

[MD] New mechanism to suspend adopted television licences

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The state of emergency in Moldova, temporarily established by the parliament on 20 January 2022, reintroduced on 24 February 2022, and extended several times thereafter, ended on 31 December 2023. During this period, the Commission for Emergency Situations (CES), chaired by the prime minister, adopted two decisions on the suspension of the broadcasting licences of TV stations in Moldova due to the threat they posed to national security under the state emergency (see IRIS 2023-1:1/5).

In the meantime, on 29 December 2023, the Council for the Promotion of Investment Projects of National Importance (the Council), a government agency, informed the national media regulator, the telecom authority and the audiovisual service providers in the country, that the suspension of licences for six television stations (previously targeted in the suspension directives of the CES) should continue. According to the document, the restrictions were imposed “for the period necessary to provide information and documents” requested, because the agency found that the six media entities had made “investments in areas important for the security of the state”.

The relevant mechanism for the decision of the Council on the temporary suspension of television licences outside a state of emergency is new. It was provided through the last-minute government amendments to laws that were supposed to “ensure the integrity and functionality of the electricity market”: they were debated (in the second reading), adopted and enacted on 22 December 2023, and published the next day.

A number of civil society media organisations in Moldova issued a statement in which they noted that the recently legislated powers held by the Council “have significant potential to be used to the detriment of press freedom”. The statement criticised the lack of transparency demonstrated by the authorities in the legislative process and called on the national authorities to ensure that “any restriction on freedom of expression is allowed only to protect a legitimate interest as provided by the law and only when the restriction is proportional to the situation that prompted it, maintaining a fair balance between the protected interest and freedom of expression, as well as the public’s right to be informed.”

Lege pentru modificarea unor acte normative

<https://www.parlament.md/ProcesulLegislativ/Proiectedeactenormative/tabid/61/LegislativId/6730/language/ro-RO/Default.aspx>

The law for the amendment of certain normative acts, 22 December 2023, No. 414

