[FR] Presidential election: CSA issues three warnings and one order to comply for failure to observe equal speaking time for presidential candidates

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On 26 April, the plenary assembly of the national audiovisual regulatory authority (Conseil Supérieur de l'Audiovisuel - CSA) drew up its report on both speaking time and air time during the first period of equality (from 10 to 21 April) in the presidential campaign, and on observance of the 'period of reserve'. The CSA had noted substantial inequalities during the first week of the period of equality, but noted that radio and television broadcasters had undertaken to correct the imbalance by the end of the first round of the election campaign on the evening of Friday 21 April.

On completing its report covering the entire period, the CSA issued three warnings and one order to comply: the radio station France Inter and the continuous news channels BFMTV and CNews received warnings for their patent failure to abide by the principle of equality. The records of speaking time available on the CSA's website show that BFMTV devoted more than 16 hours of air time to Jean-Luc Mélenchon, 14.5 hours to François Fillon, and 13 hours each to Marine Le Pen and Nicolas Dupont-Aignan. The 'minor' candidates, Jean Lassalle and Philippe Poutou, each had fewer than five hours of airtime. CNews was in the same position (7 hours of airtime for Emmanuel Macron, and 5.75 hours for Marine Le Pen), as was France Inter.

The radio station Radio Classique was issued with an order to comply for its disregard for the rules during the 'period of reserve'. Under Article L.49 of the Electoral Code, from midnight 24 hours before the start of an election day, broadcasting any election advertising or allowing it to be broadcast to the public by any means of communication or electronically is prohibited. Television channels may nevertheless broadcast images showing the candidates casting their vote, on condition that such sequences cover all the candidates and do not allow them to make any intervention. In the case at issue, however, a radio slot moderated by a declared supporter of one of the candidates - and criticising statements made by another candidate - entitled 'Les mots de la philo' was broadcast twice on Saturday 22 April, the day before voting, on the radio station Radio Classique.

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The CSA stressed nevertheless that in general the radio stations and television channels had made a good effort to abide by the applicable rules, including the principle of equality, in the run-up to the second round of the election. In a report on the new applicable rules, presented on 10 May 2017, the CSA said it was aware of the difficulties the television channels and radio stations may have encountered. It stated that it would therefore be presenting its thoughts on the changes it felt were necessary to the rules applicable to presidential elections, particularly with regard to the number of candidates, by the end of July. Within the same timeframe, to fully ensure the guarantee of diversity, the CSA will be required to pronounce on the new questions raised by the evolving political context, and on the increase and multiplication of sources of communication and information.

The CSA will continue to supervise speaking time during the campaign for the parliamentary elections, to be held on 11 and 18 June, in accordance with its Recommendation of 26 April 2017, which applies to all radio and television services regardless of their mode of broadcasting (including by means of electronic communication) for the period from 1 May 2017 up to the day on which the results are announced.

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