



**PUBLIC INTEREST
JOURNALISM
HANDBOOK**



PUBLIC INTEREST

JOURNALISM HANDBOOK



Skopje, 2016



PUBLIC INTEREST JOURNALISM HANDBOOK

Publishers: Institute of Communication Studies
School of Journalism and Public Relations
Jurij Gagarin no. 17/1-1, Skopje
www.iks.edu.mk
www.vs.edu.mk

Authors: Vesna Shopar, Zoran Dimitrovski,
Sefer Tahiri, Aleksandra Temenugova

Translation: Kalina Janeva
Editors: Zaneta Trajkoska, Aleksandra Temenugova
English Language Editor: John W. Owen
Cover and layout: Ljuben Dimanovski



British Embassy
Skopje

The British Embassy Skopje supported the preparation of this publication, within the project “Voicing the Public Interest: Empowering Media and Citizens for Safeguarding the Public Policy in Macedonia”. The content of this publication does not necessarily reflect the position or the opinions of the British Embassy in Skopje.

Content

● I	ON THE HANDBOOK.....	6
● II	INTRODUCTION.....	8
● III	PRINCIPLES OF PUBLIC INTEREST JOURNALISM.....	16
● 1	TRUST AND SAFEGUARDING PUBLIC INTEREST.....	20
● 2	ACCURACY AND VERIFICATION.....	24
● 3	IMPARTIALITY.....	28
● 4	TRANSPARENCY	34
● 5	ACCOUNTABILITY.....	38
● 6	INTEGRITY AND INDEPENDENCE OF EDITORIAL POLICY.....	42
● 7	FAIRNESS.....	48
● 8	MINIMISING HARM AND INSULT.....	54
● 9	PRIVACY.....	60
● 10	CHILDREN AND YOUNG PEOPLE AS SOURCES OF INFORMATION AND CONTRIBUTORS.....	66
● IV	THE PUBLIC INTEREST TEST.....	72
● V	BIBLIOGRAPHY.....	86



On the Handbook

This Handbook summarises the generally accepted values, principles, professional standards and practices on which journalism rests. It is primarily intended for journalists, editors and other media professionals who participate in the creation of journalistic content, regardless of whether they come from public or commercial, traditional or new media outlets. The Handbook aims to help or remind people who call themselves journalists or media professionals of the standards and principles that they should adhere to when practicing their profession that, above all, serves the public interest. Journalists are obliged to hold accountable state or other public officials, to investigate and shed light on matters that are in the interest of the public. However what interests the public is not necessarily in the public interest. For this reason, this Handbook for the first time includes the concept of the Public Interest Journalism Test that in a practical manner addresses the ethical dilemmas that journalists are faced with daily.

Additionally, it is intended for citizens (whether as readers, viewers, listeners or users), would know what to expect from journal-

ists: to receive information critically and be able to recognise unprofessional journalistic practices in a democratic society. The public interest is served when there is respect for freedom of expression and the rule of law. Media literate citizens will be able to recognise when standards are violated and what they should do to make media more accountable.

The contents of this Handbook are based on the experiences and the needs of the media and journalists in Macedonia; on foreign and domestic regulation treating the issues of ethical and professional reporting; on numerous journalistic codes and policies that are practised by most influential and respected media outlets, as well as on practices and policies that are observed in the most influential media outlets in the world.

The Public Interest Journalism Handbook is part of the project *Voicing The Public Interest: Empowering the Media and the Citizens in Safeguarding Public Policies in Macedonia*.

The project has been supported by the British Embassy in Skopje.



Introduction

In the last few years, journalism in Macedonia has been going through a serious tumultuous process and identity crisis. Instead of a media that are helping bring about more democracy in Macedonia, we have a media that are too often under the influence of those in power or those who have special private or corporate interests and use the media for their own purposes. Caught between political and commercial/business interests, the media 'easily' succumb to corruption and propaganda. They must survive in poor and uncertain economic conditions, supplemented by manipulation from the centres of economic and political power. The journalists are subjected to pressure, threats, attacks, fines, even imprisonment. There is an evident decline in journalistic standards, erosion of professionalism, populism, hate speech, as well as a rise in professional incompetence and susceptibility to the influence of politics and business. It is practically impossible to speak of editorial and journalistic autonomy, particularly in the large private television broadcasters. Key editorial positions are given to loyal yes-men who make sure to satisfy the interests of the media owners, the politicians and advertisers. In such an atmosphere (open and hidden) censorship and self-censorship reign. The journalists are divided not just politically, but also professionally. Two associations, polarised along political lines, represent their interests. Additionally, most journalists are poorly paid, without regular income or social and health security. Labour relations are left to the mercy of the

media owners, and the union organising of journalists lack real independence to fight for their members.

The Macedonia media market abounds in media outlets (especially broadcast). This is mistakenly assumed to mean that Macedonia benefits from media pluralisation and diversity. However, that is no indication whatsoever of the plurality, diversity, ownership transparency and professionalism of the media. In fact, the number of barely-surviving media outlets has been growing, especially at the local level. The large commercial electronic media (at the national level) predominantly owe their operation to open government advertising, which directly reflects on the editorial policies and the structure of the programming. The situation with the public broadcast service is no different. For years, particularly these past few years, it has been the proving ground for fulfilling the direct political interests of each ruling elite, both in the editorial and the hiring policies of the broadcaster. There is hardly a political party, that is, a political group, which has not thought of the public broadcaster in terms of its own interest.

This situation of the media in Macedonia has also been confirmed by various reports of the international organisations dealing with media analysis. Thus, according to the press freedom index of Reporters Without Borders, in 2015, Macedonia was ranked 177¹, a devastating fact considering that only five years prior, in 2009, it ranked 34. The 2015 Freedom

1 The Reporters Without Borders 2015 World Press Freedom Index for the Republic of Macedonia, available at: <http://index.rsf.org/#/>

House report on media freedom² saw growing politicisation of the media in Macedonia, their dependence on government advertising for financial support and loss of credibility with the public. The same has been noted in the last few European Union progress reports on Macedonia³. They have expressed concerns regarding self-censorship, indirect state control over the media through government advertising, political bias of the public broadcast service, a lack of real and independent reporting, poor labour rights for journalists, declining journalistic standards and ethics, continuation of the practice of journalists' filing libel suits against other journalists, or politicians against journalists.

Particularly worrisome are the allegations in the latest EU Progress Report from 2015⁴. It highlights attempts to limit media reporting on public interest issues that serve to undermine the fundamental rights and responsibilities of the media to report information and ideas in the public interest, as well as to deprive the public of information it ought to have in order to be a well-informed citizen. The EU Report also criticises the state for interfering in the media's editorial practices and policies, including blatant efforts to influence the national newscasts' coverage and content. It singles out the Macedonian Radio Television (MRT) for its failure to serve the public interest and present programmes and news coverage that are balanced and impartial.

NORMATIVE REGULATION OF PUBLIC INTEREST IN THE MEDIA

Is public interest in the media in Macedonia regulated, and if so, how? The review of the Macedonian legislation indicates that neither the Law on Media, nor the Law on Audio and

Audiovisual Media Services defines what public interest in the media is. The Law on Media guarantees media freedom (Article 3), which, among other things, includes media independence, the freedom to gather, investigate, publish, select and report information to inform the public, media pluralism and diversity, openness of the media to different opinions, convictions and contents, access to public information, respect of human individuality, privacy and dignity, as well as autonomy of the editors, journalists, and content creators. In the Law on Audio and Audiovisual Media Services, public interest is included in the programming responsibilities, standards and principles when producing and presenting radio and television programming, both for the public broadcaster and for private broadcasting outlets (Article 104, 107 and 110). Additionally, it has been clearly stipulated that MRT as a public broadcast service performs an 'activity of public interest in the field of broadcasting in the Republic of Macedonia.'

Specifically, the MRT, among other things, is obliged to create and broadcast content for the general public in order to contribute to the creation and development of free thinking and informing of the public; to provide continual, truthful, complete, impartial, fair and timely information on all important political, economic, social, health-related, cultural, educational, scientific, religious, environmental, sporting and other events and occurrences; to promote and advance the culture of public dialogue and to provide an arena for a broad public debate on matters in the public interest. MRT should categorically not protect the positions or interests of a certain political party, of political, religious or other groups. MRT is obligated to contribute to the respect and promotion of funda-

2 The 2015 Freedom House report on media freedom in Macedonia, available at: <https://freedomhouse.org/report/nations-transit/2015/macedonia>

3 The 2014 and 2013 EU progress reports on Macedonia, available at: <http://www.sobranie.mk/dokumenti-rm-eu-cbb3490c-fe7d-4750-82f4-67c619c46a6a.nsp>

4 The 2015 EU Progress Report on Macedonia, available at: http://www.sobranie.mk/content/%D0%9D%D0%A1%D0%95%D0%98/PR2015_All_CK_FF_MK_16.11.2015.pdf

mental human rights and liberties, and to secure an open and free debate on all matters of public interest. The journalists and editors of the public broadcaster are obliged to abide by the principles of truthfulness, impartiality and comprehensiveness of information, political balance and pluralism of positions. They should strive to present information allowing citizens to form their opinions freely; to respect the individual's privacy, dignity, honour and reputation to abide by the principle of political independence and autonomy; to fulfil the criteria of quality, expertise, cultural values and professional competence in terms of the established national and highest recognised European professional standards and ethical principles of independent journalism and quality programming.

Private broadcasters in Macedonia are also required to serve the public interest. They should adhere to the following principles: fostering and developing human and moral values; protecting the individual's privacy and dignity; the public's sense of fairness and of defending democratic freedoms; openness to programming that gives expression to the diverse cultures making up society; objective and impartial presentation of events and equal treatment to different positions and views; allowing the audience to freely form opinions on various events and issues, as well as, autonomy, independence and openness of the editors, journalists and other authors when creating programming and formulating editorial policy.

Moreover, the Law on Audio and Audiovisual Media Services particularly notes certain media services (programmes) labelled as 'public interest' and they are normatively defined by special regulations. They include the obligation to broadcast European works and works by independent producers, as well

as the obligation to broadcast music and programming originally created in Macedonian or the languages of the non-majority communities in the Republic of Macedonia, whereby as public interest are singled out the domestic documentary and dramatic television programming (Article 107 and 110). These obligations equally concern the public broadcast service and the private/commercial broadcasting outlets (Article 61).⁵ In practice, however, they are implemented differently. This particularly refers to the standards and principles when producing and presenting radio and television programming that both the public and the commercial broadcasters either do not recognise, or misinterpret, or do not honour.

In the self-regulation sphere, in the Code of Ethics of the journalists of Macedonia, public interest is present in several articles. First and foremost, it is mentioned in the basic principles of conduct, with reference to the Constitution of the Republic of Macedonia (Article 16), which guarantees freedom of expression of thought, freedom of speech, of public address, of public information, the free access to information, freedom to receive and report information, and the ban on censorship. The Code stresses that the fundamental mission of journalists is to adhere to the truth and the right of the public to be informed. In addition, in line with their role in building democracy and civil society, journalists are to defend the human rights, dignity and freedom, respect the pluralism of ideas and position, and contribute to the strengthening of the rule of law. Furthermore, the journalists have the right to access all sources of information vital to the public's interest. They are required to respect the laws of the country, but not to publish or hide something that is in contravention of public interest. They are to respect an individual's right to privacy, unless it is in

⁵ These provisions form part of the harmonisation of the Law on Audio and Audiovisual Media Services with the EU Audiovisual Media Services Directive

violation of public interest. The journalists are prohibited from publishing or broadcasting information that violates human rights or liberties, contributes to hate speech, and provokes violence or discrimination on any grounds. Unprofessional communication with the public is incompatible with the journalistic profession. It is, however, difficult to determine whether journalists do respect these boundaries.

● **WHAT IS PUBLIC INTEREST JOURNALISM?**

Undoubtedly, one of the most important, but also fiercely contested issues in practice in Macedonia is the question: what is public interest journalism? The attempt to define it primarily refers to the values that Dutch communications theorist Denis McQuail singled out as a responsible relationship of the media with the public. They include: the absence of censorship, the right of citizens to unadulterated information, including access to news, political views, education, culture, freedom of the informative media to obtain information from relevant sources, the absence of concealed influence from media owners or advertisers on the selection of news, an active and critical editorial policy when presenting news and opinions, and a creative and independent publishing policy, systematic public scrutiny of public office holders and adequate informing on their activities, as well as support of active informing on the social life and system (McQuail, 1994).

Moreover, one must admit that it is not easy to determine what public interest is. Does it refer to the realisation of the wishes of the public as a collective of individuals, or does it imply a normative loyalty to the principle that is in their best interest? Although there is no single and clear answer to what public interest is, it may most concisely be defined as 'that which is in the interest of or of benefit to most members of society.' However, the

problem is that often what interests the public (the audience) is confused with what is in the interest of the public, or, in other words, of benefit to society. Public interest is more than what the public is interested in or what the public wants or needs to know. Nor does it exist solely to satisfy one's curiosity or to justify revealing someone's scandalous behaviour. The right of the public to know cannot be an excuse to intrude into somebody's private life. Uncorroborated information and anonymous footage cannot be simply broadcast in the name of protecting public morality. Child welfare is not promoted by permanently labelling children as victims of sexual abuse. Broadcasting footage of murders, accident victims, (where all circumstances are known and indisputable) contribute to nothing but additional suffering of the victims' families and pandering to citizens' curiosity.

At the same time, various stakeholders in society—representatives of government institutions, political parties or non-governmental associations along with activists—criticise the media for their selective handling of vital information. In addition, it is observed that 'the media remained silent' on some events while informing in detail on trivial matters. They fail to accept that the media are neither organs of government institutions nor mouthpieces of political parties, nor are they activists tied to any one organisation. The role of the media is not to cater to special interests and make their news judgments accordingly. The role of the media is to inform the public on public interest matters; on what is in its interest and influences most citizens' lives. In order to serve the only ethically acceptable master—the public interest—the media must deal with all important issues in society and make room for different audience comments and opinions.

From the viewpoint of the journalists in Macedonia, they both know and do not know what public interest is; that is, they may not

be able to give a precise definition, but in practice can easily establish when something is in the public interest. If they are faced with the dilemma of whether to publish something or not, they regularly consult the editorial board and the more experienced colleagues. However, according to journalists, the public does not know what public interest is. This should come as no surprise considering that the national, state and public interest are all assumed to be determined by the government. Even attempts to associate the public interest with the broader European values of human rights and liberties fail to persuade the public. In the battle for the public interest, the journalists first wage a battle amongst themselves, the against their media owners. The key problem is in the fact that the media (particularly the most influential outlets) do not exist in order to serve the public interest. They do not care what the public thinks. They exist to meet the requirements of the media owner, or an elite group of editors and ultimately to accommodate those who hold the power in the country.

That is precisely why theoretical formulations about the notion of a ‘common good’ in regarding to defining public interest in the media, assume they do exist beyond the reach of political or economic interests. The media—print and electronic, private and public—are fundamentally linked with the common good, are always above private interests and balancing popular opinion as seen in the writings of Horowitz, McQuail, Croteau, or Hoynes. They draw their very power from public interest and that is why they have the responsibility to supply accurate and balanced information to the citizens, to discuss all subjects that influence the community, to publish not just facts, but also views and positions of all relevant members of society. The media outlet that uses the ‘extension-cord’ method or are considered solely as stenographers and only broadcast what was said or

announced, without providing context, or allowing commentary and response, does not serve the public interest. True democratic societies must prevent narrow special interests and arbitrary government actions from curtailing the freedom and independence of the media. Finally, the media and the journalists are no longer mere news gatherers. They are expected to conduct investigations; to voice criticisms of the world in which they live, and to proactively initiate public debates on issues that are in the public interest.

● **WHAT DOES THIS HANDBOOK CONTAIN?**

This handbook defines the key aspects of public interest journalism. It includes two documents: the Public Interest Journalism Handbook and the Public Interest Test.

The Public Interest Journalism Handbook lays out the principles and standards of presenting/creating media products in terms of public interests. It provides advice for media professionals on dealing with editorial challenges regarding public interest matters; on producing content of the highest ethical level; and on meeting the audience expectations regarding the public interest. Thereby the media and media professionals are emboldened to recognise, foresee and avoid the potential consequences and obstructions to public interest when reporting on crime, corruption, social activities, people’s health and safety, and other issues in the public interest. The handbook also offers the opportunity for interaction with the general public and its active participation in creating media content. The Handbook contains precise criteria related to public interest for all media types (newspaper, television, radio, online). It includes the key principles of securing credibility, safeguarding of public interest, truthfulness and accuracy, impartiality, editorial integrity and independence, fairness, privacy, transparency, and responsibility/ac-

countability of the media. Furthermore, each individual principle is elaborated in detail with standards and practices.

The Public Interest Test is an integral part of the guidelines from the Public Interest Journalism Handbook. It helps journalists deal with the public interest questions and dilemmas they encounter daily. The Test assists them to differentiate more easily between public interest and other matters, and to decide whether to report on them. Through the Test, the journalists may also improve the public's understanding of public interest matters and encourage it to demand greater accountability and transparency from public institutions and figures. Name-

ly, in their work, journalists are constantly forced to 'gauge' the criterion of importance of a certain event, the implied public interest, as well as the potential positive or negative consequences from publishing or not publishing the information. Moreover, the journalists face the problem of the decision to publish or not publish a particular piece of information to have unintended consequences. There is no unequivocal answer to the question as to when and where the journalists should draw the line of media freedom, that is, of ethically permissible behavior. For this very reason the Public Interest Test should be viewed as a practical aid for establishing the true meaning and application of public interest in practice.



Principles of Public Interest Journalism

The principles listed in this handbook are primarily intended to act as a journalistic guide or a reminder of the role in society and in safeguarding public interest. The attempt to summarise the foundations of this profession in a handbook of this sort practically coincides with the debates and the still current dilemmas on this subject matter conducted the academic and journalistic worlds in the Western democratic systems. In *Elements of Journalism*⁶, Bill Kovach and Tom Rosenstiel pose the question: whom does journalism serve, particularly in times of change brought about by the digital revolution, citizen journalism, as well as the strong domination of corporate communications that, subtly but successfully, have blurred the lines between public relations and journalism. However, unlike these two authors' rationale, the re-examining of journalistic principles in Macedonia is due to, primarily, the unenviable position in which the media find themselves in recent years.

The detrimental influence of politics, the subservient relationship of numerous editors to the political and financial oligarchs, the fragile self-regulatory culture and the absence of strong union solidarity have contributed to a large-scale decline of professional principles and standards in the journalistic profession. This state of affairs is reinforced by the critical reports of numerous domestic and international organisations; of alarming

warnings by monitoring groups, as well as journalistic and non-governmental media associations.

In 2015, the Institute of Communication Studies consulted some 60-odd journalists, editors and a total of 40 media owners in order to identify their journalistic practises when determining the news and other information content in the country. The focus groups aimed to establish whether and how the newsrooms safeguard public interest.⁷ The research showed that an insignificant number of media have internal policies and/or guidelines on adhering to professional journalistic rules and standards. There were devastating testimonies by journalists and editors on the manner in which journalistic integrity has been continually undermined: frequent practices of censorship and self-censorship in order to satisfy the interests of politicians or advertisers; the lack of will and insufficient human, technical and financial resources necessary for media pluralism; plagiarism; distrust in the regulatory body on suspicion of political dependence on the authorities, and so forth. This situation, of course, reflects on the quality of informative content. In the editorial boards, most often during morning staff meetings, there are debates on the selection and the manner of treating the stories and issues but there is insufficient discussion of whether what is under discussion is in the public or any other interest. The absence of precise guidelines about what public inter-

⁶ Kovach, B. & Rosenstiel, T. (2007) *Elements of Journalism: What Newspeople Should Know and the Public Should Expect*, New York: Three Rivers Press.

⁷ In October and December of 2015, the ICS organized thematic meetings with representatives of a total of 40 media outlets: of the Macedonian Television and Macedonian Radio, journalists, editors and owner of print, electronic and online media, bearing in mind the appropriate representation according to geographical and ethnic affiliation.

est is contributes to misconceptions and it is often equated with private, state or national interest.

Based on professional literature, on generally accepted standards and practices, this handbook defines public interest in journalism as a concept related to the principle of 'good governance' and to safeguarding the right to the freedom of expression and the responsible relationship of the media to the public (Denis McQuail). The media are obliged to **safeguard and promote public interest**, that is, to serve only to the interests of the public and act as a watchdog of democracy. This obligation concerns all media, regardless of whether they are public or private, national or regional/local outlets, and regardless of the technology of operation, the management style and the funding model. In the case of the public broadcast service, the obligation to serve public interest is even greater and therefore stipulated by law.

For these reasons, the media and journalists should adhere to the following principles in their work:

1. **Credibility and safeguarding public interest;**
2. **Accuracy and truthfulness;**
3. **Impartiality;**
4. **Transparency;**
5. **Accountability;**
6. **Integrity and editorial independence;**
7. **Fairness;**
8. **Minimising harm and insult;**
9. **Privacy, and**
10. **Protecting children and young people.**

The journalism principles in this handbook are based on:

- ▶ The Code of Ethics of the journalists of Macedonia and the goals of the Council of Media Ethics of Macedonia and other self-regulatory mechanisms;
- ▶ The Law on Audio and Audiovisual Media Services, the Law on Media, bylaws and other acts of the Agency of Audio and Audiovisual Media Services, other regulation covering the operation of the media, such as the Electoral Code, the Criminal Procedure Code, and so forth;
- ▶ The right to freedom of expression as stipulated by Article 10 of the European Convention on Human Rights;
- ▶ International and European norms precisely defining the work of the media and journalists;
- ▶ Codes of ethics and recommendations of foreign and international media associations, and
- ▶ Work policies and ethical guidelines/codes of influential media outlets in the world: the *BBC*, the *Guardian*, *The New York Times*, *The Independent*, the *Canadian Broadcasting Corporation*, the news agencies *Associated Press*, *Reuters*, and so forth.

All 10 principles are elaborated separately, with guidelines for adhering to them in practice. But in this context, it is necessary to note that the list is neither final nor comprehensive. It is and will be the subject of continuous re-examination and revision. Nevertheless, at a time when a large number of media outlets in the country have failed to fulfil their role as a 'watchdog of democracy,' the authors of this handbook believe that these identified principles and standards in a period of such media uncertainty offer clear guidelines not just to journalists but to citizens as well. They will be able to recognise, foresee and avoid the potential abuses and obstructions by journalists to the public interest.



Trust and Safeguarding Public Interest

Trust and public interest are the most important resources of the media. They play a vital role in the democratic order and form the foundation of social cohesion. The media are the main source of public interest information. The delivery of information that helps educate citizens to understand society strengthens media credibility and reliability. The media fulfil their mission through promoting the public interest, responsibility, professionalism, and transparency in their work. The media's responsibility to the audience/public always precedes all other interests. The media and journalism should not serve any special interests and are obligated to foster fairness, freedom and a comprehensive approach to public matters. The media should answer to their audience and the general public, and not serve the owners, publishers, the government or any private interests.

The media should serve the public interest with an overarching objective: to contribute to the development of the individual and the strengthening of the community. They should associate themselves with social progress—the goal being the democratic advancement of society with respect for individual freedoms and human rights and liberties. Their responsibility is to stimulate, strengthen and defend the freedom of expression and the citizens' right to information.

Journalists should be independent, impartial and honest when reporting on events that are important to the public. They are obliged to strive for achieving the highest standards of accuracy and impartiality, and to avoid deliberate audience manipulation. Journalists and the media should be resistant to pressure and influence from any subject or source.

The media should be consistent in establishing the truth of the events and coherent in their interpretation and explanation. They are obliged to strive to provide an objective portrayal of events; to accommodate different views and opinions; and to encourage a comprehensive public debate for all current issues and problems in society. Thus they will supply the public/audience with information and perspectives crucial to its public and private life.

The media are expected to foster debate on all social problems; to be open to all political options and allow the citizens to participate in political life and in the making of political decisions. They should also ensure the development of innovation and creativity, as well as the clash of new ideas. It is their responsibility to contribute to the culture of dialogue and to foster tolerance to different positions on all public interest matters.

When practicing their profession, journalists should be aware of the following:

- ▶ Any other engagement, apart from the one directed to the public/audience, undermines their credibility and reliability;
- ▶ Serving the public interest implies an obligation to reflect the diversity of the community in the media content presented/reported;
- ▶ Serving the public interest guarantees thorough and comprehensive investigation of events and circumstances, and
- ▶ Striving towards professional engagement of the media when presenting information to the public/audience will enable it to make the most informed public policy decisions.

A responsible and public service-oriented media will provide accurate information to all segments of society, invite freely expressed differing opinions that represent the views of a diverse cross section of society or the community.

The key principles of the above are:

- ▶ Promoting the diversity of the media landscape and attaining a high professional quality of the media in order to serve the public interest;
- ▶ Protecting the public/audience from unprincipled and illegal media practices, and
- ▶ Building the trust of the public/audience by being both transparent and accountable.



2

Accuracy and Verification

Accuracy is the most venerated of all journalistic principles and the cornerstone of professional journalism. The information delivered should correspond to reality, to be truthful and verified by at least two independent sources. But accuracy is not just adhering to facts, and journalists are not mere 'stenographers' rigorously striving to satisfy the five hallmarks of journalism: 'Who?', 'What?', 'When?', 'Where?' and 'Why?' (with the additional sixth of 'How?'). Journalists are expected to provide accurate and in-depth information that will enable citizens to make decisions affecting their lives.

According to the Code of Ethics of the journalists in Macedonia, the main mission of journalists is 'to respect the truth and the right of the public to be informed in accordance with Article 16 of the Constitution of the Republic of Macedonia.' In order to accomplish this mission, journalists should gather first-hand information, verify the facts, and authenticate the sources before publishing either online and/or in legacy media.

Standards

- ▶ **Journalists must strive to provide precise and accurate information.**
- ▶ **All news and journalistic output must be attributed to credible sources, to be based on solid evidence, to be thoroughly corroborated and to be presented in clear and precise language. Journalists should be honest about acknowledging when they do not have the complete story. They should also avoid unfounded speculation.**
- ▶ **Journalists should always inform their audiences or readers when they cannot corroborate accusations or disputed facts and content. They should identify sources and attribute quotes unless there are justifiable reasons for withholding names or identifying individuals.**
- ▶ **Journalists must not deliberately mislead the audience. They must not distort facts and present fabricated materials as true.**
- ▶ **Mistakes must be admitted and corrected as soon as possible, in a clear and appropriate manner.**
- ▶ **Speed must not be more important than truthfulness and accuracy.**

Practices

GATHERING INFORMATION

Journalists should strive to attend events and gather first-hand information. Wherever possible, they should cite direct (primary) sources, and, when necessary, corroborate their evidence. Journalists should not rely on a single source and strive to have at least two independent sources. If there is only one source, it is preferable that he or she be named.

Journalists should take precise, accurate and timely notes during any investigations or when gathering information and conducting interviews. It is desirable for journalists to keep such notes, interviews, records and documents, in print or electronic form, in a manner that allows for verification. In situations when note taking might discourage the source, comprehensive notes should be taken immediately after the interview.

This is particularly important when publishing accusations from anonymous sources. They should be corroborated by comprehensive and timely notes from interviews, conversations and information giving grounds to the story. This type of information should be kept in case there is a court proceeding, when the journalist might be required to prove the accuracy of this information.⁸

VERIFYING INFORMATION

In all media content, information, facts and documents must be checked and verified in order to ensure complete truthfulness and accuracy. If it is impossible to verify the information, the audience must be told that and the information source to be indicated.

Particular attention should be paid to content either acquired or provided by third parties. It should not be assumed automatically that the material is true. One should seriously consider whether and how to use such information, and how to verify it. Particular attention should be given to material that may have been submitted by a member of a group or organisation that may have a special interest in having the information disclosed.

Public interest journalists and media should corroborate the claims of eyewitnesses by getting eyewitnesses or other sources on the record in emails or in written or recorded (audio or video) statements. This is preferential to undocumented conversations either in person or in a telephone conversation.

Journalists should be especially vigilant when researching stories on the Internet. Even reputable websites may dispense inaccurate information. One should beware of pursuing information from fake websites. Even the most convincing online material may not be what it seems. It is necessary to determine who runs the website and, if need be, to confirm that the material is original.

PUBLIC SERVICE INFORMATION

Public Service information should be handled with appropriate care, taking into consideration the reputation of the sources. Journalists may rely on information from competent institutions if they find them credible, as, for instance, weather forecasts, official financial reports, statistical data, and so forth.

They may publish public service information that is from a third party—for example, humanitarian agency appeals, environmental group campaigns, appeals for help in the search for missing persons, helpful informa-

⁸ 'The Essentials of Reuters Sourcing' states that reporters should 'keep notes, tapes, video or other materials for at least two years.' Available at: http://handbook.reuters.com/index.php?title=The_Essentials_of_Reuters_Sourcing

tion related to natural disasters, etc. Such content should be attributed to its source and the reason for publishing or broadcasting their material made clear.

One must be particularly careful when using somebody else's video or audio materials. It is the media outlet's duty to gather its own information. The editorial boards should consent to using such materials, whereby explaining the reasons for broadcasting it.

● SOURCES

Information sources should be accurately named, together with the office they hold and their provenance, so that the audience may make an autonomous decision on their status.

When citing anonymous sources, particularly those whistleblowers who level serious accusations, journalists must do everything in their power to protect their identity. Nevertheless, we need to supply the audience with information that will not be misleading about the identity of these types of sources; however, in doing so, journalists must be careful not to disclose information that would clearly and unequivocally identify the anonymous sources.

(See 'Anonymous Sources' in Principle: Transparency)

● PRODUCTION TECHNIQUES AND PHOTOGRAPHY

Photographs and video materials may reveal great truths, expose abuses and illegal activities, inspire hope, cause the audience to emotionally relate to people's fates and

events. But photographs and audio-visual material may cause serious harm and hurt people's feelings if they have been created unscrupulously or manipulated. The Code of Ethics of the journalists of Macedonia states that reporting on accidents, natural disasters, wars, family tragedies, illnesses, and court proceedings must be free of sensationalism (Article 8).

Newsgathering teams are expected to obtain their material, pictures or recordings using techniques that are both professional and ethical. Their job is to reflect the realities that they witness and not engage in any practices that distort those realities and result in any manipulation of the audience.

This pertains to photojournalism as well. Editing techniques or digital alterations should maintain the integrity of the content and its context. Digital images should not be manipulated by adding or altering the background or surroundings in a manner that might mislead the audience or distort the original content.

Photojournalists and TV and audio production teams should refrain from recording or capturing images of individuals and groups that reinforce stereotypes. They should be especially mindful of how their portrayals affect vulnerable groups or victims of crimes.

The media should refuse to pay sources or provide material gifts in kind for their willingness to provide information.

Archival footage and photographs should be labelled and identified when they are shown or displayed.



3

Impartiality

Journalists must strive to be impartial at all times. This means that they refrain from showing bias toward any point of view or siding with one position over another when reporting or preparing a story for print or on air or online.

Journalists, like all individuals in society, have a right to their own privately held convictions, views, and opinions. But they need to set them aside when performing their journalistic duties as the public deserves fact-based reporting and information-backed analysis. Therefore, the journalists' views and opinions must not influence their practices, especially when covering contentious stories and issues.

Only by presenting a broad range of views and opinions can journalists truly serve the public. It is vitally important that in their reporting, journalists reflect the views and opinions of a broad cross section of groups and individuals in society.

Standards

- ▶ Journalists are obliged to treat news and information with due impartiality; to ensure that their coverage and presentation is balanced and proportionate to the events, views and opinions of the main sides of the story.
- ▶ Journalists are obliged to provide a broad range of positions and perspectives in an appropriate timeframe in TV or radio programming, or in a series of texts and articles in print or online media, so that no important position or perspective is deliberately avoided or not presented adequately.
- ▶ Journalists are obliged to treat and cover contentious subjects matters in society with due impartiality.
- ▶ Within the media outlet's editorial policy, journalists and editors enjoy the editorial freedom to publish content on any issue in any part of the coverage, provided there is good reason for that, and particularly if it is conducive to safeguarding public interest. Views of the editorial board should be indicated accordingly.

Practices

● **THE NEWS AND IMPARTIALITY**

Impartiality is of crucial importance to reporting. The news should be based on facts that have been evaluated, attributed and corroborated. To be impartial when presenting news and information means to exclude any personal bias or position and let the audience draw its own conclusions.

When reporting, journalists should strive to gather diverse and conflicting views and not ignore any relevant perspective or position. Journalists should avoid imposing their own personal preferences when covering subjects or deciding upon prospective interviewees.

Journalists should be honest and open at all times. If they have a personal conflict of interest when reporting, or if the media outlet has any conflict of interests—that is, past experience with the subject matter being written about—then they must clearly inform the audience about it.

Journalists should be open when investigating evidence and gauging material facts. They must seek out a broad range of views and different opinions but they should be sensitive to more than political or cultural differing opinions. They should reflect differences between urban and rural members of society as well as those who are young and old, rich and poor, etc. It is desirable that the reporting includes the perspectives of different communities, interest groups and geographical regions. The different areas of Macedonia—as well as at a local level—are inhabited by different ethnic, religious and other communities, and for this reason journalists should attempt to present the chief positions of these seg-

ments of the population with appropriate weight and attention.

● **DUE IMPARTIALITY**

Impartiality does not mean that it is necessary to represent the views and opinions of the different groups in society with equally allotted time or space in the media outlet. It is important to give different appropriate weight to different positions; that is, to treat them with due impartiality. The concepts of 'appropriate' weight and 'due' impartiality means that certain views, positions or groups in society are to be given the time or space that they deserve. For instance, the extremely marginal views held by a small number of citizens do not have to be given equal weight as the views for which there is broader social consensus.

● **PERSONAL VIEWS**

In journalism there is sometimes mention of the so-called balanced reporting. But that is not realistic. Life is not balanced, so neither is the journalism reporting on social subject matters and issues.

Reporting may sometimes appear to be completely one-sided, and in certain cases it may be impossible for the journalist to offer a balanced story on a given subject matter. The personal views of the sources providing only one side of the story may often contribute to better public understanding of the issue or the problem in question and encourage debate. This type of consciously unbalanced reporting may be acceptable when reflecting the views of those who have suffered or been victims of a gross injustice.

On the other hand, journalists should provide the audience with a broad range of positions by individuals, members of groups, movements, civil society association, ethnic or reli-

gious communities, which are to present their personal views or convictions, and they are also obliged to present controversial positions—partisan, expert, academic, as well as citizens' opinions. The Agency of Audio and Audiovisual Media Services has provided a Guide for Assessing Media Pluralism, which, among other things, describes the social, cultural, civil, political and other groups whose views and opinions would be represented in the media.⁹

Journalists may on these rare occasion-use these sources that do contribute to what is perceived as a one-sided story. But in such cases it is important to explain to the audience why those voices being heard represent only one side of the story.

When journalists choose analysts—experts, business leaders, political observers—to comment on the everyday events and issues, they must bear in mind that these interviewees/interlocutors may have their own agenda for speaking to the media and most likely are contributing a subjective opinion or view. In some instances their view may be extremely biased. However, these interlocutors represent a range of different perspectives that journalists need to present to the audience. It is, therefore, very important that journalists exercise fairness when choosing these analysts. Journalists and editors making these decisions should reflect on their own criteria and be transparent with their co-workers, with other editors, and, most importantly, with the audience, in order to demonstrate that they have been attempted to be fair and not consciously neglected other points of view.

● **OPPOSING VIEWS**

Journalists are obliged to find opposing views to the ones they have already presented and broadcast them in the same part of the

programming, or in the next media edition. In all cases they must strive to ensure truthfulness and accuracy of those expressing opposing positions and to present opposing views fairly, unless they are unsuitable for broadcasting: that they are deemed to be defamatory or insulting. When delivering opposing positions and views, journalists are obliged to provide the other side the opportunity to reply and publish it to a similar extent, that is, in similar room in the media outlet or in the similar time of day.

In debates involving the audience, journalists should take care that it is not led to believe that the media outlet is behind the views expressed by the citizens. For this reason, journalists should not openly endorse personal views and positions, and clearly distinguish between the media content and the content created by the audience.

● **CONTENTIOUS SUBJECT MATTERS**

Journalists are particularly obliged to treat contentious subject matters, for where there are often opposing views, with due impartiality. The subject matters may be from the field of politics, inter-ethnic issues, religion, sexual orientation and practice, interpersonal relationships, financial matters, or ethical dilemmas. In all these cases, journalists are required to provide a wide range of opinions and perspectives.

● **PROVOCATIVE VIEWS**

Sometimes journalists interview individuals whose views may provoke serious revolt and anger in the general audience, or part of it. The interviewees expressing provocative views, regardless of whether in an interview or a statement, must be also be subjected to rigorous questioning.

⁹ Guide for Assessing Media Pluralism of the Agency of Audio and Audiovisual Media Services, available at: http://www.avmu.mk/images/Priracnik_1_Pluralizam_finalna.pdf

The potential to trigger such a reaction must be set against the public interest criterion and the risk of violating the impartiality principle. The journalist, in this case, should signal to the audience the possibility that the statement or expressed view may be provocative.

CONSENSUS

On certain issues in society there may be a broad, and on occasion a near unanimity of citizens' views and opinions. Even though it seems necessary for journalists too look for opposing views in such cases, they should not use a language or a tone whereby the consensus is accepted as *fait accompli*.

The media should avoid generalisations on particular subject matters without relevant proof, especially when it is a question of politics, religion, science, technology, medicine and so forth.

THE CRITICAL ROLE OF THE MEDIA

Being an impartial journalist does not mean that he or she is a passive observer during media coverage and in the coverage of events or stories.

On the contrary, the media and journalists have the obligation, in the name of safeguarding public interest, to critically observe the government, or those who hold political or any kind of power and responsibility, but also their opponents, the opposition, non-governmental organisations, business companies, interest groups, religious communities and so forth, including audience opinions.

ELECTIONS

During elections and referendums, the media and journalists are required to approach the rule of due impartiality with greater sensitivity.

The Electoral Code of the Republic of Macedonia¹⁰ and other acts, such as the Elections Reporting Handbook for Journalists¹¹ of the Association of Journalists of Macedonia, as well as the handbook of the Macedonian Radio Television, the Macedonian Institute for Media and the Council for Media Ethics of Macedonia, *Ethical and Professional Principles of MRT for Media Coverage of Election Processes*¹², stipulate special instructions and recommendations for media coverage, where impartiality in media reporting during elections is of key importance. Article 181 of the Electoral Code¹³ even provides a EUR 8,000 fine for the media outlet that will not provide electoral coverage in a fair, balanced and impartial manner.

CONFLICT OF INTEREST

Avoiding any conflict of interest is paramount to the journalist or his or her media outlet. For instance, the journalist may be personally acquainted with someone who is part of the story they write about—a friend or a relative—or they may have written on a similar subject matter before, which may influence their impartial reporting. In all such cases, journalists should declare their interests or possible conflicts of interest with their editors in order to avoid the accusations that their media outlet is biased. Each case should be considered separately, in order to attain the standard of impartiality.

¹⁰ See: Electoral Code of the Republic of Macedonia – Consolidated Text, and Law on Amending and Supplementing the Electoral Code, available at: <http://www.pravdiko.mk/wp-content/uploads/2013/11/Izboren-zakonik-prechisten-tekst-12-02-2014.pdf> and: <http://www.pravdiko.mk/wp-content/uploads/2013/11/Zakon-za-izmenuvane-i-dopolnuvane-10-11-2015.pdf>

¹¹ See: Elections Reporting Handbook for Journalists of the AJM, available at: <http://www.znm.org.mk/drupal-7.7/sites/default/files/Новинарски%20прирачник%20за%20следене%20на%20избори%20-%203НМ%20март%202013.pdf>

¹² See: Ethical and Professional Principles of MRT for Media Coverage of Election Processes, available at: http://mrt.com.mk/sites/default/files/Етички%20и%20професионални%20принципи%20на%20МРТ%20за%20медиумско%20покривање%20изборни%20процеси_МАКЕДОНСКИ%20ЈАЗИК.pdf

¹³ See: Electoral Code of the Republic of Macedonia – Consolidated Text, and Law on Amending and Supplementing the Electoral Code, available at: <http://www.pravdiko.mk/wp-content/uploads/2013/11/Izboren-zakonik-prechisten-tekst-12-02-2014.pdf> and: <http://www.pravdiko.mk/wp-content/uploads/2013/11/Zakon-za-izmenuvane-i-dopolnuvane-10-11-2015.pdf>

 **EDITORIAL FREEDOM**

Being an impartial journalist does not impinge on a journalist's editorial freedom. The journalist is free to pursue any and all stories that are in accordance with his/her media outlet's editorial policy. Journalists need not shy away from pursuing a particular aspect of an issue or allow for the presentation of a separate dissenting position, or marshal opinions and facts that might be poorly received by a certain part of the audience.

The only criterion is whether such a violation of the impartiality principle can be justi-

fied as conducive to safeguarding the public interest.

Given that some journalists may be encouraged to express opinions, then it is paramount that they distinguish when they are presenting or reporting facts and when they are providing analysis or giving their own views. Otherwise, they may not be seen as impartial.

On subject matters concerning editorial policies, it is convenient that the media have formulated their own editorial code so that their journalists can find helpful guidance about ethical and professional issues.



4

Transparency

In order to maintain the trust of an audience or readership, public interest journalism has the added responsibility to provide the viewers, listeners and readers with a means to evaluate their journalistic output. Of key importance to achieving this goal is being transparent about how they process and produce news and information. Just as journalists endeavour to inform the audience with important public interest matters, so the audience wishes to know how the journalists obtained their information; if they

have checked their facts sufficiently before publishing them; if they have established the reliability of their sources, or if the media outlet has ulterior interests, apart from serving the public, while pursuing a certain subject matter. Transparency is particularly important when it comes to information sources that in exceptional circumstances, when deemed in the public interest, can be anonymous.

Standards

- ▶ The media and journalists are obliged to explain to the audience how they have obtained the information they publish.
- ▶ Journalists must not conceal their identity from the public and their interlocutors, other than in exceptional cases that are in the public interest.
- ▶ Information sources must be clearly identified in stories other than in exceptional cases when it is in the interest of the public to use anonymous sources.

Practices

● **TRANSPARENT WORK PROCESS**

Media outlets should when possible be transparent about revealing their newsgathering practices, their editorial decision-making, and how their stories are produced and prepared for airing and publishing.

Journalists should be prepared if asked to share with the audience the necessary details and facts related to the time and place of reporting, as well as when and where they have received the information they are publishing.

Media outlets should strive not to mislead viewers and listeners by editing together interviewees' old and new responses. This could have a decisive impact on how the audience understands and interprets what the interviewees said.

Archival material when edited into a feature or story must be clearly labelled as such.

If several journalists participated in the creation of certain journalistic content, from various settings or in different time periods, it must be clearly specified in the feature story.

Journalists and media needs must inform the public/audience if an organisation, government institution, private company and so forth, has borne their expenses for attending and reporting on a certain event, or covering a certain subject matter.

(See Principle: Integrity)

● **JOURNALISTS AND IDENTITY**

Journalists should not hide their identity, either from the public, or from their informa-

tion sources. Using pseudonyms or publishing unattributed texts, that is stories signed by the editorial board, may arouse suspicion by the readership and raise questions about the media outlet's motives for taking a particular position or stance. Readers, viewers or listeners in such cases feel confused and may wonder whether a story or report has been ordered by the editorial board, or dictated from outside interests. It may be perceived as covering up for a journalist who is unwilling to stand behind his or her by-lined report. In exceptional circumstances, when in order to safeguard the public interest and is vital in obtaining information, journalists may be permitted to conceal their identity; to go 'undercover,' to bring to expose corruption, organised crime, a human rights violation. But this undercover journalistic practice should be approved only if the vital information cannot be obtained otherwise. In such instances, it is important that the media outlet inform the audience or readership why this approach was taken in the public interest.

● **ANONYMOUS SOURCES**

Where possible, the source of the information published should be revealed; that is, the information must be attributed. It is not advisable to use the phrase 'Our newspaper has learned.' Also, the use of pseudonyms to protect sources of information should not be employed unless justified for editorial reasons. The rationale for doing so should always be: how is the public interest best served.

If a journalist is justified in not revealing a source's name, then it is also important that the viewer, reader, or listener be told where the source of information came from and be as forthcoming as possible. For instance, it is not sufficient to say 'We learn from diplomatic sources.' It is more helpful to explain as accurately as possible the type of source used—whether he/she was present when the

event took place; that is to say, 'We learn from a senior diplomatic official of a foreign embassy, who was present at the latest meeting between the prime minister and the leader of the opposition,' would be much more acceptable, reliable and detailed placing of the information source. Still, this full disclosure might also create problems for the source and rule out any future conversations that could be helpful for the reporting.

Information from anonymous sources must be corroborated when possible by a second source. When a source insists on remaining anonymous, a journalist must be satisfied that this refusal to go on the record is justified and the information is trustworthy and not motivated by a conflict of interest.

Anonymous sources must not be given license to insult or defame individuals and institutions.

● **CITING INFORMATION FROM OTHER MEDIA**

When citing information from another media outlet, the attributed source should be accurately credited. It is dishonest to air other media's information as one's own. Moreover, it is insufficient to go around the attribution—crediting the information source—by using the phrase 'as certain media report.'

When we attribute the information to anonymous sources, it is assumed that the sources are our own, and not of another media outlet. But if we cite the information from another outlet that refers to anonymous sources, it is not sufficient to list only the media outlet as the sources. Journalists must make the effort to place and describe the anonymous sources the outlet is referring to as precisely and in as great a detail as possible.



5

Accountability

Journalists are responsible for their work and they should always be accountable to the audience. Maintaining a transparent relationship with the readers, listeners and viewers and reacting openly to journalistic content contributes to better and higher-quality journalism. Being accountable and responsible are particularly important when it comes to listening to what the audience thinks and whether the journalist has fulfilled the fundamental journalistic standards—reporting impartially, providing reliable information, and protecting privacy.

As in any other profession, mistakes are inevitable in journalism but it is of vital importance that they are corrected in a prompt and timely manner. In addition, this should be a learning experience for journalists so that they do not make the same mistakes in the future. Journalists must conduct themselves in a professional manner when acknowledging their mistakes.

Standards

- ▶ Journalists are responsible and accountable to the audience. Audience trust in journalistic work is of key importance in fulfilling the role of the media acting in the public interest.
- ▶ The media and journalists serve the public interest, and the needs of the audience—the readers, listeners and viewers—are of primary importance when selecting the subject matter or stories and issues to cover.
- ▶ The media and journalists should honestly and openly admit the mistakes they have made during their work; to correct them in a timely fashion and build a culture of learning from one's mistakes.
- ▶ Audience interaction is also of particular importance to the participation of the public, of the citizens in creating public opinion.

Practices

AUDIENCE INTERACTION

The media should foster the practice of publishing letters or other types of responses—audio or video—of the readers, listeners or viewers, to the journalistic content they publish or broadcast. This is of particular importance when it comes to the media outlet's fulfilling of its role in safeguarding public interest.

Audience feedback is important both when the audience expresses satisfaction with the journalistic output and when it voices serious criticism about perceived lapsed journalistic standards.

Audience response helps the media to substantiate the editorial treatment of subject matters and to correct or redefine editorial policies on certain issues. From readers' responses journalists may also obtain important information and ideas; that is, suggestions on specific issues and subject matter of concern.

The media should be fair and publish all types of responses—both those praising journalistic output and those criticising it. Of course, responses should refrain from use of emotional language, or insulting or defamatory words and phrases.

CITIZEN JOURNALISM

Social media now enable citizens to track the media and, through social networking sites to comment and critique media content. So-called citizen journalism is now part of the news environment. Citizens contribute their own information and content—posting short videos from their smartphones as well as

news items that suggest law-breaking activities of individuals or institutions. Of course, the media outlet, newspaper or television programming should allot a special section to this citizen journalism. But the media outlet is still ultimately responsible for user-generated content or citizen journalism material that it airs or publishes.

TIMELY ERROR CORRECTION

Mistakes form an integral part of journalistic work, but they must be corrected in a timely fashion. The right to a response as well as the right to a correction are constitutional requirements—stipulated by Article 16 of the Constitution of the Republic of Macedonia—as well as part of the Law on Media that all media are required to abide by. Regardless of their legal and constitutional obligation, journalists are bound by their adherence to journalistic ethics to acknowledge and correct any mistakes that may harm individuals or institutions.

When it comes to serious oversights, correcting an error must be done immediately. This is warranted when a media outlet mistakenly reports someone's death or demise, and they are in fact alive; if a journalist has mistaken someone's identity for someone else's; when it is a matter of a serious crime, or a piece of information that may provoke audience anger and reaction to someone's alleged illegal and immoral conduct; when mistakes have been made reporting court cases, police information on criminal activities, and sexual offences.

These corrections or acknowledgments of mistakes are usually handled in the next informative programme or media edition, including an admission by the editorial board or the journalist and a sincere apology to all parties concerned.

● **LEGAL ASSISTANCE**

When the editorial board has a dilemma about whether or not to publish a specific news item or journalistic feature story that might provoke a lawsuit, it is desirable that journalists consult a lawyer or a legal advisor.

● **THE ETHICS COUNCIL**

In Macedonia there is also a self-regulatory body, the Council of Media Ethics of Macedonia (CMEM), a non-governmental and non-profit organisation, which is in fact an agency of media self-regulation by implementing moral sanctions against the media that violate professional standards and the journalistic Code of Ethics.

The Council of Media Ethics Complaints Commission considers citizens' petitions and complaints in a regular and timely fashion, and makes rulings on violations of the journalistic Code of Ethics and professional journalistic standards, the publication of which is compulsory for the media that are members of the CMEM.

In the context of the media's accountability (responsibility) to the audience, the Council of Media Ethics plays a particularly important role in achieving the following goals¹⁴:

- ▶ Protecting the freedom of the media and the right of the public to be informed;
- ▶ Preventing the influence of the state, the political parties and other centres of power on the media;
- ▶ Safeguarding the interests of the public by providing an independent, efficient and fair process for dealing with complaints about media content;
- ▶ Promoting quality media content by adopting clear and practical work guidelines for editors and journalists;
- ▶ Raising public awareness of the professional and ethical standards that the media should adhere to;
- ▶ Creating an atmosphere of self-criticism, self-awareness and accountability of the media to the audience;
- ▶ Facilitating audience access to the media;
- ▶ Improving the journalistic code of ethics, and
- ▶ Reducing all forms of self-censorship in journalism.

¹⁴ See the goals of the Council of Media Ethics of Macedonia, available at: <http://semm.mk/sovet-za-etika/celi>



6

Integrity and Independence of Editorial Policy

The media and journalists should be free of outside political, corporate and other influence, since that may threaten editorial independence. The audience should be certain that the decisions of the media to cover a certain event or treat a given subject matter have not been made under pressure or influence by personal interests.

Standards

- ▶ The media and journalists, editors-in-chief, editors and all other professionals involved in the information process should be free and independent of outside interests and the arrangements of the media with various subjects that might threaten journalistic integrity.
- ▶ Owners should not interfere with media editorial policies. They must not use the media content for their own political, economic or personal interests. Informative content is exclusively in the service of public interest and for informing the public.
- ▶ Integrity implies that the media are responsible to the audience/public and that they adhere to ethical and professional standards. Journalistic integrity is defended not just by journalists and editors, but also by photojournalists, video editors and all other professionals involved in the process of creating journalistic content. They should all work to the highest professional journalistic standard.
- ▶ Reputation and credibility are directly related to integrity and independence. But this does not imply limiting journalists' convictions, beliefs or interests when they are not performing their professional duties. Nevertheless, their outside interests should not be in conflict with journalistic integrity and media transparency.

Practices

MEDIA INTEGRITY AND CLIENTELISM

Media integrity entails an ability to publish accurate and reliable information without depending on certain private, economic, political or government interests. Journalists must not withhold information on events or company disputes, even in cases when said companies have business dealings with the media outlet.

Media must refrain from surreptitious advertising; that is, reporting in a manner that favours a product, a service, a commercial event or activity of certain subjects associated with the media outlet.¹⁵ There should be clear distinction between a journalistic text and advertising. There may be reporting on products, activities, services, views and opinions of various economic subjects only if it is in the public interest.

Media integrity also demands that journalists and other media professionals support their autonomy and professional standards, and faithfully serve the public interest, as opposed to cultivating relationships and practices that corrupt and contaminate the profession for certain/special private or other interests.

The media should be transparent when it comes to their dependence on certain interests and sources, and journalists, in such cases, are obliged to defend professional standards and not mislead the audience.

(See Principle: Transparency)

ADVERTISING IN THE MEDIA

The Law on Audio and Audio-visual Media Services does not allow advertising in the news, informative, documentary and educational programmes, children's programmes in broadcasting outlets, as well the programmes of non-profit broadcasters.

In accordance with the Guidelines on Implementing Product Placement Rules of the Agency of Audio and Audio-visual Media Services, product placement (advertising) must not influence editorial independence and the programming integrity of the audio-visual media service providers. Additionally, product placement must not call into question the respect of human dignity, include or promote any type of discrimination based on gender, race, ethnicity, nationality, faith or conviction, disability, age or sexual orientation, or incite behavior that considerably endangers the environment.

Advertisements and commercial texts in print and online media should be clearly and unequivocally be distinguished from journalistic texts, and in a different type face than the one the media outlet uses and is easily recognisable to the readers.

MEDIA INTEGRITY AND GOVERNMENT ADVERTISING

The distribution of state (government) advertisements through various forms of state subsidies represents a high level of corruption. One of the consequences of distributing state funds, motivated by the need to exert political influence on media, is the abuse of the media as instruments of shaping public opinion in order to increase political party ratings.

¹⁵ In the AJM Journalism Ethics Handbook (2012), page 18, surreptitious (hidden) advertising is defined as all propaganda content that according to its form and manner of preparation resemble a proper journalistic text, so that the reader/viewer cannot distinguish between its propagandist function and journalistic content.

There is a need for clear criteria that will precisely define public interest campaigns in order to eliminate their abuse for political and propagandists' interests and purposes. Public campaigns should not be used to promote and champion biased values, positions and principles, ideological campaigns, campaigns glorifying controversial historical figures and events, etc. Public campaigns should perform a narrative promoting universal values, such as healthcare, inter-ethnic and inter-religious tolerance and cohabitation, practicing democratic values, human rights and liberties, freedom of expression, gender equality, fighting against asocial phenomena, and so forth.

● **MEDIA INTEGRITY AND PROMOTION**

The media should avoid any kind of exaggeration that conveys an impression of promoting a certain product, organisation or service. Under no circumstances should there be allowed reporting on events or activities organised by various subjects that are devoid of any public interest values, such as an advertising service of economic or other types of entities. The media should be careful when promoting products designed to appeal to children, especially if they are items that might cause medical, psychological, physical and other unwanted consequences.

● **JOURNALISTIC INTEGRITY AND CORRUPTION**

Every journalist has the right and the obligation to fight against abuses and corruption in their work and in other spheres of society. While practicing their profession, journalists might be offered trips, dinners, free telephone services, mobile phones and other material goods and services. Such gifts may undoubtedly tempt journalists to report professionally on those offering them such benefits.

The editorial board should carefully consider each offer for paid trips. Newsrooms should not accept free trips if they are not aimed at covering an important public interest event, as, for instance, reporting from a military or police helicopter on natural disasters in an inaccessible area or terrain. Editorial boards should not accept trips at the expense of the Government, the president of the country, the prime minister or other public officials abroad, as well as to financial road-shows, international conferences, bilateral meetings, and so forth. One should certainly take into consideration the reporting context where there is an offer for trips by commercial operators, companies or institutions.

The media should pay particular attention to preventing corruption in journalists reporting on economic and financial market issues. Considering the nature of the sector they cover, business journalists must under no circumstances personally profit from the information they have learned before the general public, or share such information with others.

Journalists in Macedonia have adopted a Declaration on Anti-Corruptive Behavior, which forms an integral part of the journalistic Code of Ethics. It clearly defines bribery and corruption in the journalistic profession and the forms in which they appear.

- ▶ Any gift or service that might affect objective journalism is considered corruption;
- ▶ Any use of the journalistic profession, function, public authority and public office and position to benefit oneself or any other subject is considered corruption;
- ▶ Potential sources of corruption include: holders of public office, elected or appointed officials, businessmen, political parties, educational, healthcare, religious, sports and cultural organisations, governmental and non-governmental organisations, media outlets and individuals;
- ▶ Direct corruption involves giving, receiving and extorting illegal material or other gains for the benefit of the journalist or the media outlet;
- ▶ Indirect (hidden) corruption involves: organising trips, seminars and conferences; favouring certain journalists and outlets to accompany official delegations, as well as offering services and funds under privileged conditions aimed at winning the journalists' favour for withholding facts relevant to the public, or publishing affirmative texts;
- ▶ Extorting material and non-material gains by the journalist through blackmail regarding the publishing of certain information that might be harmful to a particular subject.¹⁶

18 'Journalists against Corruption', annex to the Journalism Ethics Handbook, Association of Journalists of Macedonia, available at: <http://www.znm.org.mk/drupal-7.7/sites/default/files/Priracnik%20za%20etika%20vo%20novinarstvoto%20maj%202012.pdf>



Fairness

The media should be fair and principled to their sources and collaborators, as well as to the audience. Media reporting should reflect the relevant facts and the important positions. Journalists are obliged to treat individuals, institutions, events and subject matters ethically and with due respect. The illegal or unfair treatment of individuals or organisation is impermissible.

Standards

- ▶ The media and journalists are obliged to be open, honest, sincere and fair in their dealings with their sources and with the audience. The media may act differently only if such actions are in the service of public interest, as, for instance, when treating matters of legal or security issues, or confidential information.
- ▶ When pursuing sources to go on the record, journalists should make it clear how their information or comments will be used. Their consent must be sought. The exception to this practise is when the public interest is judged to outweigh gaining the consent of the sources.
- ▶ Criticised parties have a right to reply or respond when they as individuals or their organisations are characterised as incompetent, unprofessional, or engaging in practises that could be deemed inadequate or possibly even illegal.
- ▶ No journalistic reporting or programming content is fair if:
 - ▶ They do not have all main facts;
 - ▶ Contain irrelevant information at the expense of the most important facts;
 - ▶ They mislead the audience, intentionally or unintentionally, and
 - ▶ The journalist employs words or methods and actions betraying their bias.

Practices

● **OBTAINING CONSENT**

The media are obliged to treat their information sources honestly and with due respect. Journalists will demonstrate they are fair if they insist on first obtaining consent for participating in the newsgathering process, and only afterwards interview their sources or interlocutors. They need to be notified of the reason for participating and in what capacity they are to be involved, where the content will be published and what the context is. Interviewees should be informed of all aspect of the production of journalistic content (whether the broadcast is to on air or recorded, whether is for a print, broadcast or online media), and of the format of the media product (a TV feature story in an informative programme, a radio interview, debate, and so forth). When it comes to current-events content, where the journalist has planned to record multiple interviews, it is fair to disclose the involvement and the identities of other prospective interviewees. The more important the interlocutor or news source is, the greater the detail that journalists need to provide them with.

It is desirable for journalists to secure proof of given consent (email, text message, and so forth). Consent should be voluntary, clear and unequivocal.

(See 'Gathering Information' in Principle: Accuracy and Truthfulness)

Normally, interviewees give oral consent to participate in surveys with random passers-by, to make a statement or to be interviewed for a TV news bulletin, a newspaper article, for the radio or an online media outlet.

Journalists should bear in mind that minors and members of vulnerable categories are not always in a position to consent to an interview or to making a statement, or to make a rational decision on the reasons for and the consequences of their involvement in media content. There are special standards and principles that journalists should adhere to when reporting on or interviewing children and young people.

(See Principle: Children and Young People as Sources of Information and Collaborators)

● **ARRANGING THE SUBJECT MATTER**

When asking for consent to do an interview, it is fair for journalists to disclose the subject matter on which sources and interlocutors are to answer questions. Journalist may, but do not have to give the questions in advance. Interviewees should expect additional questions that may be raised depending on the course of the conversation. If it is not about TV/radio news or live programming, the interlocutors' statements and conduct should be presented, fair, accurately and reliably in the final content.

● **FAIR TREATMENT OF SOURCES AND INTERLOCUTORS**

Changes: Journalists should inform their information sources/interlocutors, in a timely fashion, if there are any considerable changes in the programme before they are aired or published, particularly if said changes might affect their initial consent to participate.

Quotes: The journalist is obliged to publish direct opinions as quotes. According to Article 12 of the journalistic Code of Ethics: 'Plagiarism is unacceptable. Quotes must not be used if the author or source is not specified.'¹⁷

¹⁷ Code of Ethics of the journalists of Macedonia, available at: <http://znm.org.mk/drupal-7.7/mk/node/440>

Assurances: Journalists cannot and should not guarantee interlocutors that their statements will be aired or published; nor should they make promises they cannot keep.

AUTHORISING INTERLOCUTORS' STATEMENTS

Interviewees may exercise their right to authorise a statement made to a media outlet. In certain countries (Germany, for instance), authorisation is compulsory since, legally speaking, the interlocutor has technically co-authored the piece. The advantage of authorisation is that it helps prevent errors and guarantees that the interlocutor cannot claim to have been misquoted.

According to the AJM, journalists are not obliged to authorise quotes, but if they agree to do so, the interviewee does not have the right to change the journalist's question, the sense and the context of their replies.¹⁸ Authorisation must be limited to factual or linguistic corrections. Should the changes undo the authenticity of the interview/statement or contradict something important that was said, editors have the right to refuse to make said changes. For this reason it is recommended that journalists take notes or record the conversation.

(See 'Gathering Information' in Principle: Accuracy and Truthfulness)

Sources do not have the right to interfere with the editorial handling of their information, views/quotes (kickers, headlines and subheadings in newspapers, editing of television, radio or online features, and so forth).

Photographs must bear the full name of the photographer and cannot be released to third parties without their permission.

ANONYMOUS SOURCES

As a rule, the information source should be identified, but occasionally the information that is to be disclosed to the public is only available through sources that wish to remain anonymous. The protection of sources of information is constitutionally (Article 16) and legally guaranteed (Article 10 of the Law on Media). According to the journalistic Code of Ethics, the journalist shall credit the source of information, but if the source requests to remain anonymous, the journalist shall protect them (Article 4).¹⁹ Anonymity is ensured when releasing certain information might affect the safety of the source, of the safety of a third party.

The journalist should always be critical of the source and verify the supplied information. One should be particularly careful in situations when anonymous sources are used, or when the journalist is offered exclusive information. In such cases one should thoroughly examine the motives of the supplier of the information.

The media should establish clear guidelines for journalists in the event they decide to protect their source's identity. The Law on Media stipulates that '[p]rior to publishing information for which the source is not disclosed, the journalist shall be obliged to inform the Editor-in-Chief' (Article 12, paragraph 3). This decision on the part of the journalist should be respected by the other co-workers in the media outlet, regardless of whether they are journalists or other media professionals.

The source should be notified that journalists are not in a position to guarantee anonymity in the event of a court order.

¹⁸ Journalism Ethics Handbook, available at: <http://www.znm.org.mk/drupal-7.7/sites/default/files/Priracnik%20za%20etika%20vo%20novinarstvoto%20maj%202012.pdf>

¹⁹ Code of Ethics of journalists of Macedonia, available at: <http://znm.org.mk/drupal-7.7/mk/node/440>

When it is a matter of public safety or serious crimes, authorised judicial organs may require the media to disclose their information sources. In such cases, the media should not advise their journalists, editors, or media professionals to reject the court's request.²⁰ The media should provide legal assistance and to appeal to the court to carefully consider the weight of public interest before demanding that the journalist break the confidentiality code.

The competent organs should first notify journalists of their right not to disclose information that might identify the source, as well as of the restrictions to that right before requesting that the source be revealed.

During reporting, journalists should be careful when portraying the source. They should avoid details that may easily lead the audience to the identity of the protected source. Certain anonymous source may demand not to be recognised, even by their family or their closest friends.

(See 'Anonymous Sources' in Principle: Transparency)

● **THE RIGHT OF CORRECTION**

If in their effort, writing on the legal violations and poor work of individuals, organisations and institutions, journalists convey incorrect information or lies that may harm

their work or their honour and reputation, the criticised parties have the right of rebuttal. The right to a correction in the media is guaranteed by Article 16 of the Constitution of the Republic of Macedonia, as well as by the Law on Media (Article 15, 16 and 17). Article 3 of the journalistic Code of Ethics, moreover, stipulates that the journalist shall strive to ensure the publication of a correction, retraction or response in the event the information is found to be incorrect.

The media should document all requests for responses or retractions, including the date and time of submission, the persons' names and the key elements of the communication. This should be taken into consideration so that the response is published within the appropriate time frame.

Regarding the published allegations, all parties concerned should be treated fairly. The statements from the concerned parties should be broadcast within a reasonable time frame, most often stipulated by law, in the same programme, at the same airtime on TV or on the radio, or in the same section in the print or online media outlet. In newspapers, the response should be published on the same page and in the same space where the accusations or attacks were published. The Editor-In-Chief may refuse to publish the responses in retractions and corrections that go beyond the scope of the subject matter at hand, or that are expressed in unequal proportion.²¹

²⁰ Recommendation No. R (2000) 7 on the right of journalists not to disclose their sources of information adopted by the Council of Europe lists exceptions when this right of journalists may be limited, that is, in cases when the public interest of disclosure clearly outweighs the public interest of non-disclosure.

²¹ Articles 18 and 19 of the Law on Media explain in detail the circumstances, time frames and manner of publishing corrections in various types of media. Available at: http://avmu.org.mk/images/Konsolidiram_tekst_na_zakon_za_mediumi_18.11.2014.pdf

● **UNWILLINGNESS OF SOURCES TO PARTICIPATE IN MEDIA CONTENT**

Everyone has the right to refuse to participate in a feature story, a show or any other kind of journalistic product. When the audience expects to hear counter arguments or views of individuals or organisations not presented in the content/programme, it is advisable that journalists explain their

absence. That is, in fact, stipulated by the journalistic Code of Ethics: if journalists are prevented from obtaining the required information, they have the right to inform the public about it (Article 2). Serious accusations resulting from journalistic investigation—in the absence of the accused individual or institution—may be published only if the concerned party has been duly consulted and has not responded within a reasonable time frame.



8

Minimising Harm and Insult

The media should represent the world as it is, including all aspects of human experience and reality. They are obliged to balance between the right to publish new, informative and stirring content and the responsibility to protect the vulnerable from harm and insult. The media and journalists should be mindful of their audience, particularly in content concerning child welfare.

Standards

- ▶ The media and journalists should provide appropriate protection for the public/ audience against offensive and harmful content.
- ▶ In cases in which the content involves material that might harm or offend part of the audience, the media should always demonstrate editorial responsibility, referring to the professional standards and codes of ethics.
- ▶ The media should not publish or broadcast content that might serious harm the physical, mental or moral development of children and adolescents.
- ▶ Journalists are obliged to foster speech culture. Using harsh language may be editorially justified solely if it is a matter of public interest.

Practices

(NON-)USE OF POTENTIALLY OFFENSIVE CONTENT

Before publishing/broadcasting potentially hurtful content, the media must make sure that such a move is justified. Offensive content includes: hurtful speech, violence, affront, distress, sexual violence, activities portraying violations of human dignity, abusive language discrimination, discrimination based on age, disability, gender, race, religion and sexual orientation. Such content should be handled with significant great attention.

The broadcasters are, therefore, obliged to act in accordance with the Bylaws on the Protection of Minors²² of the Agency of Audio and Audio-visual Media Services. According to the domestic media regulator, violence is any obvious portrayal of any form of credible threat of physical force or direct use of force, with or without a weapon, a force intended to hurt or intimidate a living being or a group of living beings. Material broadcast on television in the period between 5:00 a.m. and 10:00 p.m. should be suitable for the general audience, including children. Late-night programming may be unsuitable for children under the age of 12 without adult supervision. All material should refer to editorial standards, or be overseen by an independent editorial committee.

Radio programmes should supply information on the content that may be followed by children. In cases when the content on television and online media have the potential of exceeding usual audience expectations, they should be labelled accordingly as suitable for audiences over the age of 12.

TV AND RADIO SCHEDULING

The 10:00 p.m. television airtime is used so that broadcasters may distinguish between programming primarily intended for the general audience and adults. However, parents and guardians are responsible for their children as well. The 10:00 p.m. watershed marks the beginning of broadcasting adult content, but one should bear in mind that the change of programming structure ought not be sudden (swift). Programming and scheduling planners should take into consideration the nature of the channel and audience expectations.

TELEVISION NEWS

The media must be careful when planning to show violence on television news. News editors and journalists are obliged to announce and justify the showing of explicit scenes of violence. When real-life violence and the consequences thereof are presented on television, radio or online, there is a need for balance between the responsibility to the truth and the danger of indifference—audience desensitisation—to such content because of the risk of traumatising the viewers/listeners.

VIOLENCE AND CHILD PROTECTION

The media are obliged to bear in mind that frequent and continual portrayal of violence might have a cumulative negative effect on minors, which might lower their level of sensitivity to violence and develop the belief that violence is an acceptable manner of resolving problems.

Scenes with verbal and physical violence, or with other dangerous behavior that minors may easily apply, must not be broadcast in programming primarily intended for minors.

22 Bylaws on the Protection of Minors of the Agency of Audio and Audiovisual Media Services, available at: http://www.avmu.mk/images/Pravilnik_zashtita_na_malloletnite_lica.pdf

When publishing or airing violence, descriptions of violence and the consequences thereof in the most-watched programmes or on online media, which may attract the attention of a larger number of children, for such content it should be clearly stated which target audience it is published or broadcast for.

For the protection of minors, the showing of programmes containing descriptions, scenes and/or portrayals of suggestive forms of behavior dangerous to health and safety, which may easily be copied, must always be justified accordingly.²³

● **SUICIDE, ATTEMPTED SUICIDE AND SELF-HARM**

Journalism ethics requires the media to proceed with extreme caution and discretion when informing on suicides or suicide attempts. That is why there is an adopted practice not to report on suicides, particularly of unknown people.²⁴ In accordance with Articles 7 and 8 of the Code of Ethics, journalists are obliged to protect the person's privacy and not report with sensationalism since the event is a family tragedy. The person committing suicide is the victim; however, family members and loved ones are victims as well and merit sensitive and thoughtful coverage and reporting.

Nevertheless, if editors decide to inform on such an act, detailed descriptions of the method used should be avoided because of the risk that certain vulnerable categories of people might follow suit. For instance, when reporting on someone's prescription drug overdose, one should not go into detail over the manner, the amount and the combination of drugs taken, or how they were acquired. One should be particularly mindful when an unusual suicide method

has been used. Even though such details make the news on the suicide more appealing to the media, the method might encourage others to copy the approach.²⁵ When reporting on facts about suicide, attempted suicide or self-harm, it is advisable to report on the through fictional portrayal (drawings, sketches).

Photographs or video footage of the suicide scene should not be used, particularly if they could help readers or viewers to determine the location and the suicide method. In addition, there should not be any use of photographs of the suicide victim, letters or notes they may have left. In the event that older photographs of the victim are used, journalists should first obtain permission from the family members. These photographs should not be published in prominent segments or in prime time slots.

● **NUDITY**

Even though media content is allowed to showcase erotic material to a certain extent, the media are obliged to bear in mind that such content may harm minors. Therefore, the broadcasters have an obligation to categorise the programmes containing erotic material in accordance with the Bylaws on the Protection of Minors of the Agency of Audio and Audio-visual Media Services.

When the news feature stories, informative programmes, or the online media content there are descriptions, scenes and/or portrayals containing erotic material, the estimate of their suitable airtime on television or in online media should be based on the level of graphic detail presented.²⁶

According to the Law on Media (Article 53), print media with pornographic content must

23 Ibid.

24 See: Suicide Reporting Guidelines, page 39, Journalism Ethics Handbook (2012), AJM.

25 See: World Health Organisation recommendations on suicide prevention (NLM classification: HV 6545) in Preventing Suicide: A Resource for Media Professionals, available at: http://www.who.int/mental_health/prevention/suicide/resource_media.pdf

26 Bylaws on the Protection of Minors of the Agency of Audio and Audiovisual Media Services, available at: http://www.avmu.mk/images/Pravilnik_zashtita_na_malloletnite_lica.pdf

display a visible warning that they contain pornography, as well as a warning that their distribution or sale to minors is prohibited, and be packaged in a transparent plastic case.

DEVIANT SEXUAL BEHAVIOR

Media treatment of subject matters related to paedophilia and other forms of legally prohibited sexual behavior in the news, in informative, documentary or other programming, in print, on the radio or in online media, must not contain any suggestion of or incitement to socially unacceptable positions. When categorising their programming, the media are obliged to keep in mind that descriptions, scenes and/or portrayals of rape and the consequences thereof may have particularly harmful effects on minors. Scheduling the airtime of TV programmes treating sexual abuse of minors must be based on the fact that said minors may be upset as a result of possible identification with the portrayed victim of the violent act.

In prime time television slots, when children may form part of the audience, or in online content that may be followed by minors, the media should not portray sexual acts without serious explanations and warnings.

CIGARETTE, ALCOHOL AND DRUG USE

Cigarette, alcohol, drug and psychoactive substance use must not be portrayed in audio-visual programmes that are primarily intended for minors, or be promoted in newspapers or in online media whose target audience are children and young people.

Such content should be particularly avoided in peak time television slots, when children form part of the audience.

INDECENT LANGUAGE AND GESTURES

Journalists should bear in mind the moral standards of the audience they are addressing and they should not use offensive language. Expletives may be used under exceptional circumstances, only when they are necessary for explaining the facts. Swearwords should almost never be used outside direct quotes from interlocutors. The stronger the profanity, the harder the decision on whether to publish it. Using expletives in headlines should be avoided.

The use of harsh language may be in the interest of the public when it forms part of the commentary, critical pieces or programming containing satire, and in satirical features in newspapers or in online media that caricature political reality.

Using indecent words and gestures is acceptable in certain types of entertainment programming, as an aesthetic element of dramatic programming, and educational and documentary programmes, as well as in print or online media content treating the artistic use of indecent (vulgar) speech and its socially motivated aspects. In programmes intended for the whole family, aired on television broadcasters before 8:00 p.m., excessive use of indecent language and gestures is not permissible.

ROLE PORTRAYAL AND STEREOTYPING

The media should fairly and objectively portray people and their cultures in the Republic of Macedonia. The content may reflect the prejudice and stereotypes of different cultures and communities existing in societies throughout the world, but the audience

should not gain the impression that the media outlets support them.

Stereotypes are defined as perceptions or beliefs we have of groups or of individuals based on our preconceived views or opinions.²⁷ Stereotypes may be positive or negative. One should be careful since even accidental and unintentional stereotyping may appear offensive. For instance, we may form stereotypes when we are abroad and we are faced with people and situations we are not accustomed to.

● **PREJUDICE**

Prejudice implies unfair, biased or intolerant views and opinions of other individuals or groups simply because they do not belong to a particular religion, race, nationality or other type of group.²⁸ Prejudice, just as stereotypes, may be positive or negative. Journalists should be extremely mindful when listing a person's ethnicity, race or religious affiliation in order to prevent the strengthening of negative stereotypes and prejudice.

²⁷ Reporting on Diversity: European Standards, Domestic Legislation and Codes of Ethics, available at: <http://vs.edu.mk/vs.edu.mk/attachments/Mediumi-izbori-MK.pdf>

²⁸ Ibid



Privacy

The right to privacy implies the right of the citizens to be left alone or the right to have control over unwanted publicity of their private information. Everyone has the right to the respect of their private and family life, home, health and correspondence, including digital communication. The media are obliged to respect privacy and not to violate it without good reason, or if it is not in the public interest.

The Constitution of the Republic of Macedonia guarantees every citizen the respect and protection of their personal and family life, their honour and reputation (Article 25). The Law on Personal Data Protection protects the individuals' privacy by regulating the manners of processing and using personal information. The Law on Audio and Audio-visual Media Services requires public and private broadcasters to respect and protect the individual's privacy, dignity, honour and reputation (Article 61 and 110).

Fulfilling these ethical, legal and regulatory obligations requires assessment of the balance between privacy and the right of the

media to release public interest information. The media must be able to demonstrate why the violation of privacy is justified.

There are several key issues to be taken into account when considering an invasion of privacy:

- There must be sufficient reasons for it—the invasion must be justified with the scope of the potential harm it may cause;
- There should be good reasons for the motive—the invasion must be justified in terms of public interest and the public benefit resulting from the release of the information;
- The methods used must be consistent with the seriousness of the story and its public interest—to use as minimal an invasion of privacy as possible;
- One must have the relevant authorisation—any invasion must be authorised from above and with appropriate supervision, and
- It must have reasonable prospects of success.

Standards

- ▶ **The media are obliged to establish balance between public interest in the freedom of expression and the citizens' legitimate expectations of privacy.**
- ▶ **For the sake of complete and accurate information on events involving human suffering and disasters, the media are obliged to establish balance between public interest and the citizens' privacy, as well as respecting their human dignity.**
- ▶ **The media must justify the invasion into the private life of the individual without their consent, demonstrating that it is outweighed by public interest.**
- ▶ **The media report on the private conduct of public figures solely when the conducts or the consequences thereof may endanger public interest.**

Practices

● **LIMITS ON PRIVACY**

When informing, journalists should take into consideration the individual's legitimate expectations of privacy depending on the location (place) and the nature of the information and the conduct, the degree to which the information is already in the public domain and whether the concerned party is 'in the public eye.'

Privacy versus Public Interest: Private behavior, information, correspondence and conversations should not be disclosed to the public unless there is public interest that prevails over the expectations of privacy. There is no single definition of public interest. Public interest includes, but is not limited to: uncovering or exposing crime, disclosing considerable asocial behavior, uncovering corruption or injustice, exposing incompetence or negligence, people's health and safety, preventing misleading statements or actions of individuals or organisations, as well as disclosing information helping people better understand or make decisions of matters of public importance. Additionally, there is public interest in freedom of expression itself.

When considering what is in the interest of the public, the media should also take into account information that is already in the public domain or are to become available to the public. When using public interest to justify the invasion of privacy, one should consider the proportion as well: the greater the intrusion on privacy, the greater the public interest justification should be.

Location: People in public or semi-public places (places to which the public has general access, such as airports, stations, shop-

ping centres) cannot expect the same level of privacy as in their homes or in other sensitive locations. The location must be viewed in terms of activity. People in public or semi-public spaces expect greater privacy if the activity or information disclosed is private in nature. For instance, there is greater expectation of privacy when someone is in a public or semi-public place and the activity is a medical treatment. The media will not supply information on the location of the person's home or family without their consent, unless it is in the public interest.

Behavior: There is a lesser right to privacy when the individual's behavior is criminal or seriously asocial. Persons under investigation or individuals 'in the public eye' (such as politicians, actors, athletes and other prominent figures) and their immediate family and friends maintain the right to private life. However, journalists may inform on the private conduct of public figures if it is in the public interest.

● **PRIVACY AND CONSENT**

If the content of the information/programme violates the privacy of an individual or organisation, consent should be obtained before publishing/broadcasting the material, unless the invasion of privacy is justified: audience phone-ins imply given consent to broadcast the callers. When the contributor has given consent to participate in the media content, they are assumed to have renounced their expectations of privacy.

(See 'Obtaining Consent' in Principle: Fairness)

The media should always work transparently, unless they have authorisation for secret recording. This is particularly important when the audio-visual equipment is not apparent, as in the case of small video cameras,

mobile camera phones or fixed web cameras. The media should then notify people that they might be included in the footage and thereby allow them to avoid being recorded.

When recording in public institutions, business companies and other organisations, permission should be obtained from the competent organ or from management, unless it is justified to record without permission. Individual consent is usually not requested from employees or other persons whose appearance is incidental, or when they are anonymous audience members. Consent to publish/broadcast is not requested if the natural person is unrecognisable—the image is blurred—in the footage/programme.

When shooting in public and semi-public places, it is not customary to request express consent from natural persons accidentally caught on camera as part of the general scene, unless they are involved in activities that imply legitimate expectations of privacy. If the individual or the organisation demands that filming be stopped over privacy concerns, the media outlet should comply, unless editorially justified to continue shooting.

In potentially sensitive places, as, for instance, doctor's offices, hospitals, schools and prisons, one should obtain consent to gather and publish/broadcast information, unless doing so is justified in order to safeguard public interest.

Prior to filming on private property one must always obtain consent. Shooting without previous permission is justified in places to which the public has general access, as, for instance, at a shopping centre, a railway station or an airport, or in locations where the footage will help illustrate illegal or asocial behavior. If shooting on private or semi-public

property without previous consent and the owner or legal entity demands that the recording stops, one should comply, unless continuing is in the public interest.

● PERSONAL IDENTITY

There are numerous situations in which a person's identity should not be revealed. Identification does not merely imply disclosing the individual's name, but also using photographs or information with detail that identify the person in public.

The Suspect's Identity: According to the Macedonian justice system, a person is considered innocent until their guilt is proven in court. The mere fact that the person is under police investigation is no proof that they have committed a crime. Their identity may only be reported using initials and if there is footage, it should be blurred. It is also unacceptable to film the act of arresting the suspect.

The Defendant's Identity: When identifying a person charged with a criminal offence in the information/programme, only part of the court proceeding is released (since considerable time may pass between the filing of charges and the trial). Recording and broadcasting data on individuals with criminal or administrative proceedings against them is in contravention of the provisions of the Law on Personal Data Protection, since doing so violates the principle of presumption of innocence. *The Public in the Criminal Procedure: Criminal Procedure Guidebook for Journalists*²⁹ recommends that, in all cases in which public interest is great and justified, the media should provide appropriate anonymisation of the individuals directly involved in the ongoing proceedings, just as the courts do so by publishing anonymised rulings until they become legally binding.

29 See Dimovski, S., Ilievski, J., Dimitrievski, Z. (2014) *The Public in the Criminal Procedure: Criminal Procedure Guidebook for Journalists*, Skopje: OSCE Mission in Skopje

The Identity of Perpetrators of Sexual Violence: The media pay close attention when felons convicted of crimes on sexual violence are released from prison. It is most often assumed that disclosing their identity in the media serves public interest. But these situations require careful action. Revealing the identity of perpetrators of sexual violence is in the public interest if they continue to pose credible threat to the safety of others.

Otherwise, disclosing their identity may harm the criminal offender's ability to rehabilitate and re-integrate in the community.

The Identity of Crime Victims: Revealing the identity of crime victims most often causes sadness, pain and trauma. As a rule, the identity of victims of criminal offences—particularly of sexual abuse—is not disclosed, except in the following cases: when the victim agrees to be identified—in writing or on footage, when the victim voluntarily participates in the journalistic story, or when it is in service of public interest.

● **PERSONAL DATA**

When gathering personal data from collaborators, from the audience or from other citizens, journalists must clearly state how they intend to use it. Hereby privacy and consent guidelines must be followed.

● **CHILDREN AND VULNERABLE CATEGORIES**

One should be particularly mindful of the expectations of privacy of persons under the age of 16 and vulnerable categories. They do not lose their right to privacy on account of, for instance, their fame, their parents' reputation or school-related events. When persons under the age of 16 and vulnerable categories are included in the content/programme in a

manner violating the legitimate expectation of privacy, consent should be obtained from a parent, legal guardian or another person above 18 years of age anytime it is possible, even if the subject matter is trivial and uncontroversial for their participation in the media, or if it is justified without permission.

'Vulnerable categories' are persons with learning disabilities, mental health problems, individuals with brain damage or forms of dementia, persons suffering from trauma or a serious illness.

● **SUFFERING, PAIN, DEATH, DISTRESS**

The media should not photograph or film victims of accidents, disasters or people suffering a personal tragedy, even in public places, because doing so constitutes invasion of privacy. The exceptions are cases when recording is justified by safeguarding public interest, or if the parties concerned give consent. People in a state of distress should not be pressured and asked for statements or participation in the programme, unless there is good justification for it.

In order to avoid invasions of privacy when it comes to accidents, disasters, unrests, violence over individuals or wars, one must always establish balance with public interest. When the journalistic crew arrives on the scene—of a disaster or an emergency situation—it is most often under pressure, which makes the assessment whether recording it would violate someone's privacy more difficult. But, precisely in such situations one must evaluate the privacy implications. The need to shoot as soon as possible and for the programme to be broadcast live should not outweigh the privacy of those who are suffering or are in distress. There are very few situations in which it is justified to air dying moments, and the privacy and dignity of the

deceased should always be respected. One should not air explicit scenes of seriously injured or dead individuals, and of those who are suffering or in distress. Statements or interviews of accident or disaster victims may be requested, but never by pressuring them, by persistent telephone calls and messages, or tireless camping out of their homes.

Consent should be obtained to film a private funeral, and if it is done without permission, it must be of considerable public interest.

● **SOCIAL MEDIA CONTENT**

Materials, particularly photographs and videos, on social media and other websites with open access to the public may be considered to be in the public domain. But when these materials are being reused by the media, they usually reach a much wider audience. Journalists should, therefore, seriously consider the impact of reusing such materials, particularly when it comes to tragic or distressing events.

Additionally, they should take into account the risk of copyright infringement. For using social media content, one must first obtain consent.

● **SECRET RECORDING**

Secret recording must be justified by clear public interest. It is a valuable tool for the medium since it allows for the recording of evidence or activities that the audience could not otherwise see and hear. But the method of secret recording should only be used as a last resort. Where the legitimate expectation of privacy is higher, before the secret recording the media outlet should require that the case pass a more rigorous public interest test. Such situations may include: secretly recording private places to which the public has no

access; secretly documenting medical treatments, or secretly filming public figures in mourning or under extreme stress in public and semi-public places.

As secret recording are considered the following techniques: using hidden cameras or microphones, the use of audio-video equipment, long lenses, small video cameras, mobile camera phones, photographic cameras and radio microphones when people are not aware of being recorded; deliberate use of the listed techniques either to conceal the equipment from the recorded individuals, or to create the impression that the recording has other purposes (for instance, making holiday videos); recording telephone conversations for possible broadcast without permission; deliberately continuing the recording when the other party believes it has finished, or beginning to record before the other party knows it has begun.

Secret recording is used only when it is justified: when there is clear evidence of public interest information; when there is sound reason to suspect that additional material evidence may be obtain, or when it is necessary for the credibility and authenticity of the information.

Secret recording is only used as a tool of journalistic investigation: when there is clear evidence of an activity or the intent to undertake an activity, which is in the public interest to disclose; when the recording is necessary to prove said activity; when there are no alternative manners to gather evidence that might prove the activity; to obtain material in a country where, under the law, gathering information, photographs and video recording is extremely difficult or impossible; as a method of consumer, scientific or social research in the public interest, or when there are no other methods to ask certain questions and document the answers.



10

Children and Young People as Sources of Information and Contributors

Children and young people are very important to the media. They contribute to the media and communicate with them in various ways: as collaborators, sources of information, actors, hosts, through interactive media and user content, through all the services. The media are obliged to provide children and young people with interesting, exciting, educational content and help them make sense of the world they live in. The media should protect the welfare and dignity of the children and young people contributing to their content.

That implies protecting their right to express themselves, to state their opinions and participate in public life, as guaranteed by the United Nations Convention on the Rights of the Child. The Law on Media and the Law on Audio and Audio-visual Media Services of the Republic Macedonia protects children (minors) from pornographic materials and scenes of violence when broadcasting television and radio programmes that might seriously harm their physical, psychological and moral development (particularly pornography or gratuitous violence).

Standards

- ▶ It is necessary to ensure the physical and emotional development and dignity of the persons under the age of 18, and particularly protect children under 15 years of age during the preparation and delivery of information/programming and internet content, regardless of whether their parents, legal guardians or other responsible adults have given permission for it.
- ▶ When including children and young people in media production, it is necessary to ensure that it will not cause them unnecessary anxiety or distress. Their participation must be clearly justified editorially, when required. Consent should be obtained in accordance with the position of the child/young person and the nature of their contribution to the production.
- ▶ It is necessary to establish balance between protecting children and young people from inappropriate content and their right to express and freedom to receive information.

Practices

● **PROTECTING THE WELFARE OF CHILDREN**

Child welfare is of utmost importance to the media. This means that their interests and their safety must be a priority in editorial policy. The media are obliged to ensure that information disclosed on children and young people does not put them in any danger. Their identification in media content requires careful consideration and depends on the context. If, for instance, it is established that the child's or young person's identity or location should not be disclosed, one should be particularly careful of the 'puzzle effect,' that is, by revealing pieces of information through words or images, to easily uncover the child's identity, or where they are located.

All children and young people, regardless of their age, sex, disability, racial or ethnic background, religious belief and sexual identity, have the right to protection against harm or abuse. If during journalistic work suspicions arise that the child has been endangered, or if the child has asked the journalists for protection, the case must immediately be brought to the attention of the editorial board.

● **PROTECTING CHILDREN ONLINE**

The protection of children and young people online is the shared responsibility of the media outlet, the parents/legal guardians and the child or the young person. The media should make sure to provide children and young people with easy use of the benefits of technology, but also with help to understand and minimise the risks they might face. If the audience reacts to the potential risks from online content, the media outlet should offer advice on safe browsing and use of their

online content. The safety information should be familiar, easily accessible and clear.

Web pages should provide appropriate content appealing to children and young people, but not harmful to them. This particularly refers to: material on the media outlet's homepage, which should display suitable content for the public and for children; material broadcast live on the webpage should be appropriate for family audiences, and the website displaying programming with material unsuitable for children not to be linked to the website exhibiting programming intended for children (if applicable).

● **PERSONAL INFORMATION AND ANONYMITY**

Journalists should be very careful during gathering personal information on children. Disclosing too much information might put children in danger. One should not ask children and young people for more information than necessary. Gathering, storing and handling personal data must be secure and in keeping with editorial policy guidelines. For any idea to disclose personal information on children or young people to a third party without the family's consent one must consult the editorial board, or refer the idea to the media executives (the Editor-In-Chief).

It is very difficult to make the right decision as to whether identification (disclosing the identity) or anonymity is in the long-term interest of the child. Moreover, one should consider the age of the children or teenagers, the nature and seriousness of the behavior, and the potential consequences of identification. This particularly refers to cases when the child has been involved in asocial or criminal behavior. As a rule, children are not identified if the conduct is being portrayed to illustrate an event in practice, unless there are clear editorial reasons to do otherwise. When journal-

ists are not certain what to do, they should always ask for advice from a senior colleague or their editor. In UNICEF's handbook *The Media and Children's Rights*, journalists are advised to consider: 'Have you assessed the risk to the child of using her or his name or image, and discussed it with the child, the child's parents or guardian, and with editorial colleagues?'³⁰

● **CONSENT FOR CHILDREN AND YOUNG PEOPLE**

For any participation of children and young people in media content, one should obtain consent and respect any refusal to cooperate, unless there is public interest outweighing their expectations of privacy. In addition to the usual reasons for obtaining consent from the child/young person, and when consent from another person is needed, one must clearly indicate the potential consequences from the child's participation (such as the possibility of violence). Moreover, children should not be encouraged to give consent. Legally, the participation/appearance in content/programming of children under the age of 16—or thereabouts—which are still part of the educational process, should be approved by the management of the educational institution (the school) and by the parents/legal guardians. Also, children who participate in television programmes must, at all times during their involvement, be under supervision of their parents, legal guardians or caretakers.

When conducting interviews with children, UNICEF advises journalists to:

- Ensure they are comfortable and not under duress;
- Allow enough time to explain their intentions;
- Obtain their consent for the use of their names and the taking and publication of their image, and
- Make sure they know how to contact them (the journalists), and to obtain a copy of the published material.³¹

● **PARENTAL CONSENT**

Parental consent implies the consent from a parent, legal guardian or another person aged 18 and over (such as a headmaster, teacher, and so forth) for the child's participation in media content. For an interview or any other types of portrayal of a person under the age of 16 in media content/programming, in addition to their own consent, one should obtain consent from the parent as well. The exception is a survey on subject matter not problematic for the children-random passers-by, which are not controversial for they are expressing a view. However, the younger and more vulnerable the children, and the more sensitive the content, the greater and the more crucial the parental consent. When deciding whether the child can consent or not, one should consider the child's level of development, degree of comprehension and age. In some cases, even though the young person is 16 or 17 years old, parental consent should be requested, and that depends on the young person's position, the nature and the content of the media product. This particularly refers to cases when the content is extremely sensitive, or when the participant is deemed helpless. Under such circumstances, journalists and editors should follow the guidelines

30 UNICEF, Skopje Office, *The Media and Children's Rights: A Practical Handbook for Media Professionals* (2000), p. 25.

31 *Ibid.*

of domestic and international institutions or non-governmental organisations dealing with issues of protecting the rights of children.³²

When parental consent is required, and the parents are separated or divorced, then the consent is asked from the child's primary caretaker, depending on the specific circumstances surrounding the case. One should also consider the level of participation of the child's or young person's other parent, from whom consent was not asked, especially if they have reasonable objections. Any idea to continue the child's or young person's participation in media content after parental consent has been denied must be referred to the media executives (the Editor-In-Chief).

● **IMPACT OF CHILD PARTICIPATION**

Even when parental consent has been secured, one must carefully consider the impact and possible consequences from any content in which the child has been involved, in the production process, as well as when the content is published/broadcast. This refers to both situations: when the media outlet has contacted the child and when the child has contacted the outlet. Children are often prepared to participate in media production, but many of them cannot assess the long-term impact of the experience on their lives. When it comes to asocial, harmful or illegal activities among children, such as illegal drug use, abuse, food disorders and bullying, one

should consider consulting experts as to the best way to conduct the interview and minimise their distress.

When working with children, the media are obliged to do so in the presence of the people responsible for their care, regardless of the fact that circumstances may vary. Nevertheless, when sensitive issues are treated with children and young people, it is advisable to ensure the presence of somebody close to them, who could help safeguard their interests, such as relatives, family friends or teachers. The media should give children and young people a voice, but also be aware of situation when children exaggerate or attempt to present rumours as facts. Journalists should seek the advice of a senior colleague or their editor when they are not certain what to do.

● **CHILDREN AND SEXUAL VIOLENCE**

The media must not identify children under the age of 16 who have been victims or eyewitnesses in cases involving sexual violence, even if they have permission (from parents, legal guardians) to do so. In every report, when it comes to sexual violence over a child, journalists should abide by the following rules: the child must not be identified, adults may be identified, and the word 'incest' must not be used when the child might be identified as a victim. Additionally, one must make sure that nothing in the report implies a relationship between the suspect and the child.

³⁴ See UNICEF's 'Principles for Ethical Reporting on Children', available at: http://www.presswise.org.uk/display_page.php?id=594 or Child Rights and the Media, 'Guidelines and Principles for Reporting on Issues Involving Children' of the International Federation of Journalists, available at: <http://www.ifj.org/default.asp?index=192&Language=EN>



The Public Interest Test

When deciding whether to write on a certain subject matter, journalists are obliged to establish whether there is public interest in it. In other words, for every subject matter it is important for journalists to apply the public interest test. For most subjects and issues it is usually clear what is in the public interest and what is not, but there are subject matters that are more complex, especially when they concern privacy or power.

When establishing whether it is in the public interest to report on a certain subject matter, there are several important issues. The first is the difference between public interest and the interest of the public. Not everything that the public is interested in is necessarily in the public interest, although it might be. For instance, the public wishes to know everything about the private lives of public figures, but there are things that fall exclusively in the private domain.

On the other hand, uncovering corruption, crime, law breaking by members of the government or other potentates is definitely in the public interest. Protecting the health of the population, but also good governance are in the public interest as well. Journalists are required to hold government or other public officials and politicians on account, to investigate and shed light on the subject matters they discuss. Investigative journalism is in the

public interest. In a democratic society, public interest is the functioning of democracy, the rule of law.

Journalism is a professional activity and journalists are obliged to adhere to the ethical rules that are covered in this Handbook as well. However, sometimes there are reasons for journalists to deviate from the standards of the journalistic profession in order to allow an important matter to reach public focus. On such occasions the public interest test should be applied.

Journalists should always be open with their interlocutors, introduce themselves, sign their work, but in certain cases, when it is important for uncovering serious legal violations and political fraud, they may go undercover, give false identities and so forth.

Additionally, the public figures' privacy is guaranteed and journalists should abide by this rule, but may deviate from it and break it, and secretly record or otherwise intrude on the privacy of public figures if it is important for uncovering crude legal violations.

It is customary to attribute news and information, to credit them to known sources. But in extreme cases, when it important for uncovering legal violations, crime and so forth, sources may remain anonymous and the journalist may protect them.

The Public Interest Test

All these and many other rules and ethical standards are very important for the journalistic profession. Hence the journalist, by properly applying the public interest test, should decide whether to deviate from the ethical rules. Those decisions are always difficult and

may vary from one case to another. The public interest test is conducted in all cases when journalist or the media face a dilemma as to whether violating the professional standards will serve public interest. Such may be the following cases:

- ▶ **Encroaching on the right to privacy of public figures in order to prove corruption, crime or other violations of the laws or moral norms (by secret recording, trespassing on private property and so forth);**
- ▶ **Concealing the journalist's identity or misrepresentation in front of interlocutors in order to uncover corruption, organised crime or other legal violations;**
- ▶ **Using anonymous sources to uncover serious criminal acts and to protect the identity of the sources in order to avoid the danger to their life and wellbeing;**
- ▶ **Violating the legal provisions on protecting the personal data of holders of public office, such as, for instance, publishing medical records information is that is necessary to uncover someone's medical ineligibility to hold office;**
- ▶ **Violating the rule for keeping a banking secret if revealing the data uncovers illegally gained property;**
- ▶ **Violating the legal provisions on keeping business, state or military secrets if it is a matter of uncovering serious corruption and financial scandals, harmful interstate or state/commercial agreements, and**
- ▶ **Deviating from the rule for protecting the identity of children and minors to raise the alarm on endangering the life and wellbeing (child labour abuse, using children to commit crimes, and so forth).**

Of course, the above cases do not exhaust the list of ethical dilemmas that journalists face, but it is important to always apply the public interest test.

Scenario 1

THE HYPOCRISY OF POLITICIANS AND ANONYMOUS SOURCES

Scene 1

You are an editor of a daily newspaper. Your photo journalist has taken several photographs at a tavern, in which the minister of the interior, who is also the leader of a right-wing Christian democratic party is captured in the company of several friends—a popular singer and a well-known businessman. In the photographs one can note that the minister is with droopy eyes and half-open mouth. He seems to have had one drink too many. In another photograph, your photo journalist has captured the minister raising his glass and taking a drink. On the table there are plates with finger food and meat, glasses, and bottles. It is the period of strict

Lent, and the minister has regularly bragged in the media that he is a sincere believer, that he fasts regularly, and also often sends messages to the citizens that they should believe in God, attend church and fast. Your photo journalist is not entirely certain what the minister ate and drank since he took the photographs from considerable distance at the tavern.

a. You will publish the photograph accompanied by a text—that it is a matter of violating the moral principles by the Christian democratic minister, who preaches one thing, but acts completely differently;

b. You will search for additional information on the event—you will ask the minister for comment, you will telephone all the guests present, as well as the tavern owner, to ask them if it is true that the minister drank alcohol and ate food inappropriate for Lent, or

c. You will drop the story.

Answer:

b. You will search for additional information on the event—you will ask the minister for comment, you will telephone all the guests present, as well as the tavern owner, to ask them if it is true that the minister drank alcohol and ate food inappropriate for Lent.

It is so because it is an event at which there is suspicion that the minister has violated certain moral principles, but you have not established the facts. Even though the minister on the photograph looks like he has had one drink too many, that might not be true, but the photographic sequence in which he has been captured may have given that impression: the minister might have closed his eyes or opened his mouth accidentally, and so forth. In fact, you have no verification that the minister drank alcohol or ate food inappropriate for Lent. That is just the impression from the photographs that your photojournalist has taken.

Scene 2

Even though you have called the minister several times, he has not returned your calls, the tavern owner says that he cannot give you information on his patrons, or on what they have had to eat and drink, and his companions you have talked to merely confirm the information that they were at the tavern, but refuse to comment on the type of party, or on who ate or drank what.

Your reporter insists that the story be published since in the meantime he has called his friend, a waiter working at the tavern, who allegedly witnessed that the minister had drunk several glasses of wine and intends to share the information with a competing newspaper/portal, that is, the information is to be published. What will you do?

a. You will publish the photograph accompanied by a text in which you will state that the minister has been photographed at a private party at a tavern with friends during Lent, where wine and Rakia were consumed and feasted on food inappropriate for Lent, and the fact that he does not return his calls or that the patrons refuse to comment is symptomatic and signals that the minister may have violated the moral principles that he publicly advocates and persuades his supporters and the citizens to abide by;

b. You will tell the photojournalist to call the waiter once again and ask if he could, using his full name, verify what he claims he has seen—that the minister had several glasses of wine, or

c. You will drop the story.

Answer:

b. You will tell the photojournalist to call the waiter once again and ask if he could, using his full name, verify what he claims he has seen—that the minister had several glasses of wine.

You will do this because you still do not have corroboration for the event, and it is important to establish the truth and to have an authentic source of information.

Scene 3

In a conversation with your photojournalist, the waiter swears that the minister not only had wine that evening, but was drunk as well, only says that if he corroborates the story with a statement in which his full name appears, he might lose his job.

a. You will publish the information with the details that the waiter has talked about and protect your source of information, or

b. You will drop the story.

Answer:

b. You will drop the story.

The waiter, who is your primary source of information, may not be telling the truth, that is, he may not have seen whether the minister had wine or some other unalcoholic beverage, and he may not even be a first-hand source—because he did not serve the patrons on the evening in question. At this stage, it is safer for your media outlet to cancel the story, once you have exhausted all possibilities to get confirmation, than to publish it, and then the minister to deny it, and maybe even press charges. The fact that the minister does not return the journalist's call does not necessarily mean that he is hiding. The minister, as all other citizens, has a right to privacy and does not have to answer to anyone as to where he was and with whom. At the end of the day, he might have had juice, water, and eaten a boiled potato. But, what is important is that fasting does not imply completely refraining from consuming certain items, but consuming in moderation. If the minister had a single glass of wine or rakia, it does not mean that he was drunk.

Even though at the end it might have turned out that the minister was manipulating the public, that is, saying one thing and doing something completely different, which is a classic case of hypocrisy and a subject of public interest, you will nonetheless not publish the story at the stage until you verify the facts with certainty. But you will continue to investigate in order to establish whether the minister really has double standards and disclose that to the public.

Scenario 2

PUBLIC INTEREST VERSUS THE PUBLIC'S INTEREST

The husband of the minister of defence, a renowned showman, suddenly died of a heart attack, which is reported by all media in their informative programmes. The funeral, where your TV crew is also present, is attended by several ministers, members of parliament, show business colleagues, as well as the prime minister. The grieving minister is there with her family and she is visibly distraught. Among the attendees are suspicious characters from the criminal underworld, including former convicted felons. They offered their condolences to the minister and exchanged pleasantries with the prime minister.

a. You will broadcast a TV feature story on the event, because it is in the interest of the public, including all the details about who attended the funeral, particularly the controversial attendees from the criminal underworld—with an announcement: ‘The Prime Minister in Attendance at the Funeral of the Minister’s Husband together with Criminals from the Underworld!’

b. You will broadcast the information that the famous showman was buried, you will briefly report on the attendees from the Government, but you will not air any information on who from show business or the criminal underworld was present, and you will offer only a general neutral video sequence of the funeral attendees;

c. You will air the information that the showman was buried, without video footage or information on the attendees since that is not in the public interest, or

d. You will not publish any information on the funeral.

Answer:

c. You will air the information that the showman was buried, without video footage or information on the attendees since that is not in the public interest.

Despite the fact that it involves the presence of famous figures from the world of showbusiness, business and particularly of politics, showing video footage of a funeral and, especially, video sequences of the grieving family is violation of privacy. There is no public interest in a showman’s burial, regardless of the fact that he is a minister’s husband and that the prime minister attended the funeral. The prime ministers, the ministers and members of parliament attended the ceremony because the showman was the husband of their co-worker, so for personal reasons, and not officially. The audience may be interested in the attendees of the funeral, but there is no public interest in that. The fact that the ceremony was attended by suspicious characters from the criminal underworld has nothing to do with the prime minister’s presence. Despite the fact that they exchanged pleasantries with the prime minister, they can see the showman off, and not to conduct business, that is, criminal dealings with the prime minister or the minister.

Scenario 3

PROTECTING MINORS – ABUSE OF POLITICAL POWER

Scene 1

The Montenegro Police Department reported that three sixteen-year-old Macedonian girls had been arrested the previous night, then banished from the country, after taking ecstasy at a party in a nightclub in Budva, and the police found pills in their pockets. You find out that one of the girls was the daughter of the minister of the interior of the Republic of Macedonia, who is allegedly behind the initials S. I., in whose pockets there were a hundred such pills, intended for distribution.

Incidentally, the minister often publicly speaks of the success of the Ministry of Internal Affairs in the war on drugs, and particularly notable are his actions in the cafés and disco clubs in Macedonia, accompanied by a media campaign: ‘Let us drive drug dealers out of the entertainment venues and prevent the young from taking ecstasy and other harder drugs.’

By the way, the information appeared on a Montenegro web portal, citing an anonymous police source that someone on behalf of the Macedonian government had allegedly intervened with their Montenegro counterparts so that the three Macedonians would not be charged. Your reporter says that a few days ago the minister’s daughter posted photographs from a vacation in Montenegro on Facebook.

What will you do?

a. You will publish the information with the photograph of the minister’s daughter, supplementing it with suspicions that it is possible that the police released the Macedo-

nian girls after a political intervention by the minister or the Government, referring to the Montenegro portal;

b. You will ask for additional information from the Montenegro police department—a confirmation whether the minister’s daughter was involved, since the Montenegro police only released the initials of the arrested and banished Macedonians, and the portal cites an anonymous police source—and ask the colleagues for access to the anonymous police source so that they could verify the information on the intervention from Macedonia, or

c. You will drop the story.

Answer:

b. You will ask for additional information from the Montenegro police department—a confirmation whether the minister’s daughter was involved, since the Montenegro police only released the initials of the arrested and banished Macedonians, and the portal cites an anonymous police source—and ask the colleagues for access to the anonymous police source so that they could verify the information on the intervention from Macedonia.

First you need to establish the facts. It is not enough that the Montenegro web portal published that the minister’s daughter was involved, quoting an anonymous source. When you cite information from other media, which quote an anonymous source the rule is to attempt to establish the source and not cite the information referring to the media outlet. For this reason, you will first attempt to reach out to the Montenegro police department officially, but also to the anonymous police source, through your colleagues from Montenegro, in order to obtain the information on the event: why the girls were merely banished, without bringing even minor offence charges against them.

Scene 2

The anonymous source has become your source as well. You talk to an officer from the Montenegro Ministry of the Interior and they tell you that the minister's daughter was indeed involved, that the pills were clearly not intended for personal use alone, but for distribution as well, and that they heard that someone from the Macedonian Government had allegedly intervened so that the minors were released. The anonymous source sends you a copy of the police report that shows that 120 ecstasy pills were confiscated from S. I.

a. You will publish the information, with the copy of the police report, citing the anonymous source from the Montenegro police;

b. You will ask for additional information from the Montenegro police department—why the girls were merely banished from Montenegro, but no charges were brought against them—and you will also ask the minister and the Government whether they intervened in the release of the minister's daughter, or

c. You will drop the story.

Answer:

b. You will ask for additional information from the Montenegro police department—why the girls were merely banished from Montenegro, but no charges were brought against them—and you will also ask the minister and the Government whether they intervened in the release of the minister's daughter.

This is because you have still not established the facts.

Scene 3

From the minister and the Government you obtain the information that nobody intervened, but the girls were released after being briefly detained by the police. You obtain the information from the Montenegro police department too that each of the girls paid a EUR 200 fine ticket and they were banished, as well as that was their common practice during the summer season in Montenegro. That is to say, that for using ecstasy pills, marijuana and so forth, tourists only pay a fine and then are banished from the country. In the previous year there had been 86 such cases, as the Montenegro Ministry of the Interior has informed you. The decline to comment the information that in S. I.'s pocket there were found 120 ecstasy pills, which were intended for distribution and not for personal use, and they decline to comment the police report you have obtained.

a. You will publish the facts you have, with the copy of the police report, stressing the suspicions that it might be a case of abuse of power by the minister or the Government—an intervention from Macedonia to release the minors, who would otherwise be criminally charged;

b. You will write a story in which you will lecture the minister that he is fighting a drug dealer at home, while his daughter is having drug problems abroad, or

c. You will not publish anything yet and you will keep investigating.

Answer:

c. You will not publish anything yet and you will keep investigating.

Regardless of the fact that you have a statement from an anonymous source from the Montenegro Ministry of the Interior and a copy of a police report on 120 ecstasy pills confiscated from the minister's daughter, your story has still not been officially verified. You cannot be certain whether the copy of the report that the anonymous source sent you is authentic, or if anyone really intervened to have the Macedonians in Montenegro released. In this case it is better not to risk getting sued, since nobody wants to confirm your information.

The ethical dilemma, on the other hand, as to whether to lecture the minister who conducts police raids to protect the young from taking ecstasy and other substances, while his daughter obviously has legal problems with drugs, remains open and you will need to discuss it with the editorial board. But in order to publish it, you will first have to establish the facts of the story.

Scenario 3

● **INVADING THE HOME – HEALTH AND PRIVACY VERSUS DISCRIMINATION**

Scene 1

A close friend to the minister of information society reveals to you that both the minister's kidneys have failed and that he is on dialysis. You find out that, in collusion with the minister of health, a dialysis machine was transported to the minister's house, so that the minister may receive treatment in the privacy of his own home. You get confirmation from several kidney patients and from the president of their association, who wishes to remain anonymous, that one of the dialysis machines from the Clinical Centre was indeed transported to the minister's home.

This case, therefore, is a matter of abuse of power and putting the other patients' health at risk. That is certainly public interest information.

Nevertheless, you want to verify that in the minister's home there is indeed a dialysis machine, since your sources do not wish to confirm the information in public.

a. You will publish the information, citing your anonymous sources;

b. You will attempt to corroborate the story that the dialysis machine is at the minister's home by calling the Ministry of Health and the Clinical Centre, as well as the two ministers, of health and of information society, or

c. You will drop the story.

Answer:

b. You will attempt to corroborate the story that the dialysis machine is at the minister's home by calling the Ministry of Health and the Clinical Centre, as well as the two ministers, of health and of information society.

Firstly, you need to establish the fact since the issue is extremely sensitive—it is a matter of a medical problem, and you still have no confirmation that the dialysis machine is at the minister's home. Your anonymous sources are not sufficient to corroborate the story because they may have been manipulated.

Scene 2

The minister does not return your calls. You cannot verify the information officially, since you have no response from the Ministry of Health, or the Clinical Centre, which state that it is the minister's private business that they do not wish to comment.

With the editorial board you discuss how to verify the information.

You decide to have your photojournalist, together with the minister's friend, enter the yard of the minister of information science, who lives on Vodno, and to photograph the dialysis machine through the window. That is what happens. Your photojournalist brings back a photograph of the dialysis machine and of the minister during his treatment. Another reporter manages to photograph the empty space in a room at the Clinical Centre, where such a dialysis machine is missing, and obtain statements from a patient and an orderly that several days prior there was an operational dialysis machine there and it was taken away. What will you do?

a. You will call the minister and ask for a comment on the photograph;

b. You will publish the photograph of the dialysis machine and the minister, with a story that the minister of health has been abusing his power and has put the other patients' health at risk, or

c. The minister's illness is a private matter and you decide to cancel the story.

Answer:

a. You will call the minister and ask for a comment on the photograph.

Despite the fact that the minister previously did not return your calls to comment on the case, you now have a secret photograph and a new piece of evidence in your hands, and the journalistic standards require you to call the minister and ask him to comment on the new facts you have at your disposal.

Scene 3

The minister calls you and tells you that it is a private medical matter, that he is not obligated to answer your questions and that he will press charges against you if you publish the photograph with which you have violated his privacy. What will you do?

a. You will publish the story, including the minister's response, without the secret photograph of his home;

b. You will publish the story that the minister of health is has abused his power and put the other patients' health at risk, including the minister's response and the secret photograph of the dialysis machine, or

c. You will drop the story.

Answer:

b. You will publish the story that the minister of health is has abused his power and put the other patients' health at risk, including the minister's response and the secret photograph of the dialysis machine.

In this case you are faced with a difficult ethical decision. You have invaded the privacy of the minister's home, for which he may sue you, particularly because you have disclosed his medical problem, which is also covered by guaranteed privacy.

However, the unauthorised entrance into the yard of the minister's home and the secret photographing so that you verify that there is a dialysis machine transported from the Clinical Centre there may be justified with public interest. The patients' health is in the public interest, and, by removing one of the machines from the Clinical Centre, it has been endangered. Additionally, it is public interest information that the minister has abused his power by bringing a dialysis machine from the Clinical Centre to his own home and using it for private medical purposes.

Certainly, you need to be careful when publishing the photograph. It is unethical to publish a photograph of the minister while he is on dialysis, that is, while he is receiving medical treatment. For this reason, the photograph will either have to be blurred, or you should only publish the dialysis machine at his home, but not the minister.



Bibliography

- EC Progress Report on Macedonia 2013, available at:
<http://www.sobranie.mk/dokumenti-rm-eu-cbb3490c-fe7d-4750-82f4-67c619c46a6a.nspix>
- EC Progress Report on Macedonia 2014, available at
<http://www.sobranie.mk/dokumenti-rm-eu-cbb3490c-fe7d-4750-82f4-67c619c46a6a.nspix>
- EC Progress Report on Macedonia 2015, available at:
http://www.sobranie.mk/content/%D0%9D%D0%A1%D0%95%D0%98/PR2015_All_CK_FF_MK_16.11.2015.pdf
- Freedom House Report on Macedonia 2015, available at:
<https://freedomhouse.org/report/nations-transit/2015/macedonia>
- Mendel, T. Freedom of Expression:
A Guide to the Interpretation and Meaning of Article 10 of the European Convention on Human Rights, Council of Europe Office in Belgrade.
- MODEM – Monitoring of Democracy in Macedonia, Report from the Monitoring of Media Content through the Rapid Response Media Mechanism, available at:
http://respublica.edu.mk/images/modem/attach/MODEM-eden_18%20noemvri%20_23%20dekemvri.pdf
- Reporters Without Borders Press Freedom Index, available at: <http://index.rsf.org/#/>
- Трпевска, С., Мицевски, И. (2014) Зошто е важни интегритетот на медиумите – Заподобро разбирање на значењето и на ризици теза медиумскиот интегритет, [Трпевска, С., Мичевски, И. et al. (2014) Why Media Integrity Matters: Reclaiming Public Service Values in Media and Journalism], Macedonian Institute for Media, Skopje, available at: [http://www.mim.org.mk/attachments/article/824/zosto_e_vazen_integritetot_na_mediumite_MK_v2\(1\).pdf](http://www.mim.org.mk/attachments/article/824/zosto_e_vazen_integritetot_na_mediumite_MK_v2(1).pdf)
- Трпевска, С. (2010) Слободна изразување, јавен интерес и медиумска регулација. [Трпевска, С. (2010) Freedom of Expression, Public Interest and Media Regulation], School of Journalism and Public Relations, Skopje.
- Трпевска, С., Тунева, М. (2012) Водич за известување за разликите: европски стандарди, домашна правна рамка и етички кодекси [Трпевска, С., Тунева, М. (2012) Handbook for Reporting on Diversity: European Standards, Domestic Legislation and Codes of Ethics], School of Journalism and Public Relations, Skopje, available at:
<http://vs.edu.mk/vs.edu.mk/attachments/Mediumi-izbori-MK.pdf>
- ***
- Bichler, K. (2012) How to Establish Accountability in Journalism, European Journalism Observatory, available at:
<http://en.ejo.ch/ethics-quality/accountability-journalism-mediaact>
- Iggers, Jeremy, (1999) Good News, Bad news, Journalism Ethics and the Public Interest, Westview Press, available at:
<http://www.rasaneh.org/Images/News/AttachFile/9-12-1390/FILE634660181974010000.pdf>
- Glasser, L. Theodore, E., S. James, (2008) 'A Philosophy of Accountability for Journalism', Media Ethics Magazine, No.1, Vol. 20, available at:
<http://www.mediaethicsmagazine.com/index.php/analysis-commentary/3639324-a-philosophy-of-accountability-for-journalism>

Kovach, B, Rosenstiel, T. (2007) *The Elements of Journalism: What Newspeople Should Know and the Public Should Expect*. New York: Three Rivers Press.

MekKvejl, Denis (1994). *Starikontinent – novimediji*. Beograd: Prosveta.

Riordan, K, (September 5, 2014) 'Does Journalism still require Impartiality?', *The Guardian*, available at: <http://www.theguardian.com/commentisfree/2014/sep/05/does-journalism-still-require-impartiality>

Stearns, J, (2015) 'Why Journalists Should Use Transparency as a Tool to Deepen Engagement', *Mediashift*, available at: <http://mediashift.org/2015/08/why-journalists-should-use-transparency-as-a-tool-to-deepen-engagement>



LAWS AND REGULATIONS:

Bylaws on the Protection of Minors of the Agency of Audio and Audiovisual Media Services, available at: http://www.avmu.mk/images/Pravilnik_zashtita_na_malloletnite_lica.pdf

Constitution of the Republic of Macedonia, available at: <http://makemigration.readyhosting.com/upload/Ustav.pdf>

Electoral Code (Consolidated Text) (Official Gazette of the Republic of Macedonia, No. 32/2014)

EU Audiovisual Media Services Directive, available at: http://www.avmu.mk/images/stories/doc/eu-docs/Direktiva_prevod.pdf

Guide for Assessing Media Pluralism of the Agency of Audio and Audiovisual Media Services, available at: http://www.avmu.mk/images/Priracnik_1_Pluralizam_finalna.pdf

Law on Amending and Supplementing the Law on Audio and Audiovisual Media Services (Official Gazette of the Republic of Macedonia, No. 13/2014)

Law on Amending and Supplementing the Law on Audio and Audiovisual Media Services (Official Gazette of the Republic of Macedonia, No. 44/2014)

Law on Amending and Supplementing the Law on Audio and Audiovisual Media Services (Official Gazette of the Republic of Macedonia, No. 101/2014)

Law on Amending and Supplementing the Law on Audio and Audiovisual Media Services (Official Gazette of the Republic of Macedonia, No. 132/2014).

Law on Audio and Audiovisual Media Services (Official Gazette of the Republic of Macedonia, No. 184/2013)

Law on Amending and Supplementing the Electoral Code (Official Gazette of the Republic of Macedonia, No.196/2015)

Law on Amending and Supplementing the Law on Media (Official Gazette of the Republic of Macedonia, No. 13/2014)

Law on Media (Official Gazette of the Republic of Macedonia, No.184/2013)

Law on Personal Data Protection, available at: http://www.dzlp.mk/sites/default/files/pdf/ZZLP_precisten_2012.pdf



JOURNALISM CODES, HANDBOOKS AND GUIDELINES:

Code of Ethics of the Journalists of the Republic of Macedonia, available at: <http://znm.org.mk/drupal-7.7/mk/node/440>

Dimovski, S., Ilievski, J., Dimitrievski, Z. (2014) *The Public in the Criminal Procedure: Criminal Procedure Guidebook for Journalists*, Skopje: OSCE Mission in Skopje.

Elections Reporting Handbook for Journalists, Association of Journalists of Macedonia and Konrad-Adenauer-Stiftung, Skopje, available at:
<http://www.znm.org.mk/drupal7.7/sites/default/files/Новинарски%20прирачник%20за%20следење%20на%20избори%20-%203HM%20март%202013.pdf>

Ethical and Professional Principles of MRT for Media Coverage of Election Processes, available at:
http://mrt.com.mk/sites/default/files/Етички%20и%20професионални%20принципи%20на%20МРТ%20за%20медиумско%20покривање%20изборни%20процеси_МАКЕДОНСКИ%20ЈАЗИК.pdf

Goals of the Council of Media Ethics of Macedonia, available at: <http://semm.mk>

'Guidelines and Principles for Reporting on Issues Involving Children', Child Rights and the Media, International Federation of Journalists, available at:
<http://www.ifj.org/default.asp?index=192&Language=EN>

Journalism Ethics Handbook (2012), Association of Journalists of Macedonia, Skopje, available at:
<http://www.znm.org.mk/drupal-7.7/sites/default/files/Priracnik%20za%20etika%20vo%20novinarstvoto%20maj%202012.pdf>

'Journalists against Corruption' (2012), Association of Journalists of Macedonia, Skopje.

Preventing Suicide: A Resource for Media Professionals, World Health Organisation, available at:
http://www.who.int/mental_health/prevention/suicide/resource_media.pdf

The Media and Children's Rights: A Practical Handbook for Media Professionals (2000), UNICEF Skopje Office.

UNICEF: 'Principles for Ethical Reporting on Children', available at: http://www.presswise.org.uk/display_page.php?id=594

Al Jazeera Code of Ethics, available at: <http://www.aljazeera.com/aboutus/2006/11/2008525185733692771.html>

AP NEWS VALUES & PRINCIPLES, available at: <http://www.ap.org/company/News-Values>

Guardian News & Media Editorial Code, available at:
<http://www.mediawise.org.uk/wp-content/uploads/2011/08/GuardianEditorialGuidelinesAug2011.pdf>

IPSO's Code of Practice - Independent Press Standards Organizations, available at:
https://www.ipso.co.uk/assets/82/Editors_Code_of_Practice_A4_March_2015.pdf

The BBC's Editorial Values, available at: <http://www.bbc.co.uk/editorialguidelines/>

'The Essentials of Reuters Sourcing', Reuters News Agency, available at:
http://handbook.reuters.com/index.php?title=The_Essentials_of_Reuters_Sourcing

The New York Times – Ethical Journalism, available at:
http://www.nytc.com/wp-content/uploads/NYT_Ethical_Journalism_0904-1.pdf

The New York Times – Guidelines on Integrity, available at:
<http://www.nytc.com/wp-content/uploads/Guidelines-on-Integrity.pdf>

The OFCOM Broadcasting Code, available at:
<http://stakeholders.ofcom.org.uk/binaries/broadcast/831190/broadcastingcode2011.pdf>

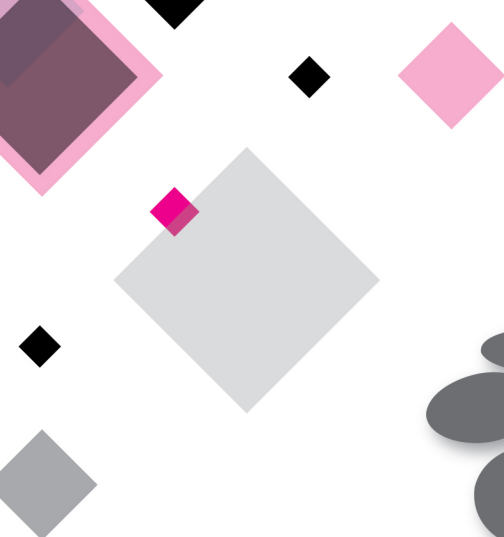
US National Press Photographers Association Code of Ethics, available at: https://nppa.org/code_of_ethics

PUBLIC INTEREST

JOURNALISM HANDBOOK



Skopje, 2016



VOICING THE PUBLIC INTEREST

Empowering media and citizens for
safeguarding the public policy in Macedonia



British Embassy
Skopje

I N S T I T U T E



OF COMMUNICATION STUDIES

Jurij Gagarin 17-1/1
1000 Skopje, Macedonia
T: +389 2 3090 004
info@iks.edu.mk | www.iks.edu.mk

