

Codex of Montenegrin Journalists

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Codex of Montenegrin Journalists

(Basic principles)

A journalist serves public interest.

A journalist must defend freedom and the right to undisturbed collection and disclosure of information, as well as to give free comment and critics.

Credibility of journalists and journalist profession rests on professional honesty, integrity and knowledge.

A journalist must be a critical observer of those who have social, political and economic power when reporting about them in the public interest.

It is in the interest of any journalist and his or her duty to comply with this Code.

1. Duty of a journalist is to respect the truth and persistently search for it, having in mind a right of the public to be informed and human need for justice and humanity.
2. The facts should be sacred for a journalist, and it is his or her duty to put them in the right context and prevent their misuse, whether it is a text, picture or a tone.

Rumors and assumptions should be clearly marked as such.

It is a duty to clearly separate news from a comment.

3. It is a duty of a journalist to complete an incomplete and correct incorrect information.

This especially relates to the information that can cause any harm.

The correction must be pointed out in the adequate manner.

4. One's race, religion, nationality, sexual orientation and family status and mental powers or illness, as well as political affiliation will be mentioned by a journalist only if that is necessary for the information in the public interest.

5. In order to collect information in any form, a journalist should use professionally honorable and legally allowed methods.

Any violation of this rule is allowed only in cases when those methods are not sufficient, and information that is to be obtained of the great importance for the public.

6. It is a right and duty of a journalist to protect confidential information sources, but also always, to check motives of the confidential source before one is promised anonymity and protection.

7. A journalist is obliged to be very careful when dealing with private life of people.

The right to privacy is inversely proportional to the significance of public function that an individual performs, but in those cases, it is necessary to respect human dignity as well.

- 8. A journalist is obliged to protect integrity of juveniles, as well as the members of marginalized and vulnerable groups.
- 9. When reporting on investigation and court procedures, a journalist must not pre-adjudicate the outcome of a court procedure until proven otherwise.
When reporting, a journalist must not pre-adjudicate the outcome of a court procedure.
- 10. A journalist must neither request nor accept privileges of any kind that could limit or bring into suspicion his or her autonomy and impartiality, and affect editorial freedom.
- 11. It is a duty of a journalist to maintain solidarity in relation with his or her colleagues in the extent that would not prevent him or her to properly perform professional task, or to make him or her violate basic principles of the journalist codex.

Just as he is ready to expose his or her work to the public judgment, a journalist should be willing to expose himself or herself to judgment of an impartial body that takes care of the profession authority protection.

Guidelines for the interpretation and implementation of basic principles of the Codex

Guidelines for Principle 1

Duty of a journalist is to respect the truth and persistently search for it, having in mind a right of the public to be informed and human need for justice and humanity

1.1. General Standards

Journalists must maintain the highest professional and ethical standards.

In a professional sense, journalists must undertake all reasonable steps to ensure that they disseminate only accurate information, and that their comments are honest.

Journalists must never publish unsubstantiated allegations about others that are intended to harm their reputations.

It is journalist's right to refuse an assignment being opposite to this ethics code.

1.2. Accuracy

- (a) Before publishing a report, the journalist must ensure that all reasonable measures have been taken to check its accuracy.

Journalists must endeavor to provide full reports of events and must not be silent about or suppress essential information.

- (b) The public's right to be informed does not justify sensational reporting. Therefore, journalists must not distort information by exaggeration, by placing improper emphasis on one aspect of a story or by giving only one side of the story.

Journalists must avoid using misleading headlines or advertising slogans leading to a false conclusion about an event or phenomena.

The facts must not be distorted by reporting them out of the context in which they occurred.

1.3. Treatment of sources

- (a) Journalists should use as many sources as necessary to confirm the facts and provide accurate information.

The source should be clearly identified and, where necessary, provide references that make it relevant to a particular story.

In the development of the report, journalists must accurately assess the commitments and possible interests of their sources. If the source pertains to an interest group or is in any way affiliated to it, this should be clearly stated.

The use of indirect sources is acceptable if additional sources or other methods for confirming the facts are used.

- (b) A journalist may use information obtained through social media, particular web-blogs or other online sources.

In such cases, there is a special need for additional verification of facts, photographs and other references. If an additional verification is not possible, a journalist must provide clear information about the sources s/he used.

- (c) If the source provides accusing information, and a journalist is unable to verify its accuracy, then this must be clearly defined as such.

1.4. Press releases

Press releases and statements issued by public authorities, political parties, public services, associations, clubs or other lobby groups must be clearly defined as such.

1.5. Rallies during Election Campaign

When contributing from rallies organized during an election campaign, the journalists will report accurately and will not reflect their own views in a manner questioning the accuracy and fairness of their reports.

Such an approach affirms the citizens' right to accurate information and supports the principle of equal opportunities for all political parties and other participants in the electoral process.

The pre-assembled material delivered by political parties should be used only when there is no other way to provide a report on their specific activities or rallies.

The use of such material should always be appropriately marked.

Journalists must observe the pre-election silence procedure prescribed by the law, without prejudice to their right and obligation to report on all matters of public interest.

Guidelines for Principle 2

The facts should be sacred for a journalist, and it is his or her duty to put them in the right context and prevent their misuse, whether it is a text, picture or a tone

2.1. Comments

The facts are inviolable and the comments are free.

The comment must not be presented in such a way as to create the impression that it is an established fact.

2.2. Interviews

- (a) An interview is completely journalistically correct if the interviewee or his or her representative has authorized it, or if it is obvious that there is interviewee's approval for the intention to publish unauthorized interview.

If time is short, it is also correct to publish statements in unauthorized interview form if it is clear to both the interviewer and the interviewee that the statements are to be published either verbatim or in an audiovisual format.

If the text of an interview is reproduced in full or in part, the media institution publishing it must state its source and the author of the interview.

If the basic content of verbally expressed thoughts is paraphrased, it is also necessary to state the source.

- (b) In the case of advanced reports of an interview in abridged form, care must be taken that abridgement does not stand out from contents of program context that is abridged.

In this case, as well, care must be taken to protect the interviewee against any distortions or impairments, which may jeopardize his or her dignity or legitimate interests.

2.3. Symbolic images

- (a) If an illustration, especially a photograph may leave an impression on an average reader that it is an authentic document, in spite of the fact that it is merely a symbolic picture, such a case must be made clear.

Photomontage or other modifications of authentic documents must be clearly marked as such in the accompanying text or in any other, appropriate way.

- (b) If the media use reconstructed scenes in broadcasting/printing, such act must be recognizable for the audience or it must be clearly indicated by the voice or by the text.
- (c) Archival materials used on television must be necessarily marked as such, and sound inserts used from the radio archives must be announced as such by voice.

2.4. Embargoes

Embargos mean a free agreement between the one providing the information and the media.

The imposition of embargoes during which the publication of certain information is held over is justifiable only if it is vital for objective and careful reporting in the public interest.

Embargoes should be observed only if there is an objectively justifiable reason, such as in the case of speeches still to be held, advance copies of company reports and other types of activities or information on a future event (meetings, resolutions, honors, ceremonies, etc.).

The media must not use embargoes for taking advantage over competition.

2.5. Opinion poll findings

In publishing findings by opinion poll agencies, the media should give the number of respondents, the date of the poll, the identity of the person or organization that commissioned it, and the questions asked.

If the agency was not commissioned to carry out the poll, the media

should point out that it was implemented at the initiative of that agency.

2.6. Daily Polling

In the case of daily, ad hoc, polling of citizens about controversial social issues, a special dose of precaution is needed in order to avoid possible manipulation.

When publishing such polling, it should be clearly stated that it might not be considered as a credible benchmark of public opinion.

2.7. Letters to the Editor

- (a) By means of letters to the editor, insofar as they are suitable in terms of form and content, readers/listeners/viewers should have the opportunity to express their views and thus participate in the opinion-shaping process.
- (b) When publishing such letters, media must ensure that its content is not in any way contrary to the Codex of Journalists.

Media are not obliged to publish such letters.

- (c) If there is any doubt about the identity of the sender, a letter should not be printed.

Only in exceptional cases can, at the author's request, the name of the author may be withheld with the notice: "Name is known to the editorial department".

The media should not publish the authors' addresses.

- (d) The Media may define their own rules of abridging the Letter, as well as other additional measures concerning the decision of publishing the Letter and protecting the sender's privacy. These rules must be clear, objective and known to readers, listeners, and viewers.

2.8. Online comments

Online media should define their internal rules concerning third-party comments.

These rules should aim at avoiding illegal and unethical content, ensuring full respect of freedom of expression.

The commentators must be familiar with these rules.

The comments on the portals are moderated by the administrator, pursuant to established rules.

Guidelines for Principle 3

It is a duty of a journalist to complete an incomplete and correct incorrect information.

This especially relates to the information that can cause any harm.

The correction must be pointed out in the adequate manner.

3.1. Correction and reply

- (a) All media must respect and ensure the application of the right to correction and the right to reply in accordance with the law, with the timely publication of the correction and/or apology, in order to avoid the initiation of court proceedings.
- (b) Where a person or organization believes that a media report contains inaccurate information or has unfairly criticized them, they may request the media that published the report to be provided with the opportunity of replying and correcting any inaccurate allegations.

The media should respect this right, if the report contained inaccurate information or unreasonable criticism.

The correction or reply should not exceed the text/feature story to which it relates.

3.2. Documentation

In cases outlined in Guidelines 3.1, the media must also correct any inaccuracies in their archives, documentation, and databases.

Guidelines for Principle 4

One's race, religion, nationality, sexual orientation and family status and mental powers or illness, as well as political affiliation will be mentioned by a journalist only if that is necessary for the information in the public interest

4.1. Hate speech

- (a) Media institutions must not publish material that is intended to incite hostility or hatred towards persons on the grounds of their race, ethnic origins, nationality, religion, gender, sexual orientation, gender identity, physical and mental conditions or illness, as well as political affiliation.

The same applies if it is highly probable that publication of a material may cause the above stated hostility and hatred.

- (b) A journalist must take utmost care to avoid contributing to the spread of ethnic hatred when reporting events and statements of this nature.
- (c) It is journalist's duty to respect other states and nations.

4.2. Reports on crime

When reporting crimes, it is not permissible to refer to the suspect's religious, ethnic or other minority membership unless this information can be justified as being relevant to the audience's understanding of the incident.

In particular, the journalists must bear in mind that the reference to national, religious, ethnic or other minority membership could stir up and reinforce prejudices against minority groups.

The term "terrorism" should not be used with national, ethnic or religious

features.

4.3. Insult and defamation

The media must act in good faith, even when they are addressing strong criticism.

Although journalistic freedom also entails the possible resort to a certain degree of exaggeration, provocation or insult, defamation and unjustified terms used for reporting purposes on issues of public interest are deemed acceptable.

An offensive speech implies a groundless personal attack on a person who can not be protected by the right to freedom of expression.

Guidelines for Principle 5

In order to collect information in any form, a journalist should use professionally honorable and legally allowed methods.

Any violation of this rule is allowed only in cases when those methods are not sufficient, and information that is to be obtained of the great importance for the public.

5.1. Research

- (a) Journalistic research is an indispensable instrument of the professional duty of approaching the work with due diligence and care.
- (b) Journalists should normally use open methods of gathering information in which they clearly identify themselves as such

It is irreconcilable with the profession of journalists and the role of the media that journalists give untrue statements about their identity and false information about their work.

- (c) The use of hidden cameras or other electronic means for undercover research must always be in line with the law, and its principal objective should be the reporting on matters of public interest.

If necessary, such footage is used without prejudice to the right to privacy.

- (d) Undercover information gathering may only be resorted to where open methods have failed to yield information, and are of exceptional importance to the public.
- (e) These methods may be employed to detect criminal activity, abuse of power or in cases of discovering something that may threat public health and safety or the environment.

5.2. Research in special circumstances

Journalistic research should be carried out with sympathy and discretion in cases of tragedies, involving personal grief or shock, people with limited physical or mental powers or disease, as well as children and juveniles.

The limited willpower or the special situation of such people must not be exploited deliberately to gain information.

5.3. Exclusive information

It is standard practice for journalists to publish exclusive information and stories.

Such stories should be created solely based on information gathering and not by seeking monopolies of information within public authorities.

5.4. Payment for information

Journalists must not pay people to act as information sources unless there is demonstrable public interest value in the information.

Guidelines for Principle 6

It is a right and duty of a journalist to protect confidential information sources, but also always, to check motives of the confidential source before one is promised anonymity and protection.

6.1. Confidentiality

- (a) Where a person has agreed to supply information only on condition that his or her identity remains confidential and a journalist agrees to this condition, this undertaking must be respected. Where a journalist is under pressure of revealing identity of the source, he/she should refuse to do so.
- (b) A journalist has to warn the source that his or her identity might have to be revealed to the court if this information is needed to prevent serious criminal conduct.

- (c) Electronic media shall apply appropriate technical procedures (voice distortion or face blurring) in order to provide secrecy of identity of the person who gives a statement under the condition that he/she remains anonymous.
- (d) Documents classified as “secret” may be reported if after careful consideration it is determined, that the public's need to know outweighs the reasons put forward to justify secrecy.

6.2. Secret service activities

Secret service activities by journalists and publishers are irreconcilable and unacceptable with the role of the media in society and their credibility.

Guidelines for Principle 7

A journalist is obliged to be very careful when dealing with private life of people

The right to privacy is inversely proportional to the significance of public function that an individual performs, but in those cases, it is necessary to respect human dignity as well

7.1. Right to privacy

- (a) The journalist should not intrude into and report on a person's private life without his or her consent.

Revealing of certain elements of a person's private life is permitted to the extent necessary to report on matters of public interest in an adequate and precise manner.

Everyone has the right to dignity that a journalist must not arbitrarily violate, in the name of the public's right to know. This must be especially borne in mind when it comes to persons who unwillingly became participants of information-worthy events (cataclysms, accidents, various types of conflicts, etc.).

- (b) Reporting on a person's private life can be justified when it is in the public interest to do so. These cases include activities threatening the health or safety of citizens and society (criminal and terrorist activities, corruption, etc.).

When reporting on privacy aspects that are of particular interest to the public, a journalist must not cross the ethical boundaries by resorting to sensationalism, inappropriate curiosity, voyeurism, or the desire to make mockery of someone or destroying one's dignity.

Reporting on a person's private life can be justified if it prevents the public from being misled by his or her statement or action, e.g. when a person is doing something in private life which he or she is publicly condemning.

A journalist may post a record of someone's face and voice without asking for and obtaining an approval if it concerns a person, phenomenon or event of interest to the public, especially if it relates to a public office holder.

- (c) When a violation of privacy is justified or inevitable, reporting should be limited to those details that are essential to the public, thereby minimizing possible damage that may be caused to one's dignity and reputation.

A journalist may use security camera footage or other authentic video and audio tapes referring to the aspects of someone's private life, being in the public interest. This is valid only if that it is the only way for the public to be convinced of the accuracy of what is being reported, and especially if the one on whom the reporting relates disputes the media allegations.

- (d) Victims of accidents or crimes have a right to special protection of their names. It is not as a rule necessary to identify the victim in order for the audience better to understand the accident or crime.

Exceptions can be justified if the person concerned is a public figure or if there are special accompanying circumstances. Special circumstances may imply the suspension of disseminating rumors and speculations about the identity of the victims of the accident.

Prior to publishing the name of the victim/victims of violence or an

accident, a journalist must check whether the victim's immediate family has been notified. Before publishing photographs and recordings from the accident or violence scene, a journalist should carefully assess whether there is a public interest in revealing the identity of victims or showing shocking scenes (corpses, blood pits, wounds, fractures, etc.).

Showing shocking scenes can be justified only with the intent to draw attention to the consequences of some socially utterly unacceptable behavior.

- (e) In the case of dependents and other individuals, who are indirectly affected by an accident or who have nothing to do with a crime, due care must be taken when publishing their names, photographs and footage.
- (f) Personal information such as a private address, telephone number, personal identification number and ID numbers, enjoy special protection and must not be published.
- (g) Physical and mental powers or illness, as well as injuries fall within the private sphere.

Out of consideration for these persons and their dependents, the media should not publish their names, photographs and footage, unless directly connected to the report.

- (h) Suicide reports from journalists require extreme care and restraint.

In these situations, names and detailed description of the circumstances in which the suicide took place should not be published.

Exceptions are justifiable only if the case is of exceptional public interest.

- (i) Reports about dying or physically or mentally suffering persons may only be published if they address issues of public interest. These reports must not be dealt with sensationalism.
- (j) When reporting on accidents and natural disasters, the victims' suffering and the feelings of their dependents should be respected.

Victims of misfortune and their dependents must not be brought into

the situation to suffer for a second time by showing details of the accident in the media.

- (k) All guidelines on the right to privacy also apply, where appropriate, also, to deceased persons.

7.2. Medical research and therapy

- (a) Reports of alleged successes or failures of medical or pharmaceutical research in the fight against serious illnesses call for circumspection and a sense of responsibility

Neither text nor presentation should include anything that might raise unfounded hopes of a cure in the near future among ill readers and their dependents if this does not conform to the actual state of medical research.

Conversely, critical or even one-sided reports on hotly-debated opinions should not make seriously-ill persons feel unsure and thus raise doubts about the possible success of therapeutic measure

- (b) When reporting on the activities of self-proclaimed para-doctors and healers, a journalist must express a special dose of reasonable doubt and restraint.
- (c) In the reports on a spread of contagious and other diseases, a journalist must keep in mind that only a competent state authority is entitled to declare an epidemic.

Guidelines for Principle 8

A journalist is obliged to protect integrity of juveniles, as well as the members of marginalized and vulnerable groups

8.1. Children's interest

- (a) The media is obliged to comply with the principles of the UN Convention on the Rights of Child and to research with special care the information that affect children's interests. In the lights of the above, no child should be exposed to media interference in his or her private and family life,

home or personal correspondence, or attacks on his or her honor and reputation.

- (b) The media is obliged to exercise special sympathy when reporting on juveniles, especially if they are the victims of any kind of family, peer or other violence.

It is impermissible to publish photographs and videos of children victims of violence, as well as revealing their identity.

- (c) The media is obliged to exercise special consideration when reporting on juveniles suspected of being involved in illicit activities, respecting the principle of the presumption of innocence and avoiding sensationalism.

It is impermissible to publish photographs and videos of juveniles' suspects of crime, as well as to reveal their identity.

- (d) Any media abuse of children exposed to humiliation due to some form of suffering, such as poverty or unacceptable behavior and acts of adults shall be considered impermissible.
- (e) A journalist should have the permission of the parent/guardian of that juvenile to publish the information to which the source is a minor.
- (f) It is impermissible to publish photographs and recordings of children and juveniles without the permission of the parent/guardian.

Guidelines for Principle 9

When reporting on investigation and court procedures, a journalist must not pre-judicate the outcome of a court procedure until proven otherwise

When reporting, a journalist must not pre-judicate the outcome of a court procedure.

9.1. Reporting on crime, investigation and court proceedings

- (a) Reports on investigations and court cases serve to inform the public in a careful way about crimes, their prosecution and court judgment..

A person is presumed innocent until proven guilty by a court, even if he or she has confessed. This also applies in cases where the guilt is obvious for the public.

- (b) Prejudicial portrayals and allegations of a personality violate the constitutional principle of the protection of human dignity, which also applies without qualification to criminals.

The aim of court reporting must not be to punish convicted criminals socially by using the media as a “pillory”.

- (c) Where a media has started reporting a criminal case, it must follow up and report subsequent developments in the case.

If the media has reported on an accused, it has named or who is identifiable to a large circle of the audience, it should also report an ensuing acquittal or a marked lessening of charges. This also applies to the dropping of an investigation.

- (d) Criticism and comment on a case must be easily distinguishable from reporting on court proceedings.

- (e) The media must not identify victims of sexual assaults or publish

material likely to contribute to disposing their identity. of such identification unless the victims have consented or the law has authorized the media to do this.

- (f) It can only be done differently if the victims have consented to the disclosure of their identity or the law authorized media to do so.
- (g) The media should generally avoid identifying relatives or friends convicted or accused of crime.

It can only be done differently if necessary for the full, fair and accurate reporting of the crime or the legal proceeding subject to the reporting.

- (h) When reporting on investigations and criminal court proceedings against juveniles and on their appearance in court, the media must exercise especial restraint out of consideration for their future.

This also applies to children and minors victims of crimes.

9.2. Reporting acts of violence

In reporting actual and threatened acts of violence, the media should weigh carefully the public's interest in information against the interests of the victims and other people involved.

In such cases, particular efforts should be made to ensure that reporting is impartial, and the media should not allow itself to be made the tool of perpetrators of criminal offenses.

Media should not undertake independent attempts to mediate between police and criminals.

There must be no interviews with perpetrators of violent actions, unless is absolutely necessary for the public interest.

9.3. Coordination with the authorities, news “blackouts”

In principle, the media do not accept news “blackouts”.

Coordination between the media and the police shall occur only if the action of journalists by their acts or omission can protect or save the life and health of victims and other involved persons. The media shall comply with

police requests for a partial or total news embargo for a certain period in the interest of solving crime, if the request is justified convincingly. .

Guidelines for Principle 10

A journalist must neither request nor accept privileges of any kind that could limit or bring into suspicion his/her autonomy and impartiality, and affect editorial freedom

10.1. Invitations and gifts

The freedom of decision and independent judgment of the medias and its editorial department is endangered if they accept invitations and gifts which exceed the usual level of social contacts and that necessary in their professional work..

Even the appearance that accepting invitation and gifts can impair the credibility of journalists and editorial freedom of the media is to be avoided.

Therefore, a journalist should not accept payments, reimbursement of expenses, discounts, donations, free holidays, business trips, gifts, or any other benefits that might could cause damage to his or her professional credibility, as well as reputation of the media, for which he or she works.

A journalist shall not accept any benefits without previously obtained approval of editor-in- chief or director of media he or she works.

10.2. Pressure or influence

Journalists must not suppress or distort information about which the public has a right to know because of pressure or influence from their advertisers or others who have a corporate, political or advocacy interest in the media institution concerned.

10.3. Separation of functions

Conflicts of interest harm the standing of the media. Journalists should always keep this in mind.

Should a journalist or publisher exercise another function in addition to his or her journalistic activity, for example in a government, a public authority or a business enterprise, all those involved must take care strictly to separate these functions. The same applies in reverse.

10.4. Distinction between editorial content and advertisements

Advertisements and newspaper pages or programs sponsored must be clearly distinguishable from the information content

This content must be designed and presented that the reader/listener/viewer can recognize them as such.

A journalist must not be engaged in advertising – propaganda business.

10.5. Public Relations material

The credibility of the media as a source of information calls for particular care in dealing with public relations PR and advertising material.

Texts, photographs, footage and radio feature story or programs relating to businesses, their products, services or events related to them must not exceed the limit of the bait advertising. The risk of doing so is particularly large if the story exceeds the justified interest of the public or the public's interest in that information.

This also applies to unedited advertising texts, photographs, footage, radio feature stories and illustrations that have undergone editorial processing.

10.6. Conflict of interest

The economic interests of media owners, editors and journalists in certain companies or political interests in certain political parties must not lead to disinformation or non-disclosure of information of public interest.

10.7. Media interest transparency

All media institutions must ensure the transparency of their ownership

structures and economic interests.

Guidelines for Principle 11

It is a duty of a journalist to maintain solidarity in relation with his or her colleagues in the extent that would not prevent him or her to properly perform professional task, or to make him or her violate basic principles of the journalist codex

11.1. Solidarity

Journalists should exercise solidarity and protect each other in their rights regardless of political or other beliefs.

11.2. Originality

A journalist must not use others text, ideas and images without appropriate reference to authors and sources.

These guidelines may be altered in accordance with the ethical dilemmas contingent upon new trends in practice.

The owners and editors in chief of the media are obliged to introduce the editors and journalists of their media with the contents of the Codex.

