[AT] Carinthian Governor Labelled a “Dangerous Political Rogue”

IRIS 2001-3:1/4

Torsten Vagt
Institute of European Media Law (EMR), Saarbrücken/Brussels

On 11 January 2001, the criminal chamber of the Landgericht Wien (Vienna District Court) decided that Germany's second TV channel, ZDF, should be allowed to continue referring to the former President of the FPÖ (Austrian Freedom Party) and current Governor of Carinthia as a "dangerous political rogue".

The disputed remark was made by the presenter of a programme broadcast by ZDF on 12 October 1999, which included a report on the Austrian politician. After losing the initial proceedings, ZDF appealed, whereupon the quashed the libel verdict "essentially on grounds of law" and referred the case back to the court of first instance. The Appeal Court based its decision on the belief that the court of first instance had failed to give sufficiently clear consideration to the right to express an opinion.

The Court has now decided that the presenter's remarks constituted "extremely crude, maybe excessive" but nonetheless "admissible political criticism". The phrase "political rogue" referred to the Governor's general manner as a politician, so he was not actually being described as a criminal. ZDF supported its assessment of the politician by arguing that, on many past occasions, he had made public assertions which had subsequently proven to be false.

The ruling is not yet final. The politician has appealed because he still feels that his dignity was breached by the presenter's comments.

Landesgericht für Strafsachen Wien, Medienverfahren 9 A E Hv 5661/99

Criminal Chamber of the Vienna District Court, Medienverfahren 9 A E Hv 5661/99

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026