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## **CARDS FOR FERNANDO AGÍSS BITAR AT THE GLOBAL ELECTORAL ORGANIZATION CONFERENCE**

### **Plenary: Media and Elections**

#### ***Monitoring the Media Coverage of Political Campaigns***

#### ***Introduction***

- The mass media play an essential role in democratic elections: a free and fair election is not only about casting a vote in proper conditions, but also about having adequate, accurate and, in certain aspects, neutral information about political parties, policies and candidates to enable voters to exercise informed and rational choice.

## **Card 1**

### ***Context of Media and Elections***

- Government media, funded out of public money, or private media enterprises which operate under public concessions (i.e. in oligopolistic conditions or as it's said the media as a "Fourth Estate"), should be required to give fair coverage and equitable access to all parties, including opposition. In these cases, obligation to broadcast the views of all contenders to ensure fairness of broadcast coverage of election campaigns derives from the prohibition of discrimination in the enjoyment of rights. It means that if any party has an opportunity to exercise its right to freedom of expression through the media, the rest of them must be given the same opportunity or access on an equitable basis.
- The fairness of access to the media of political parties or candidates provides a minimum standard for freedom of expression in electoral process, however it requires a substantial degree of editorial independence of the media. The prime concern is the right of voters to receive full (or complete) and accurate information. But this is not the only right involved. Parties and candidates are entitled to use the media to get their messages across to the electorate.
- In sum, there are, at least, three rights at stake:
  - a) The right of the voters to make a fully informed choice.
  - b) The right of the candidates to put their policies across.
  - c) The right of the media to report and express their views on matters of public interest.

Of course, these rights are all essential aspects of the right to freedom of expression and pluralism; and fundamental preconditions for a functioning democracy. Therefore, an election is an ideal opportunity to instruct both the authorities in their obligation to respect and nurture media freedom and the media in their responsibility to support the democratic process.

- In the judicial arena, several resolutions have expressed that “The mass media have a special duty and responsibility regarding the principle of fairness in electoral matters, whose observance is indispensable for the protection of the rights to vote free and to be voted in conditions of competitive balance”.

## **Card 2**

### ***Involvement of Electoral Management Bodies in Monitoring Media Coverage of Political Campaigns***

- Potentially, electoral managers may act in three ways:
  - a) As regulator: may sometimes be responsible for developing or implementing regulations governing media behavior during elections. It may also be responsible for dealing with complaints against the media.
  - b) As monitor organ: the electoral body may monitor media coverage for a number of reasons:
    - i) To determine whether the law or regulations on access to the media are being respected.

- ii) To review more broadly whether political parties and candidates are receiving fair access and coverage, for example in news coverage.
- c) To appraise how the activities of the electoral body itself are being reported.

### **Card 3**

#### ***Media Monitoring Methodology and the Mexican Case***

- The case of Mexico: IFE as a regulator and carrying out the monitoring function.

### **Card 4**

#### ***Final remarks***