

Communication concerning the decision of the Curia of Hungary  
in civil case n° Pfv.IV.20.546/2013

In a case of greater public interest the final decision rejected the claim of the plaintiff, in which he asked the court to oblige the defendant to issue a press readjustment concerning the false impression given by a television programme that was broadcast by the defendant.

In his petition for judicial review the plaintiff challenged the final decision, arguing that it evaluated the television programme in question in contravention of Article 206, paragraph (1) of the Code of Civil Procedure and that the decision was not in line with the provisions of Act CIV of 2010 on Freedom of the Press and on the Basic Rules Relating to Media Content.

The Curia upheld the final decision. It did not contest that the plaintiff, a public figure, was right in saying that in the case of a television programme the visual representation shall be evaluated together with the text heard when deciding whether the programme includes any untrue statement of fact or gives a false impression of true facts. However, as opposed to what the plaintiff claims, the final decision did evaluate the text and visual representation jointly, and in line with resolution no. 12 of the Civil Department it drew the conclusion based on logical argumentation that there was no basis for the court to call upon the defendant to issue a press readjustment. The defendant provided a conclusion drawn from undisputedly true facts, from the similarity of the review of the plaintiff's thesis and certain points of the thesis of his ex-brother-in-law. Since the programme did not provide any untrue facts and the provision of a false impression can neither be claimed, the defendant did not violate the provisions of Act CIV of 2010.

Budapest, the 18<sup>th</sup> of October 2013

Civil Department of the Curia of Hungary