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**THE ROLE OF MASS MEDIA IN THE ELECTORAL PROCESS:
IMPROVING THE LEGAL FRAMEWORK FOR MEDIA REGULATION**

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GENERAL CHARACTERISTICS OF THE RESEARCH

Relevance of the research theme

Holding regular fair and free elections is one of the fundamental conditions for existence of a democratic state. Such a state gives an opportunity to candidates and political parties to compete freely for the votes of electorate during election campaigns; it lets voters obtain information on candidates and parties and also gives them access to materials containing critical analysis of candidates' performance.

The chosen theme is particularly relevant nowadays when mass media plays the key role in elections campaigns. It is crucial in creating public images of the candidates and it can make or break the candidate's political career. The outcome of elections depends on the media technologies used over the course of a campaign. Electoral legislation of the Russian Federation gives quite a detailed guideline for regulating the activity of mass media during an election campaign. Meanwhile, compliance of the electoral legislation with the international electoral standards is one of the fundamental criteria for determining if the political regime adheres to the democratic principles.

Television has been the most influential kind of media during the past few decades; lately the internet-resources have become serious rivals of television. That said it is understandable that the discourse on regulating media influence on elections has been reinvigorated.

One of the most pressing issues in this context is the problem of access to media resources (first of all television) for candidates who are in opposition to the present party in power, both on the regional and the federal level.

It is important to mention that the actors involved in electoral process emphatically criticizing current policies of the Russian government (which is quite natural for opposition), face certain obstacles designed by Russian legislation. This

is one of the factors that make the pool of candidates much less diverse than it potentially could be on both the regional and the federal levels.

We should also mention that equal representation of candidates in mass media during election campaigns is one of the key conditions for the elections to be recognized as legitimate.

This aspect is most often emphasized by election observers who represent political parties and candidates, and it is often a major topic in the reports prepared by international election observers.

That said it is crucial to perform researches that will lead to highlighting the most pressing problems related to the role of media platforms in elections and to map out possible directions and options for solving them.

Moreover it is necessary to learn from the experiences of other countries in regulating the involvement of mass media in the election process to apply this experience to solving respective problems in the Russian Federation. We have addressed the relevant cases in the USA, the UK, France and some other states in our research.

The degree of scientific elaboration

Theoretical base of the research is built upon the works of authors who have studied the issues of interaction of independent agents in a social system over the course of arranging and holding elections from the point of view of various disciplines: philosophy of law, theory of state and law, history of state and law, information law, constitution law.

We have carefully studied the works of such researchers as: S.V. Bolshakov, E.I. Kolushin, M.A. Fedotov, N.V. Khachaturov and others.

The problem of determining the status of mass media organizations among other actors of election process has been considered by authors like R.T. Biktagirov, Y.A.Vedeneev, J.A. Dmitriev, V.A. Ershov, V.B. Israelyan, S.D. Knyazev, K.V. Krasnov, N.N. Kovaleva, D.M. Miradzhanyan, D.M. Khudoley.

The issues of election campaigning and informing voters via mass media have been covered by these Russian language authors: S.A. Avakyan, A.S. Avtonomov, M.V. Baglay, I.L. Bachilo, A.A. Bezuglov, S.V. Bolshakov, N.S. Bondar, A.J. Buzin, J.A. Vedeneev, A.A. Veshnyakov, I.V. Vydrin, J.A. Dmitriev, V.A. Ershov, V.P. Zhuravlev, A.V. Ivanchenko, V.B. Israelyan, S.D. Knyazev, A.I. Kovler, Y.I. Kozlova, Y.I. Kolyushin, O.E. Kutafin, B.I. Lysenko, A.E. Postnikov, S.A. Soldatov, L.V. Tumanova, M.A. Fedotov, T.J. Khabrieva, V.Y. Chirkin, I.G. Shablinsky, B.S. Ebzeev and others.

The issues of legal status of mass media outlets have been covered by such foreign authors as John Keane, James Clapper, Benjamin Cohen, Paul Lazarsfeld, Walter Lippmann and others.

A number of postgraduate research studies have been written on the role of mass media in election process. We can name such works as: *Constitutional And Legal Bases For The Participation Of The Mass Media In The Electoral Process In The Russian Federation* by M.A. Andrianova (Moscow, 2013); *Constitutional And Legal Bases For The Distinction Between Election Campaigning And Informing Electorate In The Elections In The Russian Federation* by J.S. Belous (Saint Petersburg, 2009); *Legal Regulation Of The Involvement Of Mass Media In The Election Process* by S.V. Bolshakova (Moscow, 2002); *Information Support Of The Elections – The Institute Of Electoral Legislation Of The Russian Federation* by T.V. Nechiporenko (Moscow, 2010); *Information Support Of Elections As A Guarantee Of Implementation Of The Electoral Rights Of Citizens In The Russian Federation* by A.P. Ukhanov (Petrozavodsk, 2015); *The Right For Electoral Campaigning. Legal Regulation And Characteristics Of Its Implementation* by N.V. Khachaturov (Rostov-on-Don, 2004); *Constitutional And Legal Regulation Of Electoral Campaigning In The Regions Of The Southern Federal District Of The Russian Federation* by P.S. Chudov (Stavropol, 2005); *Legal Status Of A Mass Media Outlet As An Information Agent Of Electoral Legal Relations* by G.S. Shaikhullin (Volgograd, 2003).

Thus **the theoretical base of the research** has been established upon the works of Russian and foreign authors specializing in philosophy of law, theory of state and law, information law, constitution law: J.S. Belous, R.T. Biktagirov, Y.A. Vedeneev, J.A. Dmitriev, V.A. Ershov, V.B. Israelyan, S.D. Knyazev, K.V. Krasnov, N.N. Kovaleva, E.I. Kolushin, D.M. Miridzhanyan, M.A. Fedotov, D.M. Khudoley and others.

Empirical base of the research is based on Russian and foreign jurisprudence, including judicial orders of the European Court of Human Rights, orders and decisions of the Constitutional Court of the Russian Federation, judgments of the regional constitutional (statutory) courts of the Russian Federation, judgments and decisions of The Supreme Court of the Russian Federation, judgments of courts of the general jurisdiction of the Russian Federation, judgments of arbitration courts on the implementation of legal norms regulating the activity of entities managing mass media outlets in the electoral process. Furthermore we have used statistical and analytical materials, including materials of electoral commissions, publications in the press and data provided on various internet resources, and also analytical information obtained upon contacting electoral complaints panels of a number of countries.

The purpose of the research and particular research tasks.

The overall purpose of the research is theoretical comprehension of models allowing entities managing mass media outlets to participate in information support in the electoral process.

This purpose determines **particular research tasks:**

1. To work out the status of entities managing mass media outlets among other actors involved in electoral process
2. To study the legal status of the representatives of entities managing mass media outlets as actors involved in electoral process according to the legislation of the Russian Federation, including the limits of their competence in the electoral process; to provide classification

3. To compare the concepts of informing the electorate and electoral campaigning
4. To examine the loopholes and weak points of legal regulation of mass media activity during electoral campaigns
5. To consider the legal problem in the field of information law related to the regulation of media access of candidates and political parties during election campaigns and to propose possible solutions
6. To prove the necessity of finding the balance between freedom of media during elections, on the one hand, and responsibility of the media in case of its improper actions, on the other hand
7. To follow up the developments of foreign countries in matters of regulating activity of mass media in the electoral process for possible use of this experience in Russian practice

The object of the research is social relations created as a result of involvement of entities managing mass media outlets in the electoral process.

The scope of the research is the system of legal norms that brings order to the activity of entities managing mass media outlets involved in the electoral process in Russia and in foreign countries.

The claim of **scientific novelty of the research** is backed by the fact that it is the first study to examine social relations created as a result of involvement of entities managing mass media outlets in the electoral process. The submitted work provides classification of entities managing mass media outlets. It gives definitions to the terms informing electorate and electoral campaigning, determines their characteristics and differences between the two terms. The study identifies the problems of legal regulation of media access of candidate and electoral associations during election campaigns and proposes the ways to solve these problems. Models used for regulating the actions of mass media representatives in election campaigns in the developed democracies such as the USA, the UK, France

have been described in the thesis. We have determined their features and suggested the ways in which they could be used in Russia.

The theoretical and practical significance of the research consists in enriching the body of knowledge in the field of legal regulation of mass media in election process which allows improving the practice of electoral procedures.

The practical significance of the research consists in providing results that can be used for enhancing the effectiveness and refining the legislation in the field of information support of elections.

Moreover the conclusions derived from research can be used by mass media specialists, students studying law and other disciplines.

Methodology and methods of research can be briefly described as integrated use of systematic, analytical and descriptive methods of studying state, law, democracy, electoral process. This approach allows analyzing the considered phenomena as an integrated system. We have also used other general scientific methods while working at the thesis: comparison, analysis and synthesis, systemic and structural approaches, moving from abstract to concrete; special methods: statistical, sociological; methods developed in the particular disciplines of interest for the research: comparative legal analysis, formal legal approach, technique for developing legal solution, methods of law interpretation.

Main propositions and conclusions to be defended:

1. The most pressing issue in the field of our interest related to mass media (including online resources) is still the problem of relative equality for dissemination of information for actors involved in electoral process, particularly for those criticizing the current political party in power.

The conducted study has led us to conclude that there are unjustified limitations for free access to radio and TV broadcasts for parties and candidates who didn't get enough voters' support in the previous elections. In our view such limitations are

damaging as they prevent the public from being exposed to a richer, diverse range of opinions.

2. We attempt to prove that it is necessary to add to the legislation a definition of the term “informing voters” to facilitate the courts making judgments when there is uncertainty among the electoral actors about informing voters and election campaigning. The author proposes this definition: informing (informing voters) - is the activity performed by authorized institutes (including entities managing mass media outlets) during election campaigns which includes bringing to voters’ attention the details of upcoming elections, the procedure, the date, the place, the manner in which the votes will be counted and the order for the results to be made public, familiarizing voters with the rights, duties and guarantees for the rights of the actors involved in electoral process and other information of the kind.

3. We suggest that certain principles should be followed when informing voters: objectivity, credibility, equality of rights of candidates and electoral associations, freedom of press and broadcasting organizations. This will allow to distinguish between informing voters and election campaigning.

4. Public supervision of the electoral process can be performed via public organizations, in particular the Public Board for Press Complaints, as an independent public mediator for resolving information disputes during election campaigns. The activity of the Court of Appeal of the President of the Russian Federation for information disputes (1994-2000) during several election campaigns allows us to believe that such organizations can function with efficiency and objectivity.

5. When we evaluate the role of mass media in election campaigns in the USA, the UK and France, we should acknowledge that while this role is very important, it still isn’t the dominating force in forming the views of voters. There is a more complex set of factors at play. Election campaigns in the USA and in the UK show examples of candidates who got overwhelmingly bad press but nevertheless achieved success with voters after all. That said the legislation of

these countries has never intended to strictly regulate mass media and forbid journalists to openly support or speak against certain candidates and parties.

The varying influence that mass media (especially television) has on the audience in different countries can be explained by differences in political cultures. In some cases we observe traditional preferences (with a considerable segment of voters supporting the same party or the same candidate over the course of decades despite anything said about the candidate or the party in the media), in other cases we face a political culture where voters are subjects (when a significant part of the electorate unconditionally supports the party in power).

We believe it would be in the best interests of Russia if public and private media sources (independent from the state) played a more significant role in the life of society and if media outlets presented a more diverse range of political views. These issues should certainly be analyzed in further legal researches.

6. We view negatively the recent tendency of certain candidates and party representatives to refuse to participate in debates and we would like to draw attention to this problem. As we see from the practice of various democratic regimes, holding debates is one of the key processes to maintain competition in political life. The trend for candidates to send to debates their representative as a replacement is also unhelpful for the democratic process, as this creates a mere imitation of debates. We believe it is reasonable to make participation in pre-election events such as debates mandatory for all the candidates and to introduce penalties for violating this norm.

7. The current Russian legislation contains a number of norms that make it difficult to have a productive political discussion during an election campaign. We object to the content of Part 5.2 of Chapter 56 of the Federal Law “On Fundamental Guarantees...” that bans election campaign materials criticising political opponents. We believe that this norm deliberately shrinks political competition and creates impediments for publishing critical materials that could be important for solving acute problems.

Besides the legislation contradicts itself since a call to vote for a certain candidate is in itself an appeal not to vote for other candidates. We recommend to exclude this norm from the legislation.

8. We believe that productive political competition during an election campaign should also include familiarizing the electorate with preferences of high-ranking state officials including their opinions on parties and candidates. Thus we think it is unfair and unreasonable to keep the ban on election campaigning for persons holding state or municipal positions in Subparagraph B of Chapter 48 of the Federal Law “On Fundamental Guarantees...” In our opinion this norm is a violation of the principle of competitiveness of the electoral process. It turns out that a civil servant who has achieved success in social and economic development of a certain region (municipality) has no right to appeal to voters presenting the results of the work done should he or she aim to take a position of an elected official.

This limitation was designed in lieu of total domination of state-controlled mass media in political coverage and their unequivocal support of the candidates from government service. This provision has not changed the problem in any way. Also it is an unfair restriction of rights of a certain category of candidates. We haven't found similar norms within legal framework of any other country.

We can also state clearly that this norm has not been implemented, it is not applied in real political life.

9. We consider as wrong the norm introduced by Chapter 16.1 of “The Mass Media Act” which allows suspension of a mass media outlet during election campaign. This norm is ineffective and cannot be applied in practice (we have only found one case when it was actually used), although in theory it could be used to restrict media activity.

We propose to exclude this norm from “The Mass Media Act”. However we suggest that a provision should be added to Chapter 5.5 of the Code of Administrative Offences of the Russian Federation that imposes administrative

penalty for a repeated violation of the order of electoral process by an editorial board (increasing the fine by ten times).

The author of the submitted thesis has published the following articles containing preliminary research findings, which can be seen as approbation of results derived from the study: The Problems of Legal Regulation of Media Access for Candidates and Electoral Associations During Election Campaigns: Legal Aspect of Information Management//All-Russian Scientific Research Journal “Issues in Jurisprudence”. Issue 36. 2016. No.2. Pp. 35-51; In Reference to the Suspension of a Mass Media Publication//Studies on Intellectual Property. Issue 31. 2017. No. 4. Pp. 43-60; The Problems of Legal Distinction Between the Concepts of Informing Electorate and Election Campaigning// Studies on Intellectual Property. Issue 32. 2018. No. 1. Pp. 5-16; Equal Media Access of Candidates and Electoral Associations as a Fundamental Condition for Holding Free Elections//Collection of Academic Publications “Integration of the Global Scientific Processes as the Basis for Social Progress”.

The research has been completed in the Scientific and methodological unit “The UNESCO Department on authors` rights and intellectual property” under the supervision the Higher School of Economics.

The structure of the thesis is predetermined by its subject, purpose and tasks. The thesis consists of an introduction (the general characteristic of the work), three chapters with 9 paragraphs, conclusion and references.

BRIEF SUMMARY OF THE RESEARCH

The Introduction discloses such aspects of the research as its relevance theoretical and empirical base, the overall purpose of the research and particular research tasks, the object and the scope of the research, introduces the novelty of

the thesis, its practical and theoretical significance, methodology, states the main propositions and conclusions to be defended, gives evidence of approbation of the thesis results and presents the thesis structure.

Chapter 1. “Mass Media as Part of the Electoral System of the Russian Federation” of the thesis consists of two paragraphs that aim to define the position of entities managing mass media outlets in the system of actors involved in electoral process.

The first paragraph of the first chapter **“The place of entities managing mass media outlets in the system of actors involved in electoral process: Russian researchers on the theoretical aspect of the problem”** examines the term **“actor involved in electoral process (electoral law)”**, considers the views of various authors on the issue of defining the position of entities managing mass media outlets in the system of actors involved in electoral process.

The way this issue is handled determines the limitations and possibilities open to the editorial boards when covering elections, which explains its significance.

We have listed several classifications of actors involved in electoral process (including classifications proposed by R.T. Biktagirov, V.A. Ershov, D.M. Khudoley, D.M. Miradzhanyan, K.V. Krasnov and others).

Analysis of these classifications has let us make a conclusion that virtually all of the above authors recognize mass media as an actor involved in electoral process. It is only its place in the system that varies depending on the classification. Some authors view mass media as one of the primary, crucial elements of electoral process, others classify it as a secondary element of electoral process.

The author of this thesis views mass media as a key instrument for informing electorate about political rivals. The influence of mass media on the behavior of electorate is most clearly demonstrated during election campaigns.

The conclusion made in the first paragraph is that entities managing mass media outlets should be distinguished as independent actors of electoral process. The author also thinks it is correct to classify the media as a primary actor of the electoral process, since it is the link that connects electorate and candidates. Moreover the media is one of the key tools used to inform voters about policies of competing political forces.

In today's Russia public communication technologies have become the key resource for managing social and political processes in the country and thus forming electoral relations regulated by information law legislation.

The second paragraph of the first chapter "**Classification of entities managing mass media outlets**" provides categorization of the types of media in order to evaluate the role of mass media in the electoral process as accurately as possible.

The study presents classifications based on the type of owner and the legal status of entity upon registration, standard government classifications and classification developed by the author by one's own methodology.

It was concluded that entities managing media outlets inform voters in the context of electoral process and also provide services to the registered candidates and political parties required for election campaigning. The provided classifications are not exhaustive but allow to make a distinction between different types of media, to create categories, to find common patterns and also to identify grey zones about their legal situation .

The media used for informing voters in electoral process are either registered entities that can offer their services to registered candidates and electoral associations or other communication agencies not forbidden by law.

Internet media resources can also be seen as one of the main pillars of social and political development of modern society. Taking into account the stable growth of amount of regular internet users in Russia and expansion online advertising market, we can safely say that independent online media will be

increasing its influence on Russian elections.

Chapter 2 **“Involvement of entities managing mass media outlets in electoral process”** contains of three paragraphs.

The first paragraph of the second chapter **“Distinction between the concepts of informing electorate and election campaigning”** we show the difference between the two processes, pay attention to the absence of formal legal definition for the term “informing voters” in the Russian legislation, analyze the related court cases.

We have paid particular attention in our research to the Judgment of the Constitutional Court of the Russian Federation of 30/10/2018 No. 15-P in the case concerning the constitutionality review of certain provisions of the Federal Law “On Fundamental Guarantees of Electoral Rights and the Right of Citizens of the Russian Federation to Participate in a Referendum” in connection with a request of a group of deputies of the State Duma of the Russian Federation and complaints of S. A. Buntman, K. A. Katanyan, and K. S. Rozhkov.¹

As a result we have singled out the criteria to distinguish between election campaigning and informing electorate.

On the basis of our analysis of the respective court cases we can draw a conclusion that the judgments of the Supreme Court concerning classification of media publications as materials used for informational support or for election campaigning are in line with the ruling of the Constitutional Court disclosed in the Judgment of 30/10/2018 No. 15-P. According to this ruling the main distinction between the two types of publications is the presence of a specific aim to encourage voters to vote for or against a candidate.

Without doubt this ruling of the Constitutional Court has changed the state of affairs that existed before 2003 when virtually all of the informational support by the media was treated as election campaigning and that led to administrative

¹Judgment in the case concerning the constitutionality review of certain provisions of the Federal Law “On Fundamental Guarantees of Electoral Rights and the Right of Citizens of the Russian Federation to Participate in a Referendum” in connection with a request of a group of deputies of the State Duma of the Russian Federation and complaints of S. A. Buntman, K. A. Katanyan, and K. S. Rozhkov // Legislation of the Russian Federation. 2003. No. 44. P. 4358.

penalties being imposed on representatives of publishing and broadcasting organizations.

However we believe that the problem solved by the ruling of the Constitutional Court was succeeded by a new problem. It turned out that it has become next to impossible to classify media publications as election campaigning. The difficulty lies in proving there is a specific aim to encourage voters to vote for or against a candidate, which is the main distinction.

Considering all of the above we have suggested that it is necessary to amend the Federal Law “On Fundamental Guarantees...” by adding a legal definition of the term “informing voters”.

It has been proposed to add to Chapter 2 of the Federal Law on fundamental guarantees the following definition:

“Informing (informing voters) - is the activity performed by authorized institutes (including entities managing mass media outlets) during election campaigns which includes bringing to voters’ attention to the details of the upcoming elections, the procedure, the date, the place, the manner in which the votes will be counted and the results will be made public, familiarizing voters with the rights, duties and guarantees for the rights of the actors involved in electoral process and other information of the kind.

We suggest that certain principles should be followed when informing voters: objectivity, credibility, equality of rights of candidates and electoral associations, freedom of press and broadcasting organizations.

Furthermore in order to maintain public control over elections and to ensure compliance of election campaigning with the rules we propose to create a Public Council at the Central Electoral Commission of the Russian Federation.

The second paragraph of the second chapter **“Problems of legal regulation of media access for candidates and electoral associations”** analyzes the norms regulating the order of providing equal opportunities to candidates when covering

election campaigns in mass media (including state-owned publishers and broadcasters).

The paragraph pays particular attention to the decision of the European Court of Human Rights in the case “The Communist Party of Russia and Others v. Russia” of 19/06/2012 and numerous legal disputes brought in Russian Courts.

As a conclusion we recommend to exclude from the legislation the norms that prevent giving free airtime and print space to candidates and parties that didn’t reach the threshold at the previous elections (didn’t receive the minimum share of votes required by current legislation). We propose to change these norms in accordance with one of the approaches adopted by the Venice Commission of the Council of Europe: either strict equality or proportional equality.

The author would like to comment favorably on the practice of holding TV debates as part of election campaigns. But due to frequent refusals of candidates to participate, it has been proposed to introduce a legal norm that would bind them to take part in debates that including answering questions from the public received via telephone calls and sms. It would also be reasonable to impose administrative penalties on the candidates who opt-out of debates.

The third paragraph of the second chapter “**Responsibility of mass media for violations of the electoral legislation**” discloses the types of penalties that may be imposed on mass media outlets for violating electoral law.

We have analyzed Chapter 16.1 of “The Mass Media Act” and also a number of legal norms under the Code of Administrative Offences imposing responsibilities for non-compliance with the rules of informational support of elections, for inappropriate timing of election campaigning and so on.

This paragraph also pays a lot of attention to the practice of court disputes resolution.

We have come to view Chapter 16.1 of “The Mass Media Act” as ineffective in lieu of practically complete absence of precedents of suspension of activity of a mass media outlet over violations in pre-election campaigning. We suggest that the chapter should be excluded from the text of Act.

The third chapter “**Models of Regulating Activity of Mass Media Representatives in Developed Democracies**” is devoted to analysis of foreign practice of electoral informational support regulation.

The first paragraph of the third chapter “**Legal Regulation of Election Campaigns Coverage in the USA**” presents a general picture of the system of election campaigning legal norms and requirements for mass media, shows how these norms were (or were not) implemented in the last presidential campaign in 2016.

We outline the main legal norms regulating the coverage of election campaigns in the USA, particularly on fixed tariffs for election campaigning materials to be printed in the press; on the mandatory recorded announcement of a candidate endorsing of a broadcasted promotional material in his or her support; on equal media access; on the order of debates.

We have found that historically there has been an equilibrium between information services supporting two main political forces in the USA: Democratic Party and Republican Party.

Each party has about the same amount of support in the media, although the power balance depends on the state. The balance is not regulated by legislation, it is a result of natural processes. But still some responsibilities are imposed on mass media by law. TV broadcasters face the most strict regulations on equal access for candidates. Alongside with state imposed rules, journalists also have to stick to the internal code of ethics requiring impartiality and objectivity.

The mentioned equilibrium (approximate equality of media support for candidates and parties) may at times be destabilized, and as practice shows the bias

against one of the candidates can be quite obvious. There are no legislative mechanisms that could help fix skewed coverage. If the media takes a dislike to one of the candidates (for instance Arnold Schwarzenegger in California governor elections in 2003, Donald Trump in presidential elections in 2016), there are no legal tools that could be used to tackle the massive propaganda against such candidate.

Overwhelming support of one of the candidates by mainstream media doesn't always guarantee him or her success in the elections. In this case rigged coverage can be compensated by American political culture which favors traditional ideological constructs over media arguments.

The second paragraph of the third chapter **“Regulation of Activity of Mass Media Representatives in Electoral Process in the UK”** gives a general picture of regulating the mass media activity in the UK and also describes the norms regulating the conduct of BBC, which has the status of a public broadcaster.

We have concluded that unlike in the USA and other countries with mostly privately owned media (TV and radio companies, newspapers and magazines) a very significant role in the political life of the UK is played by a public broadcaster - BBC. That's why we should pay close attention to the documents that regulate the conduct of BBC employees.

The main goal of the BBC code of conduct is to ensure editorial objectivity and impartiality when covering election campaigns. These corporate guidelines should actually guarantee equality of opportunities for candidates and parties.

This code of ethics supposed to guarantee certain neutrality on the part of BBC journalists may at times turn out to be ineffective in practice. In such cases observers (including lawyers hired by UK political parties) report political bias in BBC programs. At times such instances make BBC the subject of considerable controversy. However this imbalance doesn't have a decisive influence on voters'

preferences since, like the USA, the UK has old political traditions and deep roots of party institutes.

The third paragraph of the third chapter “Coverage of election campaigns in France” considers legal regulation within electoral system of the French Republic.

We have concluded that in France implementation of legislative norms is controlled by a complex administrative mechanism. It includes the State Council, the National Commission for Campaign Accounts (and a network of local commissions), the Council for Radio and Television Broadcasting.

There are also administrative and criminal courts that review the cases on mass media conduct in accordance with their jurisdiction.

Thus the French state takes upon itself serious responsibilities to provide equal opportunities for candidates and parties.

Unlike the legislation of the USA and the UK the French electoral code of 1956 contains a large number of norms intended to exclude the possibility for domination of a particular political force in press, television or radio. If such domination becomes apparent, administrative mechanism reacts: the state organ outlined above register incoming complaints and make decisions on them or send the cases to courts.

The most serious violations of the norms that aim to guarantee equality in the media may lead to the elections results being cancelled. Such cases are not so rare in France. It makes the candidates and representative of political parties pay close attention to implementation of the legal norms.

In the fourth paragraph of the third chapter **“On regulating election campaigning in mass media in a number of other countries”** we have briefly described some aspects of regulatory control of mass media during election campaigns in a number of other democracies with different electoral systems and

different political traditions. These are such countries as Spain, Germany, Canada, Ireland, New Zealand, Switzerland.

The Conclusion of the thesis outlines the findings of the research.

Main propositions of the thesis have been printed in publications recommended by the Higher Attestation Commission at the Ministry of Education and Science of the Russian Federation:

F.A. Tsomartova (F.A. Khutieva) The Problems of Legal Regulation of Media Access for Candidates and Electoral Associations During Election Campaigns: Legal Aspect of Information Management//All-Russian Scientific Research Journal “Issues in Jurisprudence”. Issue 36. 2016. No.2. Pp. 35-51;

F.A. Tsomartova. In Reference to the Suspension of a Mass Media Publication//Studies on Intellectual Property. Issue 31. 2017. No. 4. Pp. 43-60;

F.A. Tsomartova. The Problems of Legal Distinction Between the Concepts of Informing Electorate and Election Campaigning// Studies on Intellectual Property. Issue 26. 2016. No. 3. Pp. 5-16