[GR] Court Imposes Limits on Satirising Economic Measures Taken by the Government

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On 4 May 2010 the Εθνικό Συμβούλιο Ραδιοτηλεόρασης (National Council for Radio and Television - ESR) issued a decision (Nr. 220/4.5.2010) condemning a television channel for the transmission of a show ridiculing the Greek Prime Minister.

According to the decision, “satire is a way of making social criticism that nevertheless cannot extend to the derision and insult of (the Prime Minister)”.

The minority opinion of the President of the ESR was different: the show depicted in a satirical way the pressure applied by the European Union Commissioner on the Prime Minister to undertake a series of painful economic measures. Therefore the TV show was not insulting to the Prime Minister per se and, as a result, no fine should be imposed on the TV channel.

Finally the ESR recommended the depiction of persons in a fair, appropriate and respectful manner. It also threatened to impose fines in the future.

The decision has many similarities to another decision issued by the ESR on 16 March 2010 (Nr. 132/16.3.2010). The regulator then condemned a different TV channel for a satirical TV show which transmitted consecutive clips of a government spokesperson announcing economic measures imposed by the government to stabilise the economy, followed by footage from a pornographic film and vulgar language. The face of the government spokesperson was camouflaged, as were the private parts of the couple in the clip. The face of the woman was not camouflaged. It should be mentioned that this part of the show was transmitted after midnight.

According to the ESR’s decision, television is a public good and TV channels can make use of the medium for the transmission of programmes within the limits set by the Greek Constitution (i.e., taking into account the cultural development of the country and respect for human value). Satire must neither be an excuse for the humiliation of persons nor an excuse for the transmission of pornographic material.

In addition, according to the decision, the fact that this part of the programme was transmitted after midnight was irrelevant because “no regulation provides for

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promiscuity on TV shows after midnight".

The decision concludes that the depiction of the woman in this manner and the broadcasting of sexual acts and vulgar language constitute an infringement of the Greek Constitution and of the media law regulation.

Εθνικό Συμβούλιο Ραδιοτηλεόρασης, Αποφάσεις Αριθμ. 220/4.5.2010 και 132/16.3.2010

http://www.esr.gr/

National Council for Radio and Television, Decisions No. 220/4.5.2010 and 132/16.3.2010

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