Standing Committee on Transfrontier Television: Statement on Human Dignity and the Fundamental Rights of Others

IRIS 2002-9:1/6

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The Standing Committee on Transfrontier Television of the Council of Europe has issued a Statement which focuses on the need for television programmes to uphold human dignity and the fundamental rights of others. The Statement was drafted in response to the emergence

- in an increasingly competitive market - of certain television formats and ideas which "can infringe upon human integrity and dignity and expose the participants in these programmes to a complete loss of their private life, as well as to gratuitous physical or psychological suffering".

The concerns and objectives of the Statement can readily be traced to the European Convention on Human Rights, the very ethos of which is about safeguarding human dignity and fundamental rights, and the European Convention on Transfrontier Television, Article 7 of which requires broadcasters, inter alia, to refrain from broadcasting programme items which are indecent or which contain pornographic material; which give undue prominence to violence or which are likely to incite racial hatred.

The Statement is cognisant of the duties and responsibilities of regulatory authorities and broadcasters visà-vis programme formats that run the risk of adversely affecting human dignity. To this end, the Standing Committee urges regulatory authorities and broadcasters: "- to co-operate and discuss among themselves on a regular basis on the question of television programmes which might contravene human integrity or dignity, with a view to seeking consensual co-regulatory or selfregulatory solutions - as far as possible - as regards such programmes;

- to avoid contractual arrangements between broadcasters and participants whereby the latter relinquish substantially their right to privacy, since this may represent an infringement of human dignity. Contractual arrangements should be designed to protect the most vulnerable parties, namely the participants who may be tempted to waive their rights in the pursuit of popularity and money."

Statement (2002)1 on Human Dignity and the Fundamental Rights of Others, Standing Committee on Transfrontier Television of the Council of

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Europe, 12-13 September 2002

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