

# Committee of Ministers: Recommendation on Measures Concerning Media Coverage of Election Campaigns

**IRIS 2007-10:1/34**

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On 7 November 2007, the Committee of Ministers of the Council of Europe (CM) adopted Recommendation CM/Rec(2007)15 entitled “Measures concerning media coverage of election campaigns”, thereby revising the identically titled Recommendation No. R (99)15 (see IRIS 1999-9/7). The revision was prompted by the rapid development of information and communication technologies and the evolving media landscape.

For the purposes of the Recommendation, the term “media” refers to “those responsible for the periodic creation of information and content and its dissemination over which there is editorial responsibility, irrespective of the means and technology used for delivery, which are intended for reception by, and which could have a clear impact on, a significant proportion of the general public”. In practice, this is taken to mean print and broadcast media, as well as “online news-services (such as online editions of newspapers and newsletters) and non-linear audiovisual media services (such as on-demand television)”. The scope of the Recommendation covers “all types of political elections taking place in member states, including presidential, legislative, regional and, where practicable, local elections and referenda”.

The Recommendation comprises two sets of principles: general provisions and measures concerning broadcast media. The general provisions are listed as follows: (1) “Non-interference by public authorities”; (2) “Protection against attacks, intimidation or other types of unlawful pressure on the media”; (3) “Editorial independence”; (4) “Ownership by public authorities”; (5) “Professional and ethical standards of the media”; (6) “Transparency of, and access to, the media”; (7) “The right of reply or equivalent remedies”; (8) “Opinion polls”, and (9) “Day of reflection”.

First, the public authorities should refrain from interfering with the media in order to influence the elections. At the same time, the public authorities have to offer effective protection to journalists and the media against any attacks, intimidation or other types of unlawful pressure. The editorial independence of the media should be fully respected. Even in the event of media being owned by public authorities, the coverage has to be fair, balanced and impartial without discriminating against or supporting a specific political party or candidate.

Furthermore, the media are encouraged to develop self-regulatory frameworks and incorporate professional and ethical standards regarding their coverage of political campaigns. Transparency is a key consideration in this respect, especially in the event of paid political advertising. Such advertising has to be recognisable as such. The right of reply, if available under national laws, should be respected during the campaign period and be able to be exercised without undue delay. In the case of opinion polls, the media have to provide the public with sufficient information in order to enable them to judge the value of the polls.

With regard to measures concerning broadcast media, the CM encourages the use of regulatory frameworks in order to facilitate the pluralistic expression of opinions via the broadcast media. This is especially important in the case of news and current affairs programmes during campaign periods. The foregoing principles are also applicable to non-linear audiovisual services of public service media. Free airtime and presence for political parties and candidates on public service media should be offered in a fair and non-discriminatory manner and on the basis of transparent and objective criteria. The CM stresses that paid political advertising should be available on and according to equal conditions and rates of payment.

According to the CM, member states “may consider introducing a provision in their regulatory frameworks to limit the amount of political advertising space and time which a given party or candidate can purchase”. It also finds that “[r]egular presenters of news and current affairs programmes should not take part in paid political advertising”.

*“Measures concerning media coverage of election campaigns”, Recommendation CM/Rec(2007)15 of the Committee of Ministers of the Council of Europe, adopted on 7 November 2007*

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