[HU] Decision concerning Discrimination and Insult on Religious Grounds

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On 21 January 2004, the Országos Rádió és Televízió Testület (National Radio and Television Commission of Hungary ORTT) stated that radio "Tilos" a non-profit broadcaster operating in the area of Budapest has violated the provisions of the Broadcasting Act (Act No I of 1996 on Radio and Television Services) protecting groups of individuals against discrimination and insults on religious grounds. In addition to issuing the statement the ORTT also imposed a set of sanctions in the decision, consisting of the suspension of the broadcasts for 30 days, the exclusion of the radio from the financial support available from the Broadcasting Fund for six months and of the delivery of a written the so called "last" warning.

The legal action was a reaction to an incident that happened in a radio programme on Christmas Eve. In this live programme one of the presenters said that he "would exterminate all Christians". The sentence was preceded by other blasphemous and vulgar statements concerning Christians and Christianity. It should be noted that radio "Tilos" is mainly known for its liberal policy governing programme producing. Following the incident the radio announced that it regretted what had happened, and immediately dismissed the contributor who made the quoted statement.

The case has sparked widespread protests against the broadcaster, and also triggered debates on limits of freedom of expression among media professionals. Concerning the decision of the ORTT, the broadcaster announced that despite the radio being aware of the legal consequences of the case it regarded the sanctions disproportionate. The radio therefore brought an appeal to the court against the decision.

The police also began an inquiry into the case in order to determine whether the statement constitutes incitement to hatred an offence under the Hungarian Penal Code. However, following a recent official statement of the competent prosecutor's office, it is expected that this proceeding will cease.

Az ORTT 52/2004. számú határozata

Decision No. 52/2004. of the ORTT

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