[RO] Public Information and Pluralism

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In its Resolution no. 40 of 9 March 2004, the Consiliului National al Audiovizualului (National Audiovisual Council, the supervisory body for electronic media in Romania CNA) has issued new regulations governing public information and pluralism.

By introducing the new provisions, the CNA, as the "only guarantor of the public interest in the audiovisual field", primarily intended to guarantee balanced, unbiased treatment of political, economic, social and cultural information in the public interest in broadcasting, thereby protecting freedom of opinion. For example, according to Article 1 of the Resolution, where important issues of public debate are concerned, several opposing opinions should, if possible, be expressed within the same programme. Facts and opinions should be clearly distinguished from one another. Any form of discrimination based on race, religion, nationality, ethnic origin, gender or sexual orientation should also be prohibited.

In addition, broadcasters in the sense of Art. 3 of the Legea audiovizualului nr. 504/2003 (Audiovisual Act No. 504/2003) and Art. 1 of the CNA Resolution may not broadcast programmes which are made or presented by MPs, representatives of national or local public administration or members of the President's administrative staff. The same applies to officials and spokespersons of political parties and people who have publicly announced their intention to stand in local, parliamentary or presidential elections.

Resolution No. 40 also requires compliance with the so-called " Regula celor trei par i " ("three part rule"), ,t which states that one-third of "all air-time set aside for the expression of the views of the government and opposition" should be allocated to representatives of the parliamentary opposition (senators, MPs, party leaders, mayors, members of local and district councils). One-third should be offered to representatives of national and local public administration (Prime Minister, Ministers, State Secretaries, District Presidents and their spokespersons), while the remaining third should be allocated to the parties that form the government majority (same functions as above). The three part rule does not include air-time allocated to the Prime Minister when he represents Romania at official events at home or abroad.

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According to Art. 5 of the Resolution, government and opposition representatives should always be given equal opportunities to express their views in televised debates, talk shows and entertainment programmes. In any programme addressing issues concerning ethnic, religious or sexual minorities, representatives of those groups should be invited to give their opinions. The Resolution also mentions the structuring of news programmes, the precise verification of sources and the need to refer to those sources. If tragic events are reported, speculation about the possible consequences of disasters, transmission of shocking images and the dissemination of unconfirmed information should be avoided where possible. Under Article 12, official information and communications concerning specific emergencies or crises should be broadcast as a matter of priority.

The Resolution also obliges TV companies to show their logo (sigla) on the screen at all times (except during advertisements). Likewise, live broadcasts must be denoted by the words "transmisiune în direct" or "direct". When programmes are repeated, this should also be indicated ("reluare"). Clips from the archives should always be denoted as such ("arhiva").

Following its publication in the Romanian Official Gazette on 17 March 2004, Resolution No. 40 replaced CNA Resolution No. 274/2003 of 6 October 2003 (see IRIS 2004-3: 14).

Decizia CNA nr. 274/2003 privind asigurarea informarii corecte a opiniei publice, Monitorul Oficial al României, Partea I, nr. 699 din 6 octombrie 2003

CNA Resolution No. 274/2003 of 6 October 2003, Monitorul Oficial al României, Partea I, n. 699 of 6 October 2003

Decizia Nr. 40 din 9 martie 2004 privind asigurarea informarii corecte si a pluralismului, Monitorul Oficial nr. 234 din 17 martie 2004

CNA-Resolution No. 40 of 9 March 2004, Monitorul Oficial n. 234 of 17 March 2004

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