[FR] CSA Recommendation on the Election of the French President

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On 30 November 2011, the audiovisual regulatory authority (Conseil Supérieur de l'Audiovisuel - CSA), after obtaining the opinion of the Constitutional Council, adopted a recommendation on the election of the French President, which is to be held on 22 April and 6 May 2012. Under Article 1 of the Act of 30 September 1986, the CSA is responsible for ensuring "observance (...) of the pluralist nature of the expression of currents of thinking and opinion"; Article 16 requires it to adopt a recommendation and to define if necessary the conditions for the production and programming of broadcasts as part of the official audiovisual campaign.

This recommendation, together with the CSA's deliberation of 4 January 2011 on the principle of political pluralism at election time, which it supplements, lays down the scheme applicable to coverage of the election campaign in the audiovisual media. It has been applicable since 1 January 2012 to all radio and television services, in whatever way they are broadcast by any means of electronic communication. The text does not apply, however, to on-line services devoted to election propaganda for candidates or the political formations backing them. In the CSA report drawn up at the end of the election in 2007, several proposals were expressed in cooperation with radio and television channels, and they are incorporated in this text. The aim was to better reconcile the demands of political pluralism during the election period with freedom of audiovisual communication. As a result, the CSA has reduced the duration of application of its recommendation (18 weeks instead of 22 in 2007) and made the supervision methods more flexible. It has also defined the notions of "equity" ("to appreciate observance of this principle, the CSA shall take into account firstly the capacity to manifest the intention to stand as a candidate and secondly the representativness of the candidate"), "declared or presumed candidacy", and "backing". The recommendation creates three successive periods, corresponding to the various stages in the election campaign. From 1 January to 19 March, the day before the day on which the Constitutional Council publishes the list of candidates, declared or presumed candidates and their backers have the benefit of equitable presentation and access to the audiovisual media. From 20 March to 9 April, the day before the official election campaign begins, the candidates and their backers will have equal speaking time and equitable time on the air on the audiovisual media. From 9 April to 6 May, the candidates and their backers will have equal speaking time and time on the air on the audiovisual media. Throughout the

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campaign, the CSA will be required to ensure observance of the principle of equity and subsequently the principle of equality. With a view to transparency, the speaking and broadcasting times of the candidates and their backers will be published regularly on the CSA's Internet site. In addition to the lists of speaking time and time on the air that the CSA may itself produce, the channels are also required to produce and send in their own lists. If any discrepancy is noted, the CSA should contact the editors concerned and ask them to remedy the situation so that the principles of equity and/or equality may be observed by the end of each of these periods.

Recommandation n° 2011-3 du 30 novembre 2011 du Conseil supérieur de l'audiovisuel à l'ensemble des services de radio et de télévision concernant l'élection du Président de la République, Journal officiel, 6 décembre 2011

http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000024924275

Recommendation No. 2011-3 of 30 November 2011 by the Conseil Supérieur de l'Audiovisuel to all radio and television services regarding the French presidential election, Official Gazette of 6 December 2011

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