

Liana Ganea

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Please introduce yourself and your work.

I'm Liana Ganea, I work for ActiveWatch, which is a human rights organisation, but with a focus on mass communication.

We are very interested in freedom of expression and the freedom of the press, and in access to information.

Personally I'm specifically in charge of freedom of expression and freedom of the press and I've been doing this in my organisation for over 20 years.

What were the most serious cases of the abuse of journalists in Romania in recent years?

The most serious forms of threats or pressure take the form of physical aggression. Of course that's where we have the biggest problems and the biggest fears. And there have been cases of such physical aggression.

One serious case involved a team, not necessarily of journalists, but of people documenting illegal logging.

It happened at the end of 2021 and these people were physically assaulted while they were in the field documenting a story.

There are other forms of assaults on journalists: journalists being pushed, sometimes even taken prisoner, as happened in 2021 with [far-right] Senate member [Diana] Sosoaca, who locked the door of her office while a RAI 1 [TV] crew [from Italy] was in this lawmaker's office.

What other types of abuse have there been besides physical attacks on journalists?

In 2022 there was a first in Romania, we had two criminal convictions for threats against journalists. There is a serious case in which a journalist, Emilia Şercan, in 2019, was threatened by a policeman who did it because his bosses

asked him to – respectively the rector and deputy rector of the Romanian Police Academy.

Emilia Șercan had written about plagiarism in the Police Academy and the rector and pro-rector thought they would discourage her and had this young policeman send her some threatening messages. The positive thing is that these three people have been convicted and that's a good sign.

What was the second conviction in 2022 for threatening a journalist?

Another conviction came last year, it's only in the first instance, for another case involving a journalist in Timisoara who wrote about the mafia world in Timisoara and the links between the mafia world and politics and repeatedly received threatening messages, his car was also set on fire. Again, it's a case from 2018-2019.

To the astonishment of us all, we found out at some point that the mobster in Timisoara who was cited the most, and who is now in prison, was planning to kill this journalist and thought it would be simple and possible. He expressed this desire to kill the journalist on several occasions.

We learned these things from the field recordings made by prosecutors.

How did he plan to kill the journalist?

We learned that he had given a gun to one of his henchmen, that this henchman had gone to the journalist's house along with two other people for some kind of reconnaissance, but later they got scared and left.

Here in Romania, we always say: “Come on, this is not Russia, journalists won't die, we won't end up in this situation.” Our calmness is not necessarily justified, the fact that we don't live in a violent society, let's say. Because here we are, in a situation like this, involving the mafia world, which operates a little bit differently than we're used to, and a journalist can become a target of these people and accidentally or intentionally or in an unexpected way can become a victim of such violence.

What threats against journalists have there been in recent years in Romania?

A serious case of a public threat to a journalist was the one targeting journalist Parászka Boróka, who works at the Hungarian section of Radio Târgu-Mureș, the public radio station in Târgu Mureș [city in central Romania].

A Hungarian politician, a member of the Hungarian parliament and member of a far-right party in Hungary, was on a tour of Romania and in this context, in a public space, said that "people should eliminate people like her", referring to Boróka.

I quoted exactly what this politician said. He said: "If Hungarians can't hang such people, if they can't eliminate them from their ranks, then it's no wonder we are where we are."

The Romanian authorities and criminal investigation bodies quickly opened a file after this incident. But this Hungarian politician has parliamentary immunity, so the probability of something happening to him as a result of this threat is low.

Have there been other cases of abuse that didn't take the explicit form of a threat?

A textbook case of pressure combined with a SLAPP [Strategic Lawsuit Against Public Participation] against a news outlet is that of the *Libertatea* news outlet. A local mayor in Bucharest, the capital of Romania, has opened 18 cases, starting in 2021, against *Libertatea* newspaper. These files were either complaints to the court to defend his rights to his reputation, or complaints to the National Council Against Discrimination, because he, as mayor, was allegedly discriminated against, or even a criminal complaint.

This mayor went to prosecutors and claimed that *Libertatea* and another news outlet, Newsweek, allegedly formed an organised crime group that targeted him as mayor, and as proof he submitted articles published by the journalists. What was disturbing about this criminal complaint case is that the DIICOT [Directorate for the Investigation of Organised Crime and Terrorism] prosecutor who took over the case considered it OK to summon the editorial director of *Libertatea* and a *Libertatea* journalist to the DIICOT headquarters. We found out later, thanks to journalists from [non-profit media organisation] RISE Project, that the prosecutor who was undertaking this investigation was the husband of a lawyer who was employed in this mayor's inner circle. I

repeat: the prosecutor was married to a lawyer who was connected to the mayor who filed a complaint against the journalists.

The file was subsequently closed, we were not told about whether the prosecutor was sanctioned or not.

What about cases of secret service surveillance of journalists in Romania?

There is a longstanding discussion about the intelligence services' infiltration of the media. It's also a fact acknowledged by the Romanian Intelligence Service. As recently as 2017, the service admitted in a press release that it has agents in the press, which is obviously extremely toxic and damaging.

Over the past year we've seen this trend, which is also fostered by the war that's going on right next to Romania [in Ukraine], of giving more power to the intelligence services.

We had changes to the Communications Code, where the Romanian Intelligence Service managed to sneak in some provisions that allow it to carry out broader surveillance of communications.

What has civil society done about these changes to the communications code?

We have been fighting as non-governmental organisations alongside media figures and experts in other fields who understood this issue to stop these changes. And we got some changes to the legislation, but still the legislation broadens the possibilities for the intelligence services to intercept communications.

We have the Romanian Intelligence Service being directly responsible for the government cloud, which is the infrastructure in which a lot of our data, all of our citizens' data, will reside.

What we, civil society organisations, repeated was that the Romanian Intelligence Service can't handle the security of the government cloud, for the simple reason that the Romanian Intelligence Service does not have the role of protecting information, but of collecting information. Of course, we were told

that there will be safeguards, there were safeguards put in the law but this doesn't mean that we haven't actually left an open door for surveillance. 11:42

Timisoara Court of Appeal convicted Lucian Boncu, the 'mobster' mentioned by Liana Ganea, of planning the death of journalist Dragos Bota, sentencing him to two years in prison.

Interview by Delia Marinescu, 2023

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