

Communication concerning the decision of the Curia of Hungary  
in the administrative case n° Kf.III.37.553/2012

In its news program entitled “News“, broadcast on 15 March 2012, commercial television channel TVX made a news report on the 15<sup>th</sup> of March Revolution Day celebrations. In doing so, it reported on the commemorating state ceremony held at Kossuth Square, quoted from the Prime Minister’s speech, mentioned the presence of Polish and Lithuanian sympathy demonstrators at the state ceremony, furthermore, it reported on the demonstrations organised by the anti-government movement One Million People for the Freedom of Press in Hungary, the Politics Can Be Different Party and the Democratic Coalition Party. The report also broadcast footages on various political speeches and quoted phrases from politicians belonging to three different parties.

The above news report contained no reference to the commemorating ceremony held by the Movement for a Better Hungary, a right-wing political party (hereinafter referred to as the plaintiff).

The plaintiff submitted a complaint against the television channel to the defendant, the Media Council of the National Media and Infocommunications Authority. The defendant dismissed the plaintiff’s complaint, as well as its petition to repeal the defendant’s rejecting decision.

In its judgement, the Metropolitan Appellate Court reversed the defendant’s decision. The court argued that the broadcaster, by omitting to report on the plaintiff’s commemorating ceremony, had not fulfilled the requirement to provide balanced information. Hence, the court ordered the broadcaster either to inform – without any further comments – its viewers about the court’s judgement or to let the plaintiff express its standpoint in the news program entitled “News”.

By referring to the correct arguments put forward by the lower court, the Curia of Hungary acting at second instance upheld the decision of the court of first instance. In the reasoning of its judgement, the Curia pointed out that the identity of themes does not mean an identity of news. It falls within the scope of editorial freedom to determine which events may interest the public, however, broadcasters should not arbitrarily filter information and they shall fulfil the requirement to provide multifaceted, factual, objective and balanced information. To provide information in a balanced manner, broadcasters should display all the information and all viewpoints related to the given event.

Budapest, the 17<sup>th</sup> of December 2012

Administrative and Labour Department of the Curia of Hungary