[FR] Discussions involving Broadcasting Rights for the Rugby World Cup

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The *Conseil Supérieur de l'Audiovisuel* (audiovisual regulatory authority - CSA) was asked this summer for its opinion on the draft regulations drawn up by the company Rugby World Cup Limited (RWC), the organiser of the rugby World Cup, on “the conditions for stadium access for representatives of written and audiovisual information companies during the competition”. Article L. 333-6 of the Sport Code provides the framework for access to sports venues by journalists and television professionals. The first paragraph lays down the principle of free access by all journalists to sports venues “subject to the constraints directly connected with both the security of the public and the participants and the crowd capacity”. The second paragraph provides that those television services that do not hold broadcasting rights “may only film images separate from those of the event or sport competition *stricto sensu* ”.

It transpires from the regulations submitted by the RWC that the places in the area reserved for the media (“media area”) inside the stadiums where the matches are to be played will be allocated in the first instance to the representatives of the television services (TF1) and radio services that hold audiovisual rights. The representatives of audiovisual communication services that do not hold rights will also be allowed access to the venues and their media areas on a “first come, first served” basis, within the limit of available space. The first paragraph of Article L. 333-6 of the Sport Code thus appears to have been respected. The CSA has, nevertheless, added a reservation to its favourable opinion, in that it transpires from the IRB regulations that the representatives of those audiovisual media that do not hold rights will not under any circumstances be allowed access to the venues or any other controlled area on match days with cameras and/or any type of visual or sound recording system. The CSA held that this provision does not comply with the principle of free access for journalists to sports venues, except for mentioning specifically that this restriction on visual and/or sound recording equipment must be justified by “constraints directly connected with both the security of the public and the participants and the crowd capacity”.

Despite this favourable opinion from the CSA, the journalists (reporters, photo- and video- journalists) of forty press entities, including the major worldwide agencies (including AFP, Reuters, AP and Getty), announced their intention to boycott coverage of the competition just 24 hours before the opening match, in

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protest at the conditions imposed by the IRB for the use of photos and videos. The IRB regulations intended restricting to fifty stills per match (twenty per half plus 2x5 in the event of extra time) the number of photos that the agencies could circulate to their clients, and to three minutes per day the total length of videos of behind the scenes of the competition on the Internet (extracts from press conferences, dressing room interviews, etc). The media felt that these measures imposed by the IRB hampered their freedom to inform. On 7 September, two hours before the opening match, the boycott was finally lifted as the IRB and the media coalition had reached an agreement authorising the use, on the Internet, of 200 photos per match (including extra time). The restrictions concerning video were lifted. The Minister for Culture immediately welcomed the agreement, which she had encouraged. The parties have agreed to resume discussions after the World Cup, to “discuss the means of ensuring the future satisfaction of the requirements of both the media and the rightsholders”.

Avis du CSA n° 2007-7 du 17 juillet 2007 sur le projet de règlement relatif aux conditions d'accès aux stades des représentants des entreprises d'information écrite ou audiovisuelle pendant la Coupe du monde de rugby 2007, JO du 14 août 2007

CSA Opinion No. 2007-7 of 17 July 2007 on the draft regulations on the conditions for access to stadiums for representatives of written and audiovisual information companies during the 2007 Rugby World Cup; published in the official gazette of 14 August 2007

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