[FR] Commercialisation of Broadcasting Rights for Sports Events and Respect for the Right to Information

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There is fierce debate at present on the rights for broadcasting football matches on radio. While the French Minister for Sport, Marie-George Buffet, has said that she is opposed to any form of commercialisation or monopoly, on 22 February 2002 the French national football league (LNF) invited applications from radio stations wishing to buy the broadcasting rights for the competitions it organises (national championships in divisions 1 and 2, league cup). The radio station RMC Info has acquired exclusive coverage of the World Cup by an agreement reached with the Kirch Group.

For many of those involved in the radio sector, the commercialisation of broadcasting rights raises a serious problem of respect for freedom of information and infringes the free choice of the listener. The Minister for Sport thus recalled the legislation applicable in this area. The Act of 16 July 1984 (amended) on the obligation and the promotion of physical and sports activities stipulates more particularly that "making over the right to use a (...) sports competition to an audiovisual communication service may not prevent other audiovisual communication services from providing the public with information". Although the Minister was not able to prevent the LNF from issuing its invitation for applications, she did limit its effect, by calling on the radio stations to make no response. In the circumstances, the only radio to station to have indicated its interest (RMC Info) appears to have changed its mind.

On 25 February 2002, Marie-George Buffet met a group of radio stations, called Sport-Libre, to discuss these problems. They said they were working together on drawing up one or more statutory articles with a view to defining and guaranteeing the right to information, and announced the setting up of a monitoring committee whose members would be representatives of the radio stations.

This has affected the coverage of another sport, as the non-specialist radio stations boycotted the first Formula 1 Grand Prix of the year, held in Australia. The aim of the boycott, agreed to by all the members of the Sport-Libre economic interest grouping, was to protest against RMC Info being granted exclusive radio broadcasting rights for Formula 1 racing this season, and more generally against the selling of radio broadcasting rights for various football matches. Cycling

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appears to have been spared. On 26 February 2002, the organisers of the Tour de France cycle race excluded the possibility of an exclusivity agreement with a radio station for broadcasting the race. The chairman of the parent company of the Tour de France said that this was "the greatest free show in the world".

The question of selling coverage rights was also raised for the written press, on the initiative of the chairman of the LNF, and has aroused serious concern among those involved in the sector, particularly within the French national press federation. However, the LNF very quickly made it known that it was abandoning the idea, reasoning that the press only commented on matches after the event.

It should be noted, lastly, that broadcasting rights for television coverage of sport events may be sold. However, when the "Television without Frontiers" Directive " was transposed into national law, Article 20-2 of the amended Act of 30 September 1986, included under the Act of 1 August 2000, provided that a decree would give the list of events of major importance for which channels could not acquire exclusive rights (see IRIS 2001-3: 11); this text has not been adopted yet. Perhaps the present debate will give the regulatory authorities an opportunity to deal with the matter.

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