[FR] CSA Report on Combating Racism in the Audiovisual Media

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In a report submitted to the Prime Minister at the end of January and published on 15 February 2010, the *Conseil Supérieur de l'Audiovisuel* (audiovisual regulatory body - CSA) has drawn up an assessment of its actions in addressing racism and anti-Semitism in the audiovisual media. The CSA had also been asked to present its observations on community media and to propose action for international cooperation. In an international context featuring increased racial and religious tension and its wide media coverage, the CSA notes that regulation and sanctions up to now have proved effective and speedy. There was therefore apparently no need to make any changes to the texts of national legislation, apart from any questions there could be concerning the absence of regulation of the Franco-German channel Arte and the parliamentary channels, which did not fall within the CSA's jurisdiction. The regulation of channels outside the Community raised specific problems, however, and the CSA would like to see the French authorities supporting the deployment of an audiovisual section within the Union for the Mediterranean to promote a rapprochement of legal frameworks. The CSA is also calling for an effort in favour of simplification and clarification in order to avoid France being called on as a jurisdiction when the programmes at issue are not directed mainly at a European audience, as was the case for example of extra-Community channels directed mainly at the Near and Middle East and received in Europe in a marginal fashion as a result of satellite overspill. The CSA deplored the European Commission's literal application of the Television Without Frontiers Directive, which created an obligation for the European States - and in this case France - to regulate the audiovisual scene in the Near and Middle East. In a similar vein, the CSA's report also includes a series of proposals aimed at solving the problems connected with the broadcasting of racist content on on-demand audiovisual media services (ODAVMS). The CSA proposes that the editors of ODAVMS should set up on their sites a system for information and warnings aimed at users that would allow editors to locate racist content quickly and remove it immediately. The CSA would then intervene to sanction editors if this self-regulation proved to be insufficient. Lastly, the CSA is calling for three amendments to legislation. Firstly, so that Article 15 of the amended Act of 30 September 1986, which bans incitement to hatred, also applies to ODAVMS, which is not the case in the present version of the text. Secondly, so that Article 42-1 of the Act should be amended so that the CSA would be able to demand that the editor of an ODAVMS withdraw racist or anti-Semitic programmes from its

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catalogue definitively. Lastly, for extra-Community ODAVMS that are not under the CSA's jurisdiction, it is recommended that the possibility should be studied for the law to enable the CSA to apply to the courts for an Internet access provider to be ordered to filter access to these sites. It now remains to be seen whether these proposals will be taken up.

Lutte contre le racisme et l'antisémitisme dans les médias relevant de la communication audiovisuelle, rapport du CSA au Premier ministre

http://www.csa.fr/upload/publication/Rapport_PM_racisme_nov09.pdf

Combating racism and anti-Semitism in the media included in audiovisual communication - report by the CSA to the Prime Minister

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