

[RO] Decision with Regard to the Electoral Campaign for Local Elections

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The Consiliul Național al Audiovizualului (National Council for Electronic Media - CNA) adopted on 24 April 2012 Decision no. 195 on the principles and rules for the electoral campaign on radio and television stations for the local elections (see IRIS 2011-3/29). The local elections in Romania are scheduled for 10 June 2012.

According to the Decision the electoral campaign on radio and television stations, including cable-TV, takes place between 11 May and 7 June, at 24.00 h local time. Broadcasters that intend to cover the campaign have to notify the Council in writing of the expected starting date, names of the programmes concerned, types of electoral programmes as well as the days and broadcasting hours for each station they own.

The electoral campaign on audiovisual media (including cable-TV), public and private, must serve the following general interests: those of the electorate, to receive accurate information and to exercise their right to vote with full knowledge of the facts; those of the competitors to be known and present their platforms, political programmes and electoral offers; and those of broadcasters, to exercise their rights and duties.

The broadcasters are obliged to ensure a fair, balanced and correct electoral campaign for all competitors. Candidates benefit from free access to public and private radio and television services. Only the candidates and the representatives of competitors can attend electoral programmes and debates. During the electoral campaign, the candidates and the representatives of competitors may not be producers, directors or anchors of audiovisual shows. Broadcasters are not allowed to air commercial advertisements that feature candidates and/or representatives of competitors. Buying broadcasting time with a view to attending electoral programmes or debates or broadcasting electoral videos or shows showing electoral activities during informative shows is forbidden.

During the electoral campaign, information concerning the election system, voting procedure, electoral campaign calendar, political programmes, opinions and messages with electoral content shall be presented only in news bulletins, electoral shows and electoral debates. The campaign coverage can be aired from Monday to Friday and the campaign programmes have to be clearly indicated by

the broadcasters. The participants have to be clearly identified as to their capacity: candidate, supporter, representative of the candidate or political forces, analyst, journalist, political consultant. 30-second electoral videos (spots), for which responsibility is clearly assumed by competitors, may be broadcast only within the shows stipulated above and only about the competitors attending that show. They are not considered as commercial advertisement. Electoral advertisements are aired in separate, signaled blocks.

The informative programmes have to observe objectivity, fairness and correct information of the public. The presentations of the campaign activities can be done only by broadcasters, without using content offered by competitors, nor interviews with them. Candidates who are already in public positions may appear in news bulletins strictly in matters related to the exercise of their position, but the broadcasters have to observe balance and pluralism of opinions.

The electoral shows and debates must ensure equal conditions for all candidates as regards freedom of expression, pluralism of opinions and impartiality. During electoral shows the competitors must not make statements against human dignity or public morals, must prove allegations that could have criminal or moral implications and must not make statements that incite hatred or discrimination.

The directors and anchors of electoral shows and debates have to be impartial, ensure balance during the show, ask unbiased, clear questions and intervene whenever guests behave wrongly or breach electoral law. The rights to reply and rectification are also provided for in the Decision, as well as the conditions for broadcasting opinion polls. The Council will sanction breaches of the legislation.

Decizie nr. 195 din 24 aprilie 2012 privind principiile și regulile de desfășurare, prin intermediul posturilor de radio și de televiziune, a campaniei electorale din anul 2012 pentru alegerea autorităților administrației publice locale

http://www.cna.ro/IMG/pdf/Decizie_195_2012_alegeri_locale24042012-2.pdf

Decision no. 195 of 24 April 2012

