

[MD] Audiovisual Code amended to prevent disinformation

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On 2 June 2022, the Moldovan Parliament adopted a set of amendments to the Audiovisual Code (see IRIS 2019-3/24) that received the title: “Law on counteracting disinformation and propaganda”, and were designed to counter Russian propaganda about the war in Ukraine.

The amendments define disinformation as “intentional dissemination of false information, created with the aim of inflicting harm to a person, a social group, an organisation or to the security of the state”. The amended Code now includes a total ban on “disinformation and propaganda about military aggression”, including of audiovisual content that “condones wars of aggression and denies evidence of military crimes or crimes against humanity”, in audiovisual media services.

The law does not explicitly prohibit Russian propaganda. The amendments, in fact, reintroduce provisions from the 2018 version of the Code, which had been dropped in 2020 (see IRIS 2021-3/11). These reintroduced provisions include the minimum quota of 50% for linear audiovisual products from EU member states, the U.S., Canada and countries that have ratified the European Convention on Transfrontier Television of the Council of Europe (Russia has not ratified this convention), in respect of all programmes purchased by Moldovan broadcasters. The amendments specifically reintroduce the previous position of providers and distributors of media services, banning the broadcast of television and radio programmes on public affairs, news, or programmes of a political and military nature, produced in countries outside of the above list in their service offerings (including rebroadcasting).

In addition, the quota of 10% for independent production for Moldovan linear broadcasters was reinstated. The amendments also reintroduced the 30% quota for European products that existed for non-linear media.

The law enters into force on the day of its publication with the exception of the provision on independent production, which enters into force in two years.

LEGE Nr. 143 din 02-06-2022 pentru modificarea Codului serviciilor media audiovizuale al Republicii Moldova nr. 174/2018

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LAW No. 143 of 02-06-2022 for the amendment of the Code of audiovisual media services of the Republic of Moldova no. 174/2018

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