[FR] ARCOM fines CNews EUR 50 000 and EUR 100 000 for failing to exercise rigour and honesty

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The CNews programme “Morandini Live”, broadcast on 28 September 2023, dealt with a newspaper’s claim that parents of Muslim schoolchildren had persuaded school leaders in Pau to provide their children with a prayer room during a school trip. This story was told to illustrate what was presented as a broader phenomenon, i.e. the failure to respect the principle of secularism in schools, which was the subject of a studio debate. A banner containing the words “Pau: school gives in to pressure from Muslim parents” was also displayed throughout the debate.

After examining the programme concerned, the *Autorité de régulation de la communication audiovisuelle et numérique* (the French audiovisual regulator – ARCOM) concluded that the story had been used to stimulate a studio debate that had provided a pretext for the expression of aggressive and controversial points of view. The facts of the case, which later proved to be inaccurate, had not been sufficiently verified or presented with due care by the broadcaster. The broadcaster had therefore violated Article 2-3-7 of its broadcasting licence and Article 1 of the decision of 18 April 2018, which required broadcasters to exercise rigour in the presentation and processing of information. ARCOM therefore fined the channel EUR 50 000.

Meanwhile, on 25 February 2024, the presenter of the CNews programme “En quête d'esprit”, which dealt with the psychological consequences of abortion, claimed that voluntary termination of pregnancy was “the biggest cause of mortality worldwide [according to] Worldometer, with 73 million in 2022, or 52% of all deaths”. A computer graphic was also shown, describing abortion as the number one cause of “mortality worldwide”, ahead of cancer and smoking.

After analysing the footage, ARCOM noted that the programme had treated abortion as a cause of death and, therefore, an aborted embryo or foetus as a deceased person. However, the law did not consider a foetus or embryo as a person. Abortion should therefore not be presented as a cause of death, according to the regulator. Moreover, the information given by the presenter and computer graphic was expressly based on the Worldometer website, which merely referred to the World Health Organization’s claim that 73 million abortions took place worldwide each year. The WHO website described abortion as a “common health

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intervention" and stated that "unsafe abortion is an important preventable cause of maternal deaths and morbidities". The programme presenter had described abortion as "the biggest cause of mortality worldwide" and commented on the computer graphic without questioning its accuracy. This claim, which the broadcaster agrees is grossly inaccurate, was not disputed by anyone else in the studio.

ARCOM therefore decided that the broadcaster had breached the provisions of its licence and of Article 1 of the decision of 18 April 2018, which required broadcasters to exercise rigour in the presentation and processing of information. The channel's claim that the wrong version of the programme had mistakenly been broadcast was irrelevant. Finally, analysis of the programme showed that nobody present in the studio had disputed the claim that abortion was the biggest cause of mortality worldwide. The broadcaster had also therefore breached its obligation to control its programmes.

Taking into account the decision of 10 May 2022, in which the broadcaster had been served with a formal warning, and the previous fine imposed on 17 January 2024, ARCOM fined the broadcaster EUR 100 000.

Décisions n° 2024-1011 du 13 novembre 2024 portant sanction à l'encontre de la société d'exploitation d'un service d'information (SESI), JO du 15 novembre 2024

https://www.legifrance.gouv.fr/download/pdf?id=RNcWDDhGxhgkoKmcH-oLOafnZhQYvseZTGXlWvrPu1M=

Decision no. 2024-1011 of 13 November 2024 to sanction the operator of an information service, OJ of 15 November 2024

Décision n° 2024-1012 du 13 novembre 2024 portant sanction à l'encontre de la Société d'exploitation d'un service d'information (SESI)

https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000050495790

Decision no. 2024-1012 of 13 November 2024 to sanction the operator of an information service, OJ of 15 November 2024

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