FIRST SECTION

DECISION

Application no. 20014/13  
Romano SCOZZAFAVA and others  
against Italy

The European Court of Human Rights (First Section), sitting on 25 April 2017 as a Committee composed of:

Kristina Pardalos, *President,* Robert Spano, Tim Eicke, *judges,*  
and Renata Degener, *Deputy Section Registrar,*

Having regard to the above application lodged on 25 February 2013,

Having deliberated, decides as follows:

THE FACTS

A list of the applicants is set out in the appendix. They are represented before the Court by Mr Antonio Bultrini, a lawyer practising in Rome.

The facts of the case, as submitted by the applicants, may be summarised as follows.

According to Section 4 of Law no. 103 of 14 April 1975, the Steering and Regulatory Parliamentary Commission for Audiovisual Services (*Commissione parlamentare per l’indirizzo generale e la vigilanza dei servizi radiotelevisivi*, hereafter “the Commission”) is responsible for the regulation, *inter alia*, of the so-called *tribune politiche*, television and radio broadcasts with political content.

The applicants argue that such broadcasts, which are aired on the State television corporation (*RAI -* *Radiotelevisione Italiana S.p.A.*), allow the public to receive information and ideas from different actors and groups from across the political spectrum.

The applicants assert that, between February 2008 and February 2013, the Commission failed to order RAI to organise and broadcast the *tribune politiche*, in this manner not meeting their obligations set forth by the law.

COMPLAINTS

The applicants complained under Article 10 of the Convention about failure by the national authorities to comply with the requirements of Section 4 of Law no. 103 of 14 April 1975, concerning the organisation of television and radio broadcasts with political content. In particular, they contended that their right to receive information and ideas was violated by the State.

Furthermore, they asserted they did not have an effective domestic remedy by which to challenge the alleged violation of Article 10, as required by Article 13 of the Convention.

THE LAW

The Court reiterates that in order to be able to lodge a petition by virtue of Article 34 of the Convention, a person, non‑governmental organisation or group of individuals must be able to claim to be a victim of a violation of the rights set forth in the Convention.

In order to claim to be a victim of such a violation, a person must be directly affected by the act or omission in question or runs the risk of being directly affected by it (*Monnat v. Switzerland*, no. 73604/01, § 31, ECHR 2006‑X). The Convention does not envisage the bringing of an *actio popularis* for the interpretation of the rights set out therein or permit individuals to complain about a provision of national law simply because they consider, without having been directly affected by it, that it may contravene the Convention (see *Aksu v. Turkey* [GC], nos. 4149/04 and 41029/04, § 50, ECHR 2012, and *Burden v. the United Kingdom* [GC], no. 13378/05, § 33, ECHR 2008).

As to the present case, the applicants have not shown that they were directly affected by the failure of the national authorities to organise the broadcast of *tribune politiche*. Their complaint is directed *in abstracto* at the national authorities’ omissions that they consider to be in breach of the Convention.

The applicants cannot therefore claim to be victims of a violation of the Convention. Their complaints are accordingly incompatible *ratione personae* with the provisions of the Convention within the meaning of Article 35 § 3 (a) and must be rejected pursuant to Article 35 § 4.

For these reasons, the Court, unanimously,

*Declares* the application inadmissible.

Done in English and notified in writing on 18 May 2017.

Renata Degener Kristina Pardalos  
 Deputy Registrar President

APPENDIX

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| No. | Firstname LASTNAME | Birth date | Place of residence |
|  | Romano SCOZZAFAVA | 12/11/1935 | Rome |
|  | Vittorio CERADINI | 25/02/1956 | Rome |
|  | Francesco D’AMBROSIO | 14/05/1979 | Notaresco |
|  | Ouattara GAOUSSOU | 05/10/1958 | Rome |
|  | Paolo IZZO | 24/11/1970 | Rome |
|  | Fulco LANCHESTER | 18/06/1950 | Castelgandolfo |
|  | Stefano MARRELLA | 31/08/1969 | Cerveteri |
|  | Alba MONTORI | 17/03/1947 | Fabrica di Roma |
|  | Mario MORCELLINI | 11/05/1946 | Rome |
|  | Mario RICCIO | 17/10/1959 | Cremone |
|  | Davide ROCCO | 01/07/1986 | Porto Azzuro |
|  | Maria Gigliola TONIOLLO | 27/03/1948 | Rome |
|  | Simona VOGLINO | 06/12/1983 | San Felice Segrate |