

[GR] Decision No. 5/2025 of the National Council of Radio and Television (NCRT) on the protection of personality rights of a public figure

IRIS 2025-5:1/1

Elisabeth Anastasiadou

The wiretapping scandal, also known as “Predatorgate”, or the “Greek Watergate”, concerns the surveillance of Greek journalists, politicians, military personnel, businessmen, judicial and state officials, etc. by the National Intelligence Service (NIS) or by means of the spy software Predator, from 2020 onwards. In the meantime, from 2019, the NIS was under the direct supervision and responsibility of the nephew and general secretary of the Greek Prime Minister, who is also the complainant in the recent National Council for Radio and Television (NCRT) decision, mentioned in this article. In May 2023, the European Parliament adopted the final report of the Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware (PEGA), which concluded that the spyware was used by Greece's top political leadership and called on Greece to take ten measures, including calling on Europol to participate in the investigation of the case.

Decision No. 5/2025 of the NCRT is part of this case of major public interest, concerning this recent wiretapping scandal in Greece. The NCRT found that a private television station (Alter Ego Media, owner of the TV channel "Mega") had violated broadcasting legislation by failing to protect the personality rights of a public figure mentioned in specific broadcasts. As a result, the NCRT imposed a fine of EUR 90 000 on the television station.

The main argument put forward in the NCRT's decision was that the television station's journalists did not verify the accuracy of the information transmitted, resulting in reputational harm. In particular, Decision No. 5/2025 of the NCRT emphasises that journalists must conduct exhaustive research in order to substantiate the truth of the information presented, even when it is based on reliable sources (newspaper publications and news websites) and even when journalists maintain a professional distance from the subject of their reporting. A minority opinion was also expressed in this decision, according to which, in cases where television journalists simply retransmit information based on newspaper articles, they must act in good faith when presenting the news.

The majority opinion of Decision No. 5/2025 of the NCRT, however, diverges from Decision No. 2833/2024 of the Athens High Court of First Instance, concerning the same issue. The court had previously held that journalists are to meet their

obligation to truthfulness by exercising appropriate care and honesty in reporting, but are not required to prove the objective truth of every fact. The court also stressed that context, public interest, and the journalist's intention must be considered, and that a certain degree of provocation or exaggeration may be justified in news reporting.

This regulatory decision thus sets a higher standard for journalistic verification.

ΑΠΟΦΑΣΗ 5//2025

<http://repository-esr.ekt.gr/esr/bitstream/20.500.12039/18915/1/5-2025.pdf>

