[RO] CNA Sanctions for Breaching the Electoral Campaigns Rules

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The Consiliul Naţional al Audiovizualului (National Council for Electronic Media - CNA) imposed public warnings on two local commercial Romanian TV stations for breaches of the Audiovisual Code - Decizia nr. 220/2011 privind Codul de reglementare a conţinutului audiovizual, cu modificările şi completările ulterioare (Decision no. 220/2011 regarding the regulation of audiovisual content, with further modifications and completions) and Decizia nr. 210/2010 privind principii şi reguli de desfăşurare a campaniei electorale pentru alegerile parţiale parlamentare, prin intermediul serviciilor de programe audiovizuale (Decision no. 210/2010 regarding the principles and rules of the carrying out of electoral campaigns for partial parliamentary elections through audiovisual programme services; see inter alia IRIS 2009-6/28, IRIS 2009-1/29 and IRIS 2007-4/30).

UNU TV from Piatra Neamţ (north-eastern part of Romania) and MARAMUREŞ TV from Baia Sprie (north) were sanctioned because they broadcast before the official start of the electoral campaign several electoral and promotion programmes for the main candidates for the two vacant seats of the Camera Deputaţilor (Chamber of Deputies, lower chamber of the Romanian Parliament).

The regional elections took place on 21 August 2011 and the electoral campaign was scheduled from 6 to 20 August: but both sanctioned stations broadcast several programmes beforehand, one in favour of the ruling party candidate (UNU TV) the other in favour of the opposition candidate (MARAMUREŞ TV). The stations were accused of infringements of Art. 139 of the Audiovisual Code, which forbids political advertising and messages outside electoral campaigns periods, and of Arts. 1 and 11 of Decision no. 210/2010, which state that electoral campaigns start 15 days before the elections and end 24 hours before the vote and that electoral promotion is forbidden between the date of the public announcement of the voting and the start of the electoral campaign, respectively.

The Council compelled the stations to broadcast an announcement of the sanction in the coming 24 hours after issuing the public warnings, at least three times between 18.00 and 22.00 h, including once during the main news programme.

Decizia nr. 491 din 11.08.2011

http://www.cna.ro/DECIZIA-nr-491-din-11-08-2011.html

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