

CENTRAL ELECTORAL COMMISSION

DECISION

Concerning the approval of the regulation on coverage of the electoral campaign for the June 3, 2007 general local elections by mass media of the Republic of Moldova

Under Articles 18 and 64 of the Electoral Code # 1381-XIII from November 21, 1997, the Central Electoral Commission decides that:

1. The regulation on coverage of the electoral campaign for the June 3, 2007 general local elections by mass media of the Republic of Moldova is approved.
2. The Regulation enters into force after adoption.

**Chairman of the
Central Electoral Commission**

Eugeniu STIRBU

**Secretary of the
Central Electoral Commission**

Iurie CIOCAN

Chisinau, April 6, 2007
No. 460

*Approved
under Decision # 460 from April 6, 2007
by the Central Electoral Commission*

REGULATION **on coverage of the electoral campaign for the June 3, 2007 general local elections by mass media of the Republic of Moldova**

I. General norms

1. This regulation establishes the mode of coverage of the electoral campaign for the June 3, 2007 general local elections (*hereinafter* general local elections) by Moldova's mass media.
2. The Central Electoral Commission and the electronic watchdog CCA establish the requirements on coverage of the electoral campaign by all domestic broadcasters and printed media.
3. The electoral campaign is covered in line with Moldova's Constitution, Electoral Code, Broadcasting Code, international acts in the field signed by Moldova, this regulation and other normative documents in effect.
4. Foreign broadcasting institutions provided a legal access to the information space of Moldova must also respect the principles of a fair, balanced and unbiased coverage of general local elections. Holders of licences carry the responsibility in case of any breaches.
5. The Central Electoral Commission cooperates with all media outlets to organise and conduct the elections, holding actions for the civic education of electors and information of electorate about electoral process.
6. Electoral competitors participate in electoral campaign on an equal footing, benefiting of an undiscriminating treatment for the use of mass media, in compliance with the Electoral Code and this Regulation.

II. Modality of placing electoral advertising on public and private radio and television

7. Electoral candidates benefit of airtime from public and private broadcasters in rush hours of audience and special spaces in newspapers and magazines.
8. Mass media publishes or airs social and civil education advertising at the request of the Central Electoral Commission, holds campaigns to inform electors about voting procedure and other particularities of the voting.
9. An electoral advertising lasts at least 20 seconds.
10. Electoral programmes are aired in the column "Elections 2007" only, so that to count the airtime. They are marked by audio and/or video means in order to identify and separate them from other programmes.
11. A special group created under an internal order works in editorial offices throughout the electoral campaign to ensure the release of electoral articles under optimal conditions.
12. Every article published by electoral candidates is included in the column "Elections-2007". The remark "Paid from electoral fund" of respective electoral candidate follows the article.

13. The tax for broadcasting of publishing electoral advertising cannot be higher than the tax for commercial advertising.
14. The airtime for the electoral campaign is given in the same hours of audience; it is given to all electoral candidates under fair conditions.
15. The airtime and newspaper space are given to electoral candidates at their request after their registration with the district councils.
16. The airtime reserved and given to an electoral candidate but unused under his responsibility is not recovered.
17. The airtime reserved and given to an electoral candidate but unused for technical reasons and/or other related reasons is rescheduled in line with internal regulations.
18. Pictures featuring the Presidency, the Parliament or institutions of the central and local public administration must not be used in electoral advertising, programmes and debates.
19. High-ranking functionaries from public administration who run for elective public posts do not accept interviews and do not deliver statements in which to reveal information on their fields of activity, so that not to use this occasion for electoral purposes.
20. The electoral candidate is responsible for the contents of his electoral advertising.
21. No comment is allowed for the electoral articles published or aired at the request of the Central Electoral Commission and electoral candidates.
22. The paid airtime and newspaper space are given to the electoral candidate after the latter pays the amount stipulated by the contract signed between media outlet and electoral competitor.
23. Any surveys on political preferences of electors are conducted with the condition to notify the Central Electoral Commission.
24. The release of findings of social surveys and other sorts of pre-election forecasts stops with 5 days before the Election Day.
25. Electoral propaganda is prohibited on Election Day and on the day before elections.
26. The release of findings of polls on participation of voters in elections and the candidates they voted is prohibited on Election Day before closure of polling stations.
27. If an electoral candidate is libelled during programmes aired in the column "Elections-2007", he is immediately given the right to reply under the same conditions, sending a request in written form or via fax for this purpose. Broadcasting institutions give the right of reply to electoral candidates under a decision by the Central Electoral Commission within 48 hours since the decision was made. The Friday before elections is the last day to exercise the right of reply.
28. Mass media representatives enjoy the same rights like accredited observers.
29. The Central Electoral Commission, CCA and law courts settle the conflicts between electoral candidates and public and private media outlets in line with Moldovan legislation in effect. Decisions by the Central Electoral Commission and CCA may be contested in law courts in compliance with Moldova's legislation.
30. Mass media institutions releasing electoral articles inform the Central Electoral Commission every ten days about the airtime and newspaper space given for free or for a charge.
31. Broadcasting institutions must keep the secret of electoral materials before their release.
32. News or reports on charity acts of candidates and their 1st and 2nd-degree relatives cannot be released during electoral campaign.

III. Paid airtime

33. Public broadcasters must and private broadcasters hold the right to give airtime for a charge to all electoral candidates, respecting the principle of a fair, balanced and unbiased treatment throughout the electoral campaign, as follows:



- Maximum 120 minutes on a TV channel and 120 minutes on a radio channel for every registered candidate.
34. The paid airtime given to electoral candidate must be maximum 2 minutes a day at every TV channel and 2 minutes a day at every radio channel. The electoral candidate holds the right to use the paid airtime gradually in line with the airtime schedule established by internal regulations.

IV. Electoral debates

35. Public broadcasters must and private broadcasters hold the right to organise public debates under equal conditions for all electoral candidates throughout the electoral period, with the participation of at least two invitees. Debates are organised after the term stipulated by the Electoral Code for registration of electoral candidates. Broadcasters hold the right to give at least 90 minutes a day for debates. This airtime may be used during one or several programmes.
36. Electoral candidates or their representatives participate in electoral debates. Topics of electoral debates are established by broadcasters after preliminary consultations with electoral candidates.
37. Electoral candidates are invited at electoral debates in written form with at least 12 days before every programme, together or in groups created on basis of one of the following criteria:
- In the order the electoral competitors requested the broadcaster;
 - In the order of registration of electoral candidates with the district electoral council;
 - In alphabetical order of electoral contestants;
 - In the order drawn by lots.
38. The refusal to participate or the absence of one or more electoral competitors at debates is made public and cannot serve as a reason to postpone or cancel the programme. If one or more electoral candidates are absent, the airtime given to them is excluded from the total airtime of the programme and it is not recovered.
39. The rules of conduct of debates are told to electoral candidates at the same time with their invitation to participate in electoral debates and before the programme.
40. Broadcasters measure the time with audio or video means that participants in debates and the public are capable to understand.
41. The broadcasting of advertising in general and electoral advertising in particular is prohibited during electoral debates.
42. Electoral candidates are free to tell their opinions during public debates. But following actions are prohibited:
- endangering the constitutional order, public order, security of persons and goods;
 - use of expressions that damage the honour and dignity;
 - disclosure of secrets protected by law;
 - use of any expressions capable to backbite candidates or their representatives;
 - combination of colours and/or sounds like national symbols of the Republic of Moldova or of other state, as well as images featuring the Presidency, Parliament or other institutions of central and local public administration;
 - use of video or audio records featuring historical personalities of Moldova and other states;
 - proving eventual accusations of criminal or moral incidence taken against other candidate;
 - inciting for hate or discrimination on reasons of race, religion, nationality, sex, sexual orientation or ethnic.
43. Editors and moderators of electoral debates must:
- be unbiased;

- ensure the necessary balance of opinions during the programme, allowing every participant in debates to tell his opinions;
- clearly formulate neutral and unbiased questions;
- support the conduct of discussion for interests of the electoral campaign and on the necessary topic;
- intervene in discussion when the conduct or opinions of invitees violate the chapter IV of this Regulation and if invitees violate the order, the moderator is free to turn off the microphone.

V. Final provisions

44. Broadcasting institutions must:
 - keep records of airtime given to electoral candidates and report the electoral airtime for the precedent day to CCA every day via fax;
 - present video and audio records along with copies of contracts at the request of the Central Electoral Commission, district electoral councils and CCA.
45. The records of electoral programmes (linked to the electoral campaign, inclusively the live broadcasts) are preserved at least 3 months after they were aired. This term is extended under a decision (appeal) of the Central Electoral Commission, CCA or law courts in case of litigations.
46. Private broadcasters unwilling to participate in the electoral campaign make public their decision with five days after publication of this Regulation, notifying the Central Electoral Election and CCA in written form.