CSA’s RT France warning confirmed

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Having received an official warning from the French national audiovisual regulatory authority (*Conseil supérieur de l’audiovisuel* – CSA) in June 2018 after broadcasting a news report, RT France, the French-language outlet of the Russian international news channel RT, requested the retraction of the warning – which demanded that it respect its agreement with the CSA – on the grounds that the CSA had abused its powers. Article 2-3-6 of the channel’s agreement with the CSA (in the version applicable at the time) states: “The honesty requirement applies to all programmes. The broadcaster […] must verify the validity and sources of all news stories. As far as possible, the source should be indicated. Information that is unconfirmed should be reported in the conditional tense. It [the broadcaster] must demonstrate rigour in the presentation and processing of information. / It must ensure that the context in which images were captured is appropriate to the subject they are used to illustrate. […] In news programmes, the broadcaster may not use technological processes to alter the meaning or content of images. […]”. Article 4-2-1 stipulates that the CSA may issue an official warning to the broadcaster, demanding that it meet its obligations.

The disputed sequence – approximately 18 minutes in duration – was broadcast during a television news bulletin on 13 April 2018 that was mainly devoted to the situation in Syria following chemical attacks carried out a week earlier against the civilian population of the city of Douma. As well as various reactions from the international community, the sequence included two interviews accompanied by written text (such as “Some locals are thought to have been forced to simulate chemical attacks” or “simulated attacks”), street interviews in which Parisian passers-by were asked whether they thought western air strikes in Syria would be appropriate, and a studio interview with an individual described as an “international strategic advisor”.

The CSA found, firstly, that the interview excerpts broadcast by RT France during the disputed programme, in which people had described in Syrian Arabic the famine that was ravaging the Douma region, had been dubbed with a translation that had borne no resemblance to what had actually been said but had instead indicated that a chemical attack had been merely faked. It had transpired that this translated dialogue had concerned a different excerpt, which had not been broadcast. Secondly, the CSA found that the French translation of some of the comments in Syrian Arabic had accused the Jaysh al-Islam armed group for the

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faking of chemical attacks, whereas in point of fact this had not been said by the people interviewed in the original language.

The *Conseil d'État* ruled that the CSA had correctly applied the provisions of the channel's agreement, since the interviews had failed to demonstrate the required level of rigour and in the second case) honesty in the presentation and processing of information.

Article 2-3-1 of the channel's agreement with the CSA also requires journalists to "ensure that controversial issues are presented honestly and that different points of view are expressed". The *Conseil d'État* explained that although these stipulations did not prevent the broadcaster from defining an editorial approach, they did require it to ensure that, where controversial issues were concerned, a distinction was made between the presentation of facts, commentary on those facts and the expression of different points of view.

The CSA, when issuing the warning in question, noted that the sequence had shown a marked imbalance in its analysis of the subject in question and an unequivocal approach to the issue of chemical weapons, whereas the subject was so sensitive and controversial that, under its agreement with the CSA, the broadcaster should have laid out different points of view. On account of the confusion between the presentation of the facts, commentary on those facts and the use of written text such as "simulated attacks", the disputed sequence had given the impression that the simulation of the chemical attacks on the city of Douma on 7 April 2018 was an established fact, whereas it was actually shrouded in uncertainty and controversy. Furthermore, the studio interview with a so-called "international strategic advisor" – who had claimed that the Syrian army did not use chemical weapons, that the Jihadists had laboratories in which they made such weapons and that public opinion in western countries had been manipulated – with nothing to counterbalance his remarks had constituted a one-sided presentation of an issue that was highly controversial.

Lastly, contrary to the broadcaster's claims, the *Conseil d'État* ruled that the disputed CSA decision could not be regarded as constituting a disproportionate attack on the freedom of expression. The request for the CSA's warning to be retracted was therefore rejected.

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