



NEWS REPORT

Date:	01 December 2011
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Title:	ERC (Entidade Reguladora para a Comunicação Social, the Regulatory Authority for the Media) deliberation on RTP broadcasting
Country:	Portugal
<u>Context</u>	
Issue at stake:	TV intervention of a reporter considered as discriminatory by the equality body
Ground of discrimination:	Race/ethnic origin
Source:	Deliberation 26/CONT-TV/2011 ERC of 7 September 2011
Field:	All fields, immigration
Legislative provisions:	Law 53/2005 of 8 November 2005 and the Portuguese Constitution (Article 13).

Content

Circumstances of the case: Subject: Complaint against RTP1 (the Portuguese first channel television), regarding the program "Portugal no Coração" of 22 February 2011.

On May 20 2011, the High Commissioner for Immigration and Intercultural Dialogue (ACIDI) referred to the Regulatory Authority for the Media (ERC-Entidade Reguladora para a Comunicação Social) a complaint against RTP1 alleging racist and discriminatory statements made in the program "Portugal no Coração" of 22 February 2011 .

The origin of the complaint concerned an impression performed by a reporter in Portuguese language with an African" accent outside the TV studios (based in Alentejo) after the RTP show which contained an interview of the singer Pearl , an Angolan citizen. The attitude was strongly condemned by the broadcasting viewer who formally complained against the accent and accused the reporter of being " stigmatizing and racist. "

ERC was required to assess whether his statements contravened the rules governing television broadcasting and the legal provisions forbidding practices grounded on ethnic origin or racial discrimination.

First, it should be noted Article 13 of the CRP (the Portuguese Constitution) states in paragraph 2 that:

"No one can be privileged or favored, or deprived of any right or exempted from any duty on the basis of ancestry, sex, race, language, territory of origin, religion, political or ideological convictions, education, economic situation, social status or sexual orientation."

Deliberation:

Having regard to the participation against RTP, due to an intervention seen as racist and discriminatory, while broadcasting the program "Portugal no Coração" on 22 February 2011;

Whereas the attitude of the Portuguese-accented imitation as an African" followed by laughter, after a performance and interview with a singer of Angolan nationality, is likely to exacerbate racial and discriminatory stereotypes;

- Noting that added precautions are required in the treatment of citizens and subjects of different cultures and ethnicities by the public operator;

- Noting, however, that the intervention of the two reporters inspired or not fueled racist and discriminatory feelings,

The Regulatory Council of the ERC in the exercise of his powers contained in Articles 7, paragraph f), 8, d) and 24, paragraph 3, subparagraph a) of the Statutes of the ERC adopted by Law No. 53/2005 of 8 November, urges the act that RTP addresses in their antennae, with seriousness and respect, to people and themes of different cultures and ethnicities, according to the Portuguese Constitution and the law.

No sanction was imposed.

The decision is binding erga omnes but it may be appealed in administrative courts.



ERC website:

<http://www.erc.pt/download/YToyOntzOjg6ImZpY2hlaXJvIjtzOjM5OiJtZWRpYS9kZWVpc29lcy9vYmpIY3RvX29mZmxpbmUvMTczNS5wZGYiO3>