

# Statutes of the Swiss Press Council

## I. Institution, registered office, composition, secretariat and finances

### **Art. 1 Mission**

<sup>1</sup>The Swiss Press Council serves the public and the media as a complaints body with regard to questions of media ethics. The activities of the Press Council should encourage reflection on fundamental media ethics problems, and thereby instigate discussion about media ethics among the public and editorial teams.

<sup>2</sup>The Swiss Press Council looks into complaints brought to it, or itself responds to questions regarding the professional ethics of journalists. The Press Council defends press freedom and the right to freedom of speech.

<sup>3</sup>Position statements issued by the Swiss Press Council are based on the “Declaration of the Duties and Rights of the Journalist” (including protocols agreed in connection with the extension of membership of the Press Council to publishers and radio/television organizations), related directives issued by the Swiss Press Council, as well as the practice of the Swiss Press Council. The Swiss Press Council can also draw on foreign and international codes of media ethics when issuing such position statements.

### **Art. 2 Authority**

Regardless of the form of distribution, the Swiss Press Council holds authority over the editorial content of public, current affairs-related media and over journalistic content published individually.<sup>1</sup>

<sup>1</sup>Text follows a decision of the Board of Trustees of November 27, 2018, in force since January 1, 2019

### **Art. 3 Registered office**

The registered office of the Swiss Press Council is that of its Secretariat.

### **Art. 4 Composition**

<sup>1</sup>The Swiss Press Council consists of 21 members. Six of these members represent the general public. They are not media professionals. The other members of the Press Council are journalists or are otherwise active in a significant capacity in the journalism sector. Members of the Board of Trustees of the Swiss Press Council Foundation are not eligible.

<sup>2</sup>At least six members of the Swiss Press Council must come from French-speaking Switzerland and at least two

from Italian-speaking Switzerland. Where possible the Romansh language group must also be taken into account. The President and the Vice-Presidents may not all come from the same language region.

<sup>3</sup>Each gender has at least eight seats.

<sup>4</sup>The Swiss Press Council meets in the three seven-person chambers presided over by the President and the two Vice-Presidents. The Presidium (the President, two Vice-Presidents and the Executive Director) determines the composition of the chambers.<sup>1</sup>

<sup>5</sup>The Board of Trustees of the Swiss Press Council Foundation elects the President, Vice-Presidents and members of the Swiss Press Council for a four-year term of office. Re-election for a second and third term is possible. When elected to the Swiss Press Council Presidium for the first time, the limit on the term of office starts from the beginning.

<sup>1</sup>Text follows a decision of the Board of Trustees of December 18, 2020, in force since January 1, 2021

## **Art. 5 Secretariat**

<sup>1</sup>The Secretariat of the Swiss Press Council is headed by an Executive Director.

<sup>2</sup>The Executive Director is appointed by the Board of Trustees of the Swiss Press Council Foundation in consultation with the President of the Press Council.

<sup>3</sup>The duties and rights of the Executive Director are laid down in a contract.

## **Art. 6 Finances**

<sup>1</sup>The expenditure of the Press Council is determined by the budget set for the Swiss Press Council Foundation by the Board of Trustees.

<sup>2</sup>The Executive Director is responsible for the financial accounts.

## **II. Proceedings**

### **Art. 7 Authority to bring complaints**

<sup>1</sup>There is no restriction on who can bring complaints before the Swiss Press Council.

<sup>2</sup>The Swiss Press Council may independently take up topics or cases if a majority of members are in agreement.

### **Art. 8 Initiating proceedings**

<sup>1</sup>Proceedings before the Swiss Press Council are opened by the submission of a complaint or by a decision by the plenary session of the Swiss Press Council.

<sup>2</sup>Complaints to the Press Council must be made with the full address and handwritten signature of the complainant, by conventional or electronic mail.

### **Art. 9 Substantiation**

<sup>1</sup>Complaints must be substantiated.

<sup>2</sup>The grounds for the complaint outline the material facts of the case and state why the media report at issue is in breach of individual provisions of the «Declaration of the Duties and Rights of the Journalist».

<sup>3</sup>Furthermore, it must state whether proceedings under broadcasting law or court proceedings have been initiated in connection with the subject of the complaint, or if such proceedings are planned.

<sup>4</sup>A copy of the media report that is the subject of the complaint is to be provided with the grounds for the complaint.

### **Art. 9a Inadequate and subjective submissions**

<sup>1</sup>Complaints lacking a signature or power of attorney, and submissions that are incomprehensible, inadequately substantiated or excessively long (i.e. more than ten pages) are to be corrected within a given grace period. The submission is otherwise deemed invalid. Submissions from habitual complainants, those that are evidently subjective and those that violate basic decency are also deemed invalid. These will be returned immediately.<sup>1</sup>

<sup>1</sup>Text follows a decision of the Board of Trustees of November 24, 2025, in force since January 1, 2026

### **Art. 10 Receipt of a complaint; instruction**

<sup>1</sup>The Executive Director confirms to the complainant that the complaint has been received.

<sup>2</sup>The Executive Director instructs the complaint proceedings in consultation with the President and/or the Vice-Presidents.<sup>1</sup>

<sup>1</sup>Text follows a decision of the Board of Trustees of December 18, 2020, in force since January 1, 2021

### **Art. 11 Grounds for dismissal**

<sup>1</sup>The Swiss Press Council does not consider complaints if:

- the complaint does not come within its area of responsibility (Art. 2);

- the complaint is clearly unfounded;
- the complaint does not relate to questions of professional ethics;
- the editorial team or journalist concerned has already apologized publicly and/or taken corrective action in a case of minor relevance;<sup>1</sup>
- the disputed media report was published more than twenty days previously, or three months previously if the complainant is personally affected;<sup>2</sup>
- parallel proceedings have been initiated or are planned, particularly before the courts or the Independent Complaints Authority.

<sup>2</sup>If fundamental questions of professional ethics are raised, or the report that is the subject of the complaint has triggered broad public debate, the Swiss Press Council may consider complaints even if proceedings are pending before a court or under broadcasting law, the complainant instigates such proceedings such an appeal during the proceedings of the Press Council, or intends to do so.<sup>1</sup>

<sup>3</sup>Summary grounds are given for decisions not to consider complaints. These are communicated to the complainant. In exceptional cases, the Press Council may explain a dismissal decision in a regular position statement (Art. 17). If a complainant demands detailed grounds, they will be charged an appropriate cost per hour. Such costs are to be paid in advance.

<sup>1</sup>Text follows a decision of the Board of Trustees of November 27, 2018, in force since January 1, 2019

<sup>2</sup>Text follows a decision of the Board of Trustees of November 24, 2025, in force since January 1, 2026

## **Art. 12 Correspondence**

<sup>1</sup>If the complaint is to be considered, the Executive Director requests a response from the editorial team that or journalist who is the subject of the complaint.<sup>1</sup>

<sup>2</sup>After receiving the response to the complaint, the Presidium decides at its own discretion about the future handling of the case. The parties concerned have no right to a second exchange of correspondence.

<sup>3</sup>The Executive Director informs the parties involved as to further steps in the proceedings and the composition of the responsible body (Art. 13).

<sup>1</sup>Text follows a decision of the Board of Trustees of November 27, 2018, in force since January 1, 2019

## **Art. 13 Authority of the Presidium, chambers and plenary session**

<sup>1</sup>The Presidium handles complaints that the Press Council does not consider (Art. 11), those in which the basic principles correspond to cases previously considered by the Press Council, and those that appear to be of secondary importance.<sup>1</sup>

<sup>2</sup>The Presidium refers other claims to one of the three chambers.

<sup>3</sup>If a complaint raises fundamental questions of professional ethics, the Presidium or the chambers may involve the plenary session at any stage of the proceedings.

<sup>1</sup>Text follows a decision of the Board of Trustees of September 8, 2021, in force since October 1, 2021

#### **Art. 14 Challenges**

<sup>1</sup>Substantiated objections to the composition of the responsible body are to be submitted within 10 days of notification according to Art. 12 para. 3.

<sup>2</sup>The Presidium decides on challenges. If the challenge concerns a member of the Presidium, the decision is made by the other three members.<sup>1</sup>

<sup>3</sup>A challenge is to be admitted if the person concerned has a particularly close relationship with one of the parties or with the subject of the complaint that would appear to significantly limit their ability to take an impartial position.

<sup>4</sup>After a decision is taken, the Press Council does not enter into any further correspondence regarding challenges.

<sup>1</sup>Text follows a decision of the Board of Trustees of December 18, 2020, in force since January 1, 2021

#### **Art. 15 Recusal**

<sup>1</sup>Members of the Swiss Press Council must recuse themselves voluntarily if they believe they are unable to take an impartial position with regard to a complaint.

<sup>2</sup>A particular reason for recusal would be if the complaint concerns the editorial team for which the Press Council Member works or has worked in the past three years.

#### **Art. 16 Consultations**

<sup>1</sup>The Presidium's consultations usually take place by means of correspondence.

<sup>2</sup>Consultations in the chambers and in the plenary session take the form of meetings and correspondence.

<sup>3</sup>The Press Council may make the consultations of its chambers public.

#### **Art. 17 Position statements of the Press Council**

<sup>1</sup>The outcome of consultations is set out in a written position statement from the Press Council.

<sup>2</sup>In its position statements, the Press Council may make declarations and issue recommendations. It is not able to issue sanctions. As a rule, a position statement will (partially) uphold or dismiss the complaint. In its statements the Council is free to limit itself to the principal grounds for the complaint. In justified cases the Press Council may give grounds for dismissal decisions in a regular statement.<sup>1</sup>

<sup>3</sup>With the exception of dismissal decisions, Press Council position statements are ultimately adopted by the plenary session by means of correspondence.

<sup>4</sup>If at least two members of the Press Council demand so within ten working days of service, the position statement must be tabled for discussion at the next plenary session. If this ten-day period passes unused the position statement is deemed to have been approved.

<sup>1</sup>Text follows a decision of the Board of Trustees of November 21, 2017, in force since January 1, 2018

#### **Art. 18 Service and publication of position statements**

<sup>1</sup>The Executive Director delivers the position statement to the parties prior to its publication.

<sup>2</sup>Position statements are published on the [www.presserat.ch](http://www.presserat.ch) website.

#### **Art. 19 Final validity of position statements; correction**

<sup>1</sup>The positions statements of the Swiss Press Council are final and valid.

<sup>2</sup>The right subsequently to correct a position statement that is based on provably incorrect facts is reserved.

#### **Art. 20 Cost of proceedings**

<sup>1</sup>The administration fee for private individuals is 100 Swiss francs. This rises to 200 Swiss francs for the second complaint within a calendar year, and to 500 francs for the third complaint within the same period. A fee of 1,000 Swiss francs is charged from the fourth complaint onwards.<sup>2</sup>

<sup>2</sup>Complainants who are represented by a lawyer, as well as organizations, firms and institutions, pay a fee of 1,000 Swiss francs.<sup>1</sup>

<sup>3</sup>Administration and other fees must be paid before complaint proceedings commence and are retained by the Press Council irrespective of the outcome of the proceedings.<sup>2</sup>

<sup>4</sup>Neither costs of proceedings nor the expenses of the parties are awarded.

<sup>1</sup>Text follows a decision of the Board of Trustees of November 21, 2017, that is in force since January 1, 2018

<sup>2</sup>Text follows a decision of the Board of Trustees of November 24, 2025, in force since January 1, 2026

### **III. Reporting and executive regulations**

#### **Art. 21 Annual reporting**

The President of the Swiss Press Council reports annually to the Board of Trustees of the Swiss Press Council Foundation on the Press Council's activities.

#### **Art. 22 Regulations**

The Swiss Press Council may issue the following regulations, in particular, by means of a simple majority:

- a. Directives on the «Declaration of the Duties and Rights of the Journalist»
- b. Business Regulations of the Swiss Press Council.

### **IV. Cooperation**

#### **Art. 23 Cooperation with other institutions**

The Swiss Press Council cooperates with Swiss media ombudspersons, with foreign press councils, and with other similar institutions.

### **V. Final provision**

#### **Art. 24 Entry into force**

These Statutes entered into force as of January 1, 2026. They replace the Statutes dated October 1, 2021, last revised on September 8, 2021.