

*Cases of referrals or self-referrals of the BCC on broadcasting information, within the framework of programs, that permits the identification of the child, victim of a criminal offense*

1. On 28 November 2011, the received a referral from the Parliamentary committee on culture, education, research, youth, sports and mass-media that made reference to the letter of the Press council on UNICEF Moldova demarche relating to the report “Alcohol took away his mind”, broadcast by the TV channel “Jurnal TV” in the news bulletin on 14 August 2011, which told of a sexual abuse and rape accompanied by physical and mental violence against a minor child under 6 years old and its mother by the latter’s partner. The report provided plenty of details about the identification data of the persons involved (the town, the floor were victims lived), as well as how the abuse was perpetrated. Throughout the entire report the face of the woman victim was showed and her voice, unchanged, was heard, while in a sequence there was the unprotected face of the minor girl.

Following the review of the referral, the recommended to the TV channel “Jurnal TV” to remove the above mentioned report from its web-page and broadcast reports so that they do not admit the violation of the effective legal and normative provisions on guaranteeing morality and assuring the protection of minors. (BCC Decision no.169 of 09.12.11)

2. Following the self-referral of the case, the monitored the sequences of the Programme services broadcast by TV channels “PRO TV CHIȘINĂU” and “Jurnal TV” on 19 and 20 September 2012 and found that these two TV channels placed in their news bulletins a clip taken over from the web-site lifenews.ru, which contained the violent revenge of an adolescent girl against a boy (pupil in the 9<sup>th</sup> grade, according to “PRO TV CHIȘINĂU”) who broke up with her. The girl, helped by several teenagers, made her ex-boyfriend kiss her feet, but not before he was bestially beaten, this being filmed with a mobile phone. Though the victim’s face was covered with an electronic mask, his identity could be easily determined, since they gave the name of the community where this happened: village C., district F., while the TV channel “PRO TV CHIȘINĂU” inserted into the subject a picture with the perpetrator and the victim, in which only their eyes were retouched, the other traits of their faces remaining unchanged.

On 20 September 2012, the TV channel “Jurnal TV” placed in its news edition a topic about an adolescent’s initiative from village N., district T., rejected by his girlfriend, to throw himself off the lyceum from the community. Though, according to the text in the background the boys’ parents refused to talk to the crew, in the subject they used the pictures of the adolescent and the pupils’ opinions about their lyceum colleague. In the broadcast report, there were also an old lady from the community, the mayor and the adolescent’s girlfriend who spoke. This topic, broadcast by “PRO TV CHIȘINĂU”, included also an interview with a pupil from village N., because of which the adolescent would have decided to throw himself off from the lyceum.

During the public meeting, the TV channels “PRO TV CHIȘINĂU” and “Jurnal TV” were advised on the need to strictly follow the legal provisions, especially when broadcasting topics with children.

3. Prosecutor’s General Office of the Republic of Moldova notified on 22 November 2012 on the coverage by some national broadcasters during 25-27 October 2012, of a topic on sexual abuse against a child by its older peers from the lyceum in town H., so that the data broadcast permitted the identification of the children, both the victim as well as the perpetrators.

According to the notification, the monitored the programs broadcast by the TV channels as follows: “Publika TV”, “Canal 3”, “PRO TV CHIȘINĂU” and “Jurnal TV” and required the

position of these TV channels on what was invoked in the notification from the Prosecutor's General Office of the Republic of Moldova. As a result of public debates, the rejected the PGO's notification as ungrounded. (BCC decision no.187 of 28.12.12)

4. By the decision of the Press Council "On the self-referral in case of broadcasting information which may lead to revealing the identity of the minor who was victim of an alleged rape in the report of the "PRO TV CHIȘINĂU" channel submitted on 13 June 2013, it was found that the report "Raped in the forest by an older boy. The nightmare that is difficult to imagine of a 9 year old child from Ș.", broadcast by the "PRO TV CHIȘINĂU" channel on 23 May 2013 and posted on the web-site [www.protv.md](http://www.protv.md), the legal provisions on minors' protection were violated. Thus, by interviewing a child, who allegedly was victim of a sexual abuse committed by another minor and upon the request to tell about what happened the journalist from the "PRO TV CHIȘINĂU" channel made the victim live through the sexual abuse which affected the latter physically and psychologically. Even if the TV station blurred the image of the child-victim, the report provided enough information that may lead to the revealing of its identity, including the name, community where the rape took place, the child's relatives were interviewed without protecting their identity.

The monitored the sequences of the programmes' service specified in the Press Council Decision and, as a result of its review the issued a public warning to the "PRO TV CHIȘINĂU" channel for the confirmed violations. (BCC Decision no.103 of 28.06.2013)

5. Following a self-referral of a case, the monitored the report "Held in the house by force. What happened to a girl from Coșcodeni: Neighbours accuse her of theft", broadcast by the "PRO TV CHIȘINĂU" channel on 10 August 2013. The report featured a 11 years old girl accused of having entered into a neighbour's house from where she stole a camera and money and then she disappeared from home for a night, being forcedly held and locked in the house by a neighbour. Even if the TV channel blurred the image of the child victim, the report provided sufficient information which may lead to the revealing of its identity, including the name, community where the incident took place, the neighbours and the mother were interviewed.

Within the framework of the public meeting, the BCC issued a fine amounting to 1800 Moldovan lei to the "PRO TV CHIȘINĂU" channel for repeated violations. (BCC Decision no.139 of 12.09.2013)

6. On 29 July 2014, the Coordinating Council of the Audio-visual received a request on behalf of Ms T.P., child protection ombudsman, by which it requested to the BCC to establish the legality of the broadcasting of the video recording by the "Publika TV" channel on 25 July 2014 during their programme "Țara lui Dogaru". The complainant mentioned that the notification was compiled following a complaint submitted at the Secretariat of the Ombudsman's Office by the woman who believed that the broadcasting within the "Țara lui Dogaru" programme violated her and her child's right to intimacy and private life.

As a result of the monitoring, no violations of the effective legal provisions were found and following public debates, it was decided to decline the request from T.P. as ungrounded.

7. The notification from Ms M.H. dated 21 October 2014, invoked that on 19 October 2014 the "Patrula Jurnal TV" programme broadcast by "Jurnal TV" channel broadcast a case about a 13 year old girl from a village from district C. who had been raped by her biological father since the age of 6. In the report there was an interview with the victim of the incest and her relatives, in which the journalist asked questions highlighting horrifying details of the case.

The outcomes of the monitoring conducted by the BCC proved that by broadcasting the topic “Sexually abused by her father”, the TV channel “Jurnal TV” did not violate the broadcasting legislation. Structurally, the topic preserved the identity of the characters of the news, among which two minors, without making reference to any personal data and without featuring their faces.