

Strasbourg, 14 August 2019

Mr.
Matjaž GRUDEN
Director, Directorate of Democratic Participation
Council of Europe
Strasbourg
matjaz.gruden@coe.int
cc: Yuliya.KOCHNEVA@coe.int

Re: "Media Alert" on Austria

Dear Director,



With reference your mail dated 29 April 2019 on the "Media Alert entitled "Austrian News Anchor Targeted in Intimidation Campaign", I have the honor to forward herewith the response of the Austrian government:

„In response to the alert on the platform 'Austrian News Anchor Targeted in Intimidation Campaign', the Austrian Federal Government submits the following statement.

"The interview on which the alert is based took place on 23 April 2019 on the Austrian public broadcaster's (ORF) evening news programme ZiB2. The independence of ORF journalists is legally secured and guaranteed in several respects. In addition to the guarantees of Art 10 ECHR, which is of constitutional rank in Austria, there are numerous other legal safeguards for the independence of journalists in ORF. These include the Federal Constitutional Act on Safeguarding the Independence of Broadcasting (BVG-Rundfunk) and the ORF Act.

"§ 4 (6) of the ORF Act states: 'Independence is not only the right of journalistic and programming staff, but also their duty. Independence means independence from state and party influence as well as from other – electronic or print – media or political and business lobbies'. Furthermore, there are numerous internal guidelines and regulations such as the ORF Editors' Statute, the ORF Programme Guidelines and the ORF Code of Conduct, which ensure the independence of journalists from politics, business and lobbying.

“Gernot Blümel, the Media Minister responsible at the time, subsequently made clear in a press release that ‘politics should not interfere in the employment of journalists, regardless of how questions or interviews are assessed’. Safeguarding freedom of the press is of paramount importance to the Federal Government.

“The ORF editorial board has also stated that it is the task of serious journalism to point out grievances and ask politicians critical questions. To threaten them publicly and live on air with ‘consequences’ would be unworthy of a liberal democracy with functioning freedom of the press.”

Moreover, reference is made to the following links:

https://www.ots.at/presseaussendung/OTS_20190424_OTSO196/bluemel-politik-hat-sich-nicht-in-beschaefigungsverhaeltnisse-von-journalisten-einzumischen

https://www.ots.at/presseaussendung/OTS_20190424_OTSO167/orf-redakteursrat-protestiert-gegen-einschuechterungs-versuche”

I remain, sincerely yours,



(Gerhard Jandl)

Ambassador

Permanent Representative