[CH] No distortion in report on textile manufacturer

IRIS 1996-3:1/15

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The Federal Court recently rejected an administrative appeal by a textile manufacturer and 24 other applicants against a decision by the Independent Complaints Authority for Radio and Television. The items complained of were shown in the news review programmes, Schweiz aktuell, Tagesschau and 10 vor 10 , on Swiss Television (DRS) in 1994. They were concerned with a labour dispute in the Kollbrunn cotton mill and stated that the plant owner had lost an action against the Weltwoche in the Zurich Commercial Court.

The Federal Court considered that these items sometimes had unnecessarily contemptuous and caustic undertones, and that the treatment could on occasion have been different and indeed better. None the less, although some of the coverage was very critical, the transparency required by law was still present, and viewers could distinguish facts from opinions. Moreover, the style of the programmes was not manipulative in a way which would stop them from making up their own minds.

The court ruled that the term "lockout", used in the programmes, was not legally correct. However, the report was concerned with a current news item and, as such, evanescent - which meant that in-depth legal examination was scarcely feasible and, from the standpoint of broadcasting law, unnecessary.

Urteil des Bundesgerichts vom 1. Dezember 1995, 2A.224/1995/atm, BGE 121 1a.

Federal Court judgment of 1 December 1995, 2A.224/1995/atm, BGE 121 1a.

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