[RO] Rules for the 2020 local elections campaign coverage

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On 18 August 2020, the *Consiliul Naţional al Audiovizualului* (National Audiovisual Council, CNA) adopted Decision No. 475/2020 on the rules governing the audiovisual campaign for the local elections in 2020. The local elections in Romania are scheduled for 27 September 2020; they were postponed from May-June 2020 due to the COVID-19 pandemic (see, *inter alia,* IRIS 2008-10/27, IRIS 2009-1/29, IRIS 2009-10/24, IRIS 2011-3/29, IRIS 2011-9/31, IRIS 2012-6/30, IRIS 2014-5/27, IRIS 2014-10/30, IRIS 2016-10/25, IRIS 2019-5/23, IRIS 2019-6/21 and IRIS 2019-9/22).

Article 2 foresees that the candidates have free access to radio and television stations, both public and private. According to Article 3, public and private broadcasters are required to ensure a fair and balanced campaign for all election candidates, respecting the following principles: a) fairness - all candidates must be able to make themselves known to the electorate; b) balance in the presentation of the candidates' campaign activities ; c) fairness - all election candidates must be treated in an objective and equitable manner. Article 4(3) provides that in litigious situations regarding the allocation of airtime, the stations will have to prove that they have offered all election candidates appropriate access under the conditions of Law No. 115/2015 of the local elections.

Article 5 stipulates that in order to cover the election campaign, broadcasters may produce and broadcast only the following types of election programmes: a) informative programmes, in which information on the electoral system, voting technique and the campaign activities of candidates can be broadcast; for this purpose, the scheduled duration of the news programme may be increased by a maximum of 15 minutes. Election news programmes can be broadcast from Monday to Sunday; b) electoral programmes, in which the candidates running for election can present their political programmes and election campaign activities; in the case of the live broadcasting of campaign activities, the duration of these broadcasts will be included in the airtime granted to each opponent. In the case of radio stations, the programmes will be identified as such at the beginning of the programme, and in the case of television, this will be indicated by visibly displaying 'election programme' on the screen throughout the broadcast; political broadcasts can be shown from Monday to Friday; c) electoral debates, in which the broadcasters discuss the electoral programmes and the topics of public

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interest related to the election campaign, with the participation of at least two candidates or their representatives; in case of non-participation of a candidate/representative thereof, this fact is mentioned. Election debate shows can be broadcast from Monday to Sunday.

Article 6 states that (1) during the election campaign, the candidates and the representatives of election opponents have access only to those programmes provided for in Article 5 (1) b) and c) broadcast by radio and television stations, public and private, including cable, involved in the election campaign; (2) during the election campaign, broadcasters may not broadcast programmes produced, conducted or moderated by candidates and declared representatives of election opponents.

According to Article 7, (1) the informative broadcasts are subject to the obligation of objectivity, equity and the provision of accurate information to the public; (2) in the informative programmes, the presentation of the campaign activities will be made exclusively by broadcasters. It is forbidden to broadcast contents related to campaign activities conducted or made available to broadcasters by election candidates or to broadcast interviews given by candidates or representatives of election opponents; (3) candidates holding public office may appear in news programmes only when they concern problems related to the exercise of their function; in these situations, broadcasters have the obligation to ensure the equity and pluralism of opinions.

Article 8 provides, *inter alia*, that (1) broadcasters must ensure that all election candidates are given fair conditions regarding freedom of expression, the pluralism of opinions and equal treatment and that (3) broadcasters are obliged to specify the capacity in which the persons invited on the programmes express themselves, such as that of candidate or his/her representative.

Article 13 is another important article of the Decision: from 48 hours before the start of voting until the end of voting, it is prohibited: a) to present opinion polls, televotes or street surveys; b) broadcast party political broadcasts; c) invite or present candidates and/or representatives of election opponents on radio and television programmes, including cable television, except for situations related to the broadcasting of rectifications and replies linked to programmes broadcast on the last day of the campaign; d) comment on the conduct of the campaign, as well as on candidates and election opponents.

Finally, Article 14 stipulates that on voting day, the following are prohibited: a) the activities provided for in Article 13; b) the presentation of polls conducted at the exit of polling stations before the end of voting time; c) comments regarding the election candidates before the end of the voting time; d) exhortations to vote or not to vote for a candidate or the candidacies submitted by the election opponents.

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Decizie nr. 475 din 18 august 2020 privind regulile de desfășurare în audiovizual a campaniei electorale pentru alegerile locale din anul 2020

https://www.cna.ro/DECIZIE-nr-475-din-18-august-2020.html

Decision No. 475 of 18 August 2020 on the rules for the audiovisual campaign for the local elections in 2020

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