



Recommendation 1814 (2007)¹

Towards decriminalisation of defamation

Parliamentary Assembly

1. The Parliamentary Assembly, referring to its [Resolution 1577 \(2007\)](#) entitled “Towards decriminalisation of defamation”, calls on the Committee of Ministers to urge all member states to review their defamation laws and, where necessary, make amendments in order to bring them into line with the case law of the European Court of Human Rights, with a view to removing any risk of abuse or unjustified prosecutions;
2. The Assembly urges the Committee of Ministers to instruct the competent intergovernmental committee, the Steering Committee on the Media and New Communication Services (CDMC) to prepare, following its considerable amount of work on this question and in the light of the Court’s case law, a draft recommendation to member states laying down detailed rules on defamation with a view to eradicating abusive recourse to criminal proceedings.
3. In addition, bearing in mind the considerable work done on hate speech by the Steering Committee for Human Rights (CDDH), particularly its Committee of Experts for the Development of Human Rights (DH-DEV), the Assembly suggests to the Committee of Ministers that it instruct the CDMC and the CDDH to revise its Recommendation N°. R (97) 20 on “hate speech” or to prepare guidelines taking into account new developments on this subject, notably as regards the European Court of Human Rights’ case law.
- 4.

1. Assembly debate on 4 October 2007 (34th Sitting) (see [Doc. 11305](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Bartumeu Cassany). Text adopted by the Assembly on 4 October 2007 (34th Sitting).

