# [BE] Prohibition on Broadcasting Election Debate Ignored

**IRIS 2000-10:1/4**

*Dirk Voorhoof*
*Human Rights Centre, Ghent University and Legal Human Academy*

A few days before the local elections of 8 October, the website of the public broadcasting organisation VRT announced a special programme on the election campaign in Louvain. It was announced that in a programme of 4 October two candidates for mayor, Mr. Tobback (former Minister of Internal Affairs, and mayor of Louvain at the time of the campaign) and Mr. Daems (Minister responsible for Telecommunications and leader of the biggest opposition party in Louvain) would participate in a debate. Mr. Devlies, who considered himself also a candidate for mayor, requested in a summary proceeding on 4 October an injunction against the VRT not to schedule this debate, unless the participation of Mr. Devlies was guaranteed. Few hours later, the president of the Court granted the unilateral request and ordered the VRT not to broadcast the scheduled debate. The president of the Court was of the opinion that the VRT was not acting with sufficient objectivity in not inviting the leader of the second largest political party of Louvain. The absence of this candidate in the television debate of that evening might give the electorate the impression that Devlies was not a candidate for mayor. In order to protect the interests of Mr. Devlies, the VRT was ordered not to broadcast the television debate, on threat of a fine of BEF half a million. The VRT nevertheless decided not to change the format of the programme and that same evening broadcast the election debate with only Mr. Tobback and Mr. Daems. The decision of the Brussels judge as well as VRT's refusal to obey the judgment were sharply criticised in the press and in legal commentaries. According to the VRT the decision of the judge was to be considered as a kind of censorship in breach of the constitutional guarantees regarding to the freedom of expression.

-

*President of the Court of first instance (ex parte request), Brussels 4 October 2000. See Juristenkrant 24 October 2000, 2-3*

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026