

News sites 'not liable for offensive reader comment'

February 2 2016



The European Court of Human Rights ruled that websites can't be held liable for "insulting and rude" comments by readers

News websites are not responsible for "insulting and rude" comments by readers, the European Court of Human Rights ruled on Tuesday, after a Hungarian website was sued for messages on its forum.

The case related to the Index.hu news website on which readers posted a

series of angry [comments](#) about a real-estate company.

In response, the real-estate company, which was not named in the ECHR judgement, successfully sued the news portal as well as an association for Hungarian Internet firms in the local courts for allowing the comments to be published.

Index.hu said it had immediately removed the offending comments after they had been flagged, but that it could not be held liable for everything readers posted.

Its lawyers argued that making the news site liable for comments "would have serious adverse repercussions for the freedom of expression and the democratic openness in the age of Internet."

The ECHR agreed, with its judges saying the Hungarian courts had failed to balance the need to prevent abuse with the right to free expression.

"Although offensive and vulgar, the incriminated comments did not constitute clearly unlawful speech; and they certainly did not amount to hate speech or incitement to violence," the judges wrote.

Hungary is regularly criticised by rights groups for its treatment of the media, with Prime Minister Viktor Orbán accused of muzzling the press.

Orbán brought in new media laws and a powerful central regulator in 2011, followed by a new media tax in 2014 that critics said was an attempt to tame the opposition press and push out foreign broadcasters.

© 2016 AFP

Citation: News sites 'not liable for offensive reader comment' (2016, February 2) retrieved 7

May 2024 from <https://phys.org/news/2016-02-news-sites-liable-offensive-reader.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.