[RO] CNA Withdraws Broadcasting Licence

IRIS 2002-9:1/21

Mariana Stoican
Journalist, Bucharest

At its meeting on 12 September 2002, the supervisory body for electronic media in Romania, the Consiliul National al Audiovizualului (National Audiovisual Council - CNA), took its most severe action yet against a television broadcaster. Following complaints about the content of the chat show "Dan Diaconescu în direct" ("Dan Diaconescu live"), broadcast on 31 July and 10 September 2002, the CNA withdrew the broadcasting licence of the private broadcaster OTV.

In the episode shown on 10 September, the presenter, who is also a director of OTV, interviewed the senator from the "România Mare" (PRM) political party, whose remarks triggered numerous letters of protest and complaints to the CNA. The Romanian President sent a communiqué to the CNA, describing the comments of the PRM politician on the OTV show as "racist, anti-Semitic and characterised by hatred and violence".

The CNA concluded that the programme content breached the provisions of Article 40 of Audiovisual Act no. 504 of 11 July 2002 (see IRIS 2002-7: 14). The Act prohibits the transmission of programmes that are in any way inflammatory on the grounds of race, religion, nationality, gender or sexual orientation ("Este interzisa difuzarea de programe care contin orice forma de incitare la ura pe considerente de rasa, religie, nationalitate, sex sau orientare sexuala."). The CNA found that the programmes concerned constituted a serious breach of the public interest and, based on the provisions of Article 95.1 (b) of the Audiovisual Act, decided to withdraw OTV's broadcasting licence, held on the basis of licence no. S.Tv. 31/27.03.2001, issued to S.C. First Media Advertising, and authorisation ("Autorizatie") no. 444.o/06.09.2001.

The CNA has informed the operators of Romanian cable TV networks of its decision, which came into force immediately. As a result, they have, as far as possible, removed the OTV channel from their cable packages.

OTV has appealed the decision to the contencios administrativ (Administrative Court) and applied for it to be revoked. On 18 September, having been asked to lift the immediate enforceability of the decision, the Curtea de Apel (Court of Appeal) decided that the CNA's decision should stand until a definitive court verdict was reached. In these interim proceedings, the Appeal Court's decision was based on procedural considerations, since the rules of procedure required OTV to apply directly to the CNA for the sanctions to be lifted before any court

© European Audiovisual Observatory (Council of Europe) 2026

review could take place. OTV has now made such an application and the CNA is expected to announce its decision on 9 October.

Decizia nr. 94 din 12.09.2002 Privind retragerea Licentei de emisie nr. S-TV 31 din 27.03.2001, acordata societatii S.C. FIRST MEDIA ADVERTISING S.R.L., pentru postul de televiziune prin satelit OMEGA TV din Bucuresti

http://www.cna.ro/otv/sumar.html

Decision of the National Audiovisual Council of 12 September 2002

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026