[FR] CSA Recommendation on the European Constitution Referendum

IRIS 2005-5:1/11

Amélie Blocman
Légipresse

On 22 March 2005 the CSA (Conseil supérieur de l'audiovisuel - audiovisual regulatory body) issued a recommendation to all radio and television services regarding the referendum on the European Constitution to be held on 29 May 2005. The recommendation applies from 4 April until the day of the referendum, and refers mainly to news in connection with the referendum. It recalls that audiovisual services must ensure that "political parties or groupings enjoy equitable presentation and broadcasting access". 'Equitable" does not mean 'equal'; strictly equal treatment of candidates is only required by the regulations on elections during the official campaign for a presidential election. Similarly, "when reporting on the range of positions within political parties or groupings, radio and television services should also ensure that they do so in an equitable fashion". Lastly, editorial teams must consider balance and honesty at all times when putting forward their reports, commentaries and presentations concerning the referendum. The CSA also recalls the principles that apply to news not connected with the referendum, meaning all political statements on matters other than the referendum that are totally unrelated to it. This involves application of the "three thirds" rule, which requires the audiovisual media to ensure a balance between the time given to Ministers, MPs in the majority party, and opposition MPs, under comparable programming conditions. In keeping with the CSA's established practice on the subject, statements by the President, whether on news connected with the referendum or not, are not associated with any organisation. Lastly, the CSA recalls the statutory obligations that apply to advertising and opinion polls. Under Article 14 of the Act of 30 September 1986, as amended, political advertising is not allowed on radio or television. Moreover, advertising in the press may not be such as to distort the voting, for example an advertisement containing verbal or visual references to personalities involved in the campaign on the referendum or to their positions. Regarding opinion polls, the CSA recalls that, in compliance with Article 11 of the Act of 19 July 1977, as amended, no opinion poll results in connection with the referendum may be broadcast or commented on, either directly or indirectly, on the day of the ballot or on the day preceding it.

Recommandation n° 2005-3 du 22 mars 2005 du CSA à l'ensemble des services de télévision et de radio en vue du référendum du 29 mai 2005

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CSA Recommendation No. 2005-3 of 22 March 2005 to all radio and television services on the referendum to be held on 29 May 2005

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