[AT] Minister Awarded Maximum Damages for Breach of Privacy

IRIS 2006-8:1/12

Robert Rittler
Gassauer-Fleissner Attorneys at Law, Vienna

In early May 2006, the German daily newspaper Bild published an intimate photograph showing the Austrian Finance Minister Karl-Heinz Grasser and his wife Fiona Swarovski-Grasser on their private terrace on Capri. The photograph was partly distorted. Mrs Swarovski-Grasser is a member of the Swarovski family, which owns the jewellery company of the same name. The picture carried the headline "Crystal heiress seeks Finance Minister's crown jewels" and the accompanying article was highly suggestive.

The Finance Minister and his wife complained that their privacy had been breached. The *Landesgericht für Strafsachen Wien* (Vienna district criminal court) awarded the couple the maximum legal damages allowable under Art. 7.1 of the *Mediengesetz* (Media Act), ie EUR 20,000 each. The judge verbally explained the ruling, referring to the "unprecedented indiscretion" which served "only to satisfy people's curiosity". The readers had "no right at all" to be informed about such matters.

The ruling does not yet have the force of law.

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026