[RO] Controversy over the "Big Brother" Show

IRIS 2004-6:1/30

Mariana Stoican
Journalist, Bucharest

The launch of this year's season of the reality show "Big Brother" by the private station Prima TV led to intervention by the Consiliul National al Audiovizualului (National Audio-Visual Regulatory Agency, CNA) after some sex scenes had been broadcast.

In March 2004 the CNA fined Prima TV twice (CNA resolutions of 16 and 26 March respectively). The first fine amounted to ROL 200 million and the second to ROL 500 million (exchange rate: 1 Euro equals ROL 40,700). These penalties originated from the broadcasting of sexual scenes at inappropriate times and without any explicit warnings in the prescribed form. These are the highest fines ever imposed by the CNA. After the second fine originating from live broadcasting of sexual acts taking place in the house, Prima TV announced that they would not pay the imposed fine of ROL 500 million and would challenge the decision.

The broadcasting of a sexual act yet again during the programme on 12 April made the CNA members impose the most severe sanctions ever against a broadcaster in Rumania during their session on 15 April. CNA ordered an interruption of the programme for 10 minutes. This interruption was supposed to be carried out by Prima TV on the evening of 16 April during the prime time between 7 and 7.10 pm. The sanction imposed an obligation on Prima TV to show the relevant CNA decision on screen during this ten-minute period. The wording of the CNA decision (Decizia de sanc,tionare nr. 75 din 15 aprilie 2004) CNA indicates that Prima TV had infringed the provisions of paragraph 39, section 1 of the Legea audiovizualului (Audio-Visual Act No. 504/2002) by again broadcasting pornographic content. Pursuant to this provision broadcasting of programmes that might harm physical, mental and moral development of minors ("este interzisa difuzarea de programe care pot afecta grav dezvoltarea fizica, mentala sau morala a minorilor, în special programele care con,tin pornografie sau violen,ta nejustificata...") is prohibited. Furthermore, paragraph 19, letter f) of CNA decision No. 57/2003 on the protection of minors (Decizia CNA nr. 57/2003 privint protec,tia minorilor în cadrul serviciilor de programe) had been violated on similar grounds. Based on Legea 402 din 7 octombrie 2003 privind modificarea ,si completarea Legii audiovizualului nr. 5004/2002 (Act 402 of 7 October 2003 amending and completing the Audio-Visual Act No. 504/2002) CNA felt fully entitled to punish Prima TV with an interruption of the programme on the grounds that the TV broadcasting station repeatedly broke the law. CNA members believed that by broadcasting the denounced scenes Prima TV "has repeatedly and

© European Audiovisual Observatory (Council of Europe) 2026

severely harmed public interests, transgressed the rules of public morals and disregarded cultural and artistic values". In the beginning, Prima TV refused to comply with the CNA decision. This decision was "abusive, unjustified and tendentious"; it constituted "an infraction of the right to freedom of expression". However, on 20 April the CNA decision was made public in the manner ordered.

Press release issued by the CNA on 27 March 2004

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026