

Press Release

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Media: Council of Europe reaffirms the fundamental right to freedom of expression and information

Strasbourg, 12.02.2004 – The Committee of Ministers of the Council of Europe today adopted a Declaration on freedom of political debate in the media. By means of this document, the Committee takes a stand against restrictions imposed on the expression of opinions or on the spread of information concerning political representatives or civil servants.

The text, which is based on Article 10 of the European Convention on Human Rights and the jurisprudence of the Strasbourg Court, reaffirms the right of the media to disseminate negative information and critical opinions concerning political figures and institutions – the state, the government or any other branch of the executive, the legislature or the judiciary – as well as civil servants.

It states that the humorous and satirical genre allows an even wider degree of exaggeration and provocation, as long as the public is not misled about the facts.

Whilst recalling Article 8 of the European Convention on Human Rights, on the right to respect for private life, the declaration stipulates that information on the private lives of politicians and civil servants may be disseminated where it is of direct public concern to the manner in which they carry out, or have carried out their functions.

Political figures and civil servants should not enjoy a greater level of protection of their reputation and other rights than individuals, in the case of their rights being violated by the media. Any sanctions imposed on the media should be proportional to the violation in question, and the application of prison sentences should be limited to extreme cases.

Finally, the Declaration emphasises that freedom of political debate does not include freedom to express racist opinions or those inciting hatred, xenophobia, anti-Semitism or any other form of intolerance.

The full text of the Declaration can be found at <http://www.coe.int>

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