust rate for SRI, and a 52% rate for mass media (on a downward trend).\(^{39}\) In 2016, a poll conducted by the same company indicated a trust rate of 49% for SRI and of 45% for SIE\(^{40}\) (mass media does no longer appear in this edition of the poll). The first positions in the public trust are held by fire-fighters and the army (on such top positions ever since 1989), while the last by the Parliament and political parties.

This reversal of trust balance, from democratic institutions and free media to power institutions is a trend that should be analysed by furtherer and deeper studies. One possible explanation comes from Sorin Roșca Stănescu - a former journalist, media owner, senator, convicted for trading in inside information on the financial market, re-born public commentator.

"Starting with 1990, the secret services launched massive recruiting operations among the young people who embraced, at least apparently, the journalistic profession. They took advantage of the fact that the print media, then the audiovisual one, given their explosive development, received in their ranks, without too much previous consideration, a big number of

\(^{138}\) See note 126.


young people. (...) Even more serious is the situation, more and more frequent, when the secret services control, via undercover officers or influencers, even the ownership or the management of print or audiovisual newsrooms. In such cases, whole teams of journalists work, unknowingly, as agents of influence for the secret services.\textsuperscript{141}

This post was written while Roșca Stănescu was still serving his prison term. And he may know only too well what he's talking about: in 2006, Roșca Stănescu admitted that he voluntarily collaborated with the communist political police Securitate. He gave all the details of his collaboration\textsuperscript{142} in the TV show moderated by Robert Turcescu. The same person who admitted, in 2014, that he was an undercover officer.

\textsuperscript{141} http://www.sroscas.ro/site/2015/03/29/ofiterii-acoperiti-din-presa-romana/#more-100319
\textsuperscript{142} http://www.hotnews.ro/stiri-arhiva-1167084-stanescu-colaborat-securitatea-imi-pare-rau.htm
Discussion and possible development

The four case studies presented depict a very complicated and convoluted media eco-system, with journalists and media performing both positive and negative functions in exposing corruption. It is not rare for the same journalist/medium to play some time a positive role and some other time a negative one. It is not rare for the same journalistic technique - such as the use of anonymous sources or leaked information - to be used for the good or for the bad. This suggests that the discussion about the role of the journalist and media in fighting corruption is fluid, lacks one-fits-all solutions and its relevance is highly contextual.

In this ever shape-shifting environment, can the journalists still perform their profession honestly and efficiently? To find the answer one should attentively look into a series of aspects: how easy is the access to information for the journalists; how prepared they are to actually process and present, in a comprehensive and appealing format, the results; which are the most appropriate channels for anti-corruption journalism and where is the public for such product; how can the journalistic profession take the control over the professional standards so valued until a couple of years and so diluted, apparently, nowadays.

If legally speaking "corruption" is related to the exercise of the public function, it is clear that the media can engage in acts that can be assimilated to corruption. Is there a way - and a use - to theoretically and practically extend this definition to include private informal practices? Is the "public mandate" of the media a solid enough ground to allow us to discuss about "corruption of the media"?

Last but not least, one should look into how the new media and the social networks changed the exercise of the profession putting pressure on the speed of information sharing, but easing the one of possible censorship.

In the analysis of our four cases, couple of names and institutions appeared, again and again, irrespective of the topic. People and institutions seem to be intrinsically - and invisibly - linked. It would be interesting to graph these links, sort them by nature - professional, personal, business, political, teacher-student, employer-employee, graduates of the same schools - and see if this can result in mapping the influence networks that shape up the public discourse in Romania.
The window for the Romanian media to regain (part of) its credibility and public trust is narrow and closing and a theoretical support in this regard may help establish effective public policies or interventions to safeguard free and independent media or at least to document the phenomenon.
ANTICORRP is a large-scale research project funded by the European Commission’s Seventh Framework Programme. The full name of the project is “Anti-corruption Policies Revisited: Global Trends and European Responses to the Challenge of Corruption”. The project started in March 2012 and will last for five years. The research is conducted by 20 research groups in fifteen countries.

The fundamental purpose of ANTICORRP is to investigate and explain the factors that promote or hinder the development of effective anti-corruption policies and impartial government institutions. A central issue is how policy responses can be tailored to deal effectively with various forms of corruption. Through this approach ANTICORRP seeks to advance the knowledge on how corruption can be curbed in Europe and elsewhere. Special emphasis is laid on the agency of different state and non-state actors to contribute to building good governance.

Project acronym: ANTICORRP
Project full title: Anti-corruption Policies Revisited: Global Trends and European Responses to the Challenge of Corruption
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Project website: http://anticorrp.eu/