[FR] CSA issues CNews with formal notice concerning unbalanced airtime access for regional election candidates

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The *Conseil Supérieur de l'Audiovisuel* (French audiovisual regulatory body – CSA) recommendation of 4 January 2011 concerning the principle of political pluralism on radio and television during election periods, which applied to all television services from 10 May 2021, required five weekly surveys to assess the amount of speaking time allocated to different candidates in the run-up to the first round of regional elections held on 20 and 27 June 2021. The various lists of candidates were entitled to fair access to airtime during the period concerned. The CSA takes into account the contribution made to the electoral debate by each list of candidates and the political parties or groups that support them. In accordance with the amended recommendation of 17 March 2021, which applied to the forthcoming regional council elections, the CSA, taking into account the weekly surveys of airtime allocated to the lists of candidates and their backers, is responsible for ensuring fair presentation and access. Under Article 42 of the Law of 30 September 1986, it must, in due time, issue formal notices if it appears that this principle is likely to be breached across the whole period under review on account of imbalances that have already been noted.

In the case at hand, the observations submitted by the broadcaster showed that, between 10 and 28 May 2021, CNews invited the *Rassemblement national* (National Rally) lead candidate in Paris to appear in various studio-based discussion and news programmes nine times during the run-up to the regional elections of 20 and 27 June 2021. Almost every time, he was introduced as an election candidate, either orally or in on-screen captions. Furthermore, analysis of his appearances on screen showed that, contrary to the broadcaster's claim, he discussed major topics relevant to the campaign for the forthcoming Île-de-France regional elections, such as public security. However, even though he spoke for a total of around one hour and was therefore given a prominent forum in which to comment on these topics, as well as significant exposure that would benefit his candidacy, the broadcaster only declared around 7 minutes of this time in its list of regional election news coverage. The CSA therefore believed that, in its declaration of news coverage linked to the campaign for the regional elections in Île-de-France, the broadcaster should account for all the speaking time given to the candidate concerned.

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Once this correction had been made, the amount of airtime given to the regional election candidates in Île-de-France and their supporters in CNews programmes between 10 and 28 May 2021 had been imbalanced in favour of the list of *Rassemblement national* candidates. Furthermore, in its observations addressed to the CSA on 7 June, the broadcaster said it intended to "make up for lost time for [this] list [of candidates]". As a result, the unbalanced presentation and access to airtime for the different lists of candidates was likely to be exacerbated, even though the first round of voting was due to be held shortly afterwards.

As a result, the CSA held that the principle of fair access to airtime for the different lists of candidates would not be respected by the channel during the period under consideration, i.e. from 10 May to 18 June 2021. It therefore issued a formal notice to the channel, demanding that it comply with the recommendation of 4 January 2011 and the amended recommendation of 17 March 2021.

Décision n° 2021-654 du 9 juin 2021 mettant en demeure la société d'exploitation d'un service d'information

https://www.legifrance.gouv.fr/download/pdf?id=krhNG7b02GLxYuf6Vrr_T8cjOaSnmckGpdjQ_Y0FEFg=

Decision no. 2021-654 of 9 June 2021 issuing a formal notice to a news broadcaster

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