



Grand Chamber to examine case concerning withdrawal of Moldovan television station's licence

The Chamber of the European Court of Human Rights to which the case **NIT S.R.L. v. Republic of Moldova** (application no. 28470/12) had been allocated has **relinquished jurisdiction in favour of the Grand Chamber of the Court**¹.

The case concerns the applicant television station's allegation that it was shut down for being overly critical of the Government and, in particular, whether domestic law can impose an obligation of neutrality and impartiality in the news bulletins of television stations broadcasting on public networks.

Principal facts

The applicant company, Noile idei televizate SRL, is a private television station in Moldova. It started operating in 1996 and was issued with a licence to broadcast nationally from 2004. It reportedly had close ties to the Communist Party of Moldova, the main opposition party at the relevant time.

Between 2009 and 2011 the television station was given multiple sanctions for breaching legislation imposing duties of neutrality and impartiality in its news bulletins. In particular, the audio-visual national authority accused the television station of a lack of pluralism, politically biased programmes, favouring the opposition political party and spreading fake news.

In 2012, after the television station failed to comply with the law after numerous milder sanctions imposed on it by the audio-visual authority, its licence to operate was withdrawn.

The television station challenged the decision in courts, but its action was dismissed as ill-founded in 2013. The Court of Appeal found in particular that the audio-visual authority had had no other option but to impose the harshest sanction of revoking the television station's licence, given that it refused to comply with the domestic legislation.

Complaints and procedure

The applicant television station complains under Article 6 (right to a fair trial) of the European Convention on Human Rights that the proceedings concerning the revocation of its licence were not fair.

It also complains under Article 10 and Article 1 of Protocol No. 1 to the European Convention that the withdrawal of its licence amounts to a breach of its right to freedom of expression and of its property rights.

The application was lodged with the European Court of Human Rights on 11 May 2012.

On 17 April 2018 the Moldovan Government was given [notice](#)² of the application, with questions from the Court.

¹ Under Article 30 of the European Convention of Human Rights "Where a case pending before a Chamber raises a serious question affecting the interpretation of the Convention or the Protocols thereto, or where the resolution of a question before the Chamber might have a result inconsistent with a judgment previously delivered by the Court, the Chamber may, at any time before it has rendered its judgment, relinquish jurisdiction in favour of the Grand Chamber, unless one of the parties to the case objects."

² In accordance with Rule 54 of the Rules of Court, a Chamber of seven judges may decide to bring to the attention of a Convention State's Government that an application against that State is pending before the Court (the so-called "communications procedure"). Further information about the procedure after a case is communicated to a Government can be found in the Rules of Court.

The Chamber to which the case had been allocated relinquished jurisdiction in favour of the Grand Chamber on 3 March 2020.

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.