

To: European Broadcasting Union (EBU)
Attention to: Mrs. Delphine Ernotte Cunci, President
Mr. Petr Dvorak, Vice President
Mr. Noel Curran, General Director

Bucharest, 29th of June

Dear Madam, Sirs,

First and foremost, I would like to thank you and the EBU for the steady and unabating support provided over the years to the Romanian Public Television (RO-TV) in its most difficult and complex circumstances, as well as in its achievements and progress to regain its duly deserved position in the Romanian media landscape. All during my mandate as President Director General, TVR has benefited from this support and from EBU's expertise and solidarity.

In this context and with great concern, I am writing to you regarding the recent developments in connection with the decisions on the management of the Romanian Public Television by the current parties in Government in our country. As you already know, on May 11th 2021, the Romanian Parliament rejected TVR's annual reports for 2017, 2018 and 2019. Thus, TVR's Administration Board was dismissed.

On the same day, the Romanian Parliament appointed an Acting General Manager for the Romanian Television.

Recently, the Constitutional Court of Romania decided to repeal this decision imposed by the governing coalition, considering this change as abusive and in total disrespect of the legislation that guarantees the independence of the Romanian Public Service Media.

The steps taken by the current parliamentary majority are a great threat not only to democracy in Romania, but also to the independence of the TVR and its capacity to fulfil its public remit as per the **EBU Declaration On The Core Values of Public Service Media:**

"We strive to be completely impartial and independent from political, commercial and other influences and ideologies. Free to challenge the powerful, test prevailing assumptions, and contribute to an informed citizenship. (...) Our commitment to independence needs to be underpinned by safeguards in law, and our commitment to the safety of journalists needs to be underpinned in all our actions."

These unconstitutional decisions are in flagrant contradiction with the **Council of Europe - Declaration of the Committee of Ministers on Public Service Media Governance** (adopted by the Committee of Ministers on 15 February 2012), that states:

"1.7. The Committee of Ministers has always provided unfaltering support for public service media, calling on member States to secure the necessary legal, political and organisational conditions for their independence and to provide adequate means for their functioning. In keeping with this, it has adopted Recommendation Rec(96)10 on the guarantee of the independence of public service

broadcasting and Recommendation CM/Rec(2007)3 on the remit of public service media in the information society, as well as the Declaration on protecting the role of the media in democracy in the context of media concentration (31 January 2007), and has expressed its support for Parliamentary Assembly Recommendation 1878 (2009) on "The funding of public service broadcasting" (reply of 26 April 2010).

III.14. The Committee of Ministers therefore: (...) reiterates member States' commitment to firmly support the remit, funding, editorial and organisational independence of public service media operating on any relevant platform, and underlines the importance of this support which has not always been uniformly thorough and sufficiently timely."

Taking into consideration the recommendations presented in the **EBU Legal Focus Governance Principles for Public Service Media** (by Dr Michael Wagner - EBU Head of Media and Communications Law and Anne-Catherine Berg - EBU Senior Legal Adviser):

"Editorial independence and institutional autonomy are absolutely essential for PSM to avoid undue interference by political or economic powers, regarding for example the content of programmes or the hiring of staff. Moreover, without a sufficient level of independence, PSM cannot sustain their credibility and will lose popular support. PSM can only be successful in fulfilling their role if they are, and are perceived as being, truly independent from the government and from other political and economic powers.

(...)

In view of the influence which PSM have on public debate and opinion forming, political and economic powers will always be tempted to exert their influence on PSM. Therefore independence calls for constant vigilance and should never be taken for granted. Moreover, dependence on political and funding decisions can increase PSM's vulnerability to outside political pressures.

(...)

Whoever is in charge of nominations or appointments, it is crucial that the selection and appointment procedures are transparent and that decisions are based on objective criteria and are open to public scrutiny."

and, foremost, the provisions of **Article 2 of the EBU Statutes**:

"2.1. To attain the public interest purposes set out under Article 1.2 above, the EBU may conduct the following activities in particular:

2.1.1. assisting its Members and Associates in the programme, legal, technical and other fields and, in particular, supporting its Members in their mission to serve the interests of the general public in the best possible manner;

2.1.2. representing and defending the interests of its Members and, where possible, its Associates, in every domain and by any appropriate means."

I address you and the EBU to take a stance concerning the **political pressure and unprecedented attacks on the independence of the Romanian Public Television**, attacks that are very similar, unfortunately, to those carried by illiberal parties and politicians from other European countries.

The **rule of law and democratic processes** must prevail in what TVR is concerned.

I personally will take this matter to justice and try my best, as I have been doing for the last 4 years, to protect and preserve the independence of the Romanian Public Television.

Sincerely Yours,

Doina Gradea

Former President General Director

Romanian Public Television

September, 2017 – May, 2021

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.