

[RO] Audiovisual Rules for the Presidential Election Campaign

IRIS 2009-10:1/24

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In connection with the Romanian presidential elections on 22 November 2009, the *Consiliul Național al Audiovizualului* (National Audiovisual Council) has adopted Decision No. 853 on the rules governing the audiovisual presidential election campaign in Romania.

The election campaign began for all broadcasters at midnight on 23 October 2009 and will end on 21 November 2009 at 7am (section 1(1)). The candidates, political parties, and members of political and electoral alliances must have equal access to the electronic media free of charge (section 2(1)). Broadcasters are obliged to adhere to the following principles (section 3(1)):

- a) equal rights for all candidates;
- b) balanced reporting on the candidates' activities;
- c) the impartial and objective introduction of the candidates.

In addition, broadcasters must guarantee that the constitutional order, public peace and the security of persons and their possessions must not be put at risk in the pre-election broadcasts and commercials produced by the candidates and that there must be no incitement to violence or hatred on the grounds of political conviction, race, religion, ethnic origin, nationality, gender or sexual orientation (section 3(2)(a) and (b)). The election broadcasts and commercials must not contain any assertions or images that could violate human dignity or the honour or private life of individuals or make any allegations that could have moral consequences or consequences under the criminal law unless clear proof can be furnished to back up such allegations (section 3(2)(c) and (d)).

Programme organisers and presenters should not allow any deviation from the election subject and should intervene if guests breach the rules set out in section 2. They are obliged to call for clear evidence if allegations of relevance to moral considerations or the criminal law are made against competing candidates (Art. 3 Abs. 3 lit. a-c).

Under section 9(1), candidates whose rights have been breached in a radio or television programme are entitled to put the record straight in accordance with

Articles 52(1) and 60(1) of the *Codul de reglementare a conținutului audiovizual* (Regulatory Code for Audiovisual Content adopted by the National Audiovisual Council in its Decision No. 187/2006).

All broadcasters that intend to make their programmes available for the election campaign must announce this publicly and inform the National Audiovisual Council of this intention in writing by 15 October 2009 at the latest (section 11).

Decizia nr. 853 din 29 septembrie 2009 privind regulile de desfășurare în audiovizual a campaniei electorale pentru alegerea Președintelui României

<http://www.cna.ro/Prevederi-legislative-privind.html>

Decision No. 853 of 29 September 2009 concerning the rules for conducting the audiovisual campaign for the election of the President of Romania

