[CH] Legal Assessment of a Serial

IRIS 1999-1:1/9

Pierre Rieder
Bern

Between 5 and 9 January 1998, the Swiss television DRS showed a serial of several contributions about Tibet, each 6 to 8 minutes long, in the context of the programme "10 to 10". The coverage focused on a religious conflict between Tibetans in exile. The complainant criticised every single sequel of the "10 to 10" programme as well as the coverage as a whole and castigated it as a violation of the information principles (art. 4 RTVG).

The complaint provided the Independent Appeals Committee (Unabhängige Beschwerdeinstanz für Radio und Fernsehen - UBI) for the first time with an opportunity to state its view on the question of how to assess the legal programming aspects of a serial. In that context, the UBI expressed the following opinion: "The legal programming aspects of a serial cannot be unambiguously assigned to a single programme nor to a series of programmes related to each other with regard to their contents as intended by the complaint (...) The particular programming format of a serial has also to be taken into account for the legal assessment within the context of the information principles (art. 4 RTVG). With regard to any particular sequel of a serial, the basic requirements related to the obligation of objectivity cannot be as high in principle as for a single programme or a series of programmes within the period of complaint. Furthermore, the corresponding knowledge of the audience has to be taken into account as well (...). However, this implies that the broadcaster observes the obligation of transparency which is particularly relevant in the context of the obligation of objectivity. In every sequel, it has to be clear to the audience that the programme is part of a serial and which opinions are just being reflected. Appropriate notifications have to be placed at least at the beginning and at the end of every contribution. Summaries at the beginning of each sequel serve to inform the audience about the previously shown contributions. The format and structure of the serial needs to be clear and obvious." In the present case, the contributions within the "10 to 10" programme complained about only partially met the above mentioned legal programming requirements for a serial. The audience was not informed as to the format of the serial. Even after having viewed all five contributions, a structure of the whole could hardly be detected. In effect, the UBI came to the conclusion that the first three contributions of the serial constituted a violation of the obligation of objectivity due to their biased coverage.

© European Audiovisual Observatory (Council of Europe) 2026

Entscheid der Unabhängigen Beschwerdeinstanz für Radio und Fernsehen vom 14. August 1998 (b.366).

Decision of the Independent Appeals Committee for Radio and Television given 14 August 1998 (b.366).

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026