[IE] Decision on fairness and impartially rules for television documentaries

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On 26 April 2017, the Broadcasting Authority of Ireland (BAI) delivered a decision on the fairness and impartiality rules applicable to documentaries under the Broadcasting Act 2009, and the BAI Code on Fairness, Objectivity and Impartiality in News and Current Affairs. The decision concerned a documentary broadcast on the RTÉ One television channel in July 2016 entitled “Peacekeepers: The Irish in South Lebanon”. It detailed the experience of the Irish Defence Forces operating in South Lebanon during the 1970s until the present.

A complaint was submitted under section 48(1)(a) of the Broadcasting Act 2009, and the BAI’s Code on Fairness, Objectivity and Impartiality in News and Current Affairs, arguing that the documentary was unfair and biased. In particular, it was claimed that the documentary presented the views of prominent critics of Israel without any balancing voices, failed to mention that the Palestinian Liberation Organisation killed more Irish soldiers than the Israelis, and unfairly implied that Israelis on the Blue Line constituted a major problem for Irish troops.

However, RTÉ argued that the documentary should not be classified as a current affairs programme, subject to the rules on fairness and impartiality. It argued that it was human interest documentary, and very clearly not a historical account of the war in the Middle East or in Lebanon nor a current affairs documentary on the contemporary political or military situation there. RTÉ continued to state that it was a human interest documentary focused on the experience of members of the Irish Defence Forces who have served as peacekeepers in South Lebanon, and on their families. In this context, broadcasters have the editorial independence to choose both the topics and the perspective on those topics.

The BAI's Executive Complaints Forum agreed with RTÉ, and held that the programme was a documentary with a predominate "human interest angle", and not a current affairs documentary. As such, the BAI held that rules on fairness, objectivity, and impartiality were not applicable. The BAI had regard to the fact that given the role of the Irish peacekeepers in a conflict zone, it was natural for the programme makers to provide some historical information so as to provide context for the personal experiences of those featured in the programme and to illustrate the history and role of peacekeepers in South Lebanon. As such, there had been no violation of the Broadcasting Act 2009 nor the BAI Code on Fairness, Objectivity and Impartiality in News and Current Affairs.

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Broadcasting Authority of Ireland, Broadcasting Complaint Decisions, April 2017, p. 37

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