

THE PRESS COUNCIL IN BOSNIA AND HERZEGOVINA

The Self-Regulatory Body for Print and Online Media

□ THE PRESS CODE OF BiH

PREAMBLE:

This Code is drawn from existing European standards of journalistic practice. The Code's purpose is to establish the foundation of a system of self-regulation in print and online media, which shall be considered morally binding for reporters, editors, owners and publishers of print and online media.

Journalists and editors of print and online media shall respect generally accepted ethical principles and protect the professional integrity of journalism. In addition to this Code, laws and other legal regulations constitute the framework in which print and online media operate in BiH.

This Code includes the basic principles of the Memorandum of Understanding signed by the Independent Union of Professional Journalists of BiH, the Association of Journalists of BiH, the Independent Union of Journalists from the Republic of Srpska, the Association of Journalists of the Republic of Srpska and the Syndicate of Professional Journalists of the Federation of BiH, and it is adhered to by the Association of Croat Journalists in BiH.

Editors and publishers of print and online media shall ensure that all relevant staff is informed about this Code. Editors and publishers of print and online media shall further ensure that the provisions of this Code are fully complied with.

This Code was adopted on the 29th of April 1999 by all Journalists' Associations in BiH.

The Code was amended on the following dates: February 2005, August 2006, December 2006 and June 2011 by the Press Council in Bosnia and Herzegovina, upon consultation with all Journalists' Associations in BiH.

General Provisions

Journalists of print and online media in Bosnia and Herzegovina ("journalists" further in the text) have an obligation to the public to maintain high ethical standards at all times and under all circumstances.

It is the duty of journalists and publishers of print and online media to respect the needs of citizens for useful, timely and relevant information and to defend the principles of freedom of information and the right to fair comments and critical journalism.

Journalists shall abide by commonly accepted social standards of decency and respect for ethnic, cultural and religious diversity of Bosnia and Herzegovina.

Journalists shall abide by standards of human rights defined by international and BiH acts on human rights.

Journalists shall develop the awareness of gender equality and the respect of individuality as the integral part of human rights.

Journalists shall protect the rights of the individual, while at the same time upholding the right to information in the public interest.

This Code is to be interpreted in light of both aforementioned definitions.

Article 1 - Public Interest The public interest, according to this Code, is defined as the procedure and/or information which has the intention of helping the public create personal opinions and decisions about issues and events, including the efforts to detect criminal and/or civil offenses, and to prevent the seduction of the public by certain statements or actions of

individuals or organizations.

Article 2 - Editorial

Responsibility

It is the highest responsibility of reporters and editors to ensure, in all their work, respect for factual truth and the right of the public to know the truth.

Journalists shall at all times perform their work in the spirit of fairness, honesty, and civility when collecting information, reporting and presenting opinions.

Plagiarism, falsification, deliberate suppression of facts and acceptance of bribes or favors which could influence the work of a reporter or editor are this profession's gravest moral offenses.

Article 3 – Incitement

Journalists shall at all times be aware of the danger that arises when media, through hate speech, encourage discrimination and intolerance.

Mindful of this danger, journalists shall do their utmost not to incite and/or inflame hatred and/or inequality based on ethnicity, nationality, race, religion, gender, sexual orientation, physical disability or mental disability.

Journalists shall under no circumstances incite criminal acts or violence.

Article 4 – Discrimination

Journalists must avoid prejudicial or insulting references to a person's ethnic group, nationality, race, religion, gender, sexual orientation, physical disability or mental disability.

References to a person's ethnic group, nationality, race, religion, gender, sexual orientation, physical disability or mental disability shall be made only when directly relevant to the occurrence being reported.

Article 4a - Gender Equality and Respect of Individuality Journalists shall avoid direct or indirect comments which might place individuals in an unequal position or discriminate them based on sex, gender, sexual identity, gender identity, gender expression and/or sexual orientation.

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Article 5 - Accuracy and Fair Reporting

Journalists shall not publish inaccurate or misleading material in the form of pictures, texts or other materials.

Pictures and documents must not be falsified and/or used in a misleading manner.

Journalists shall not conceal and/or withhold any essential information, the disclosure of which would materially affect the interpretation of a report published and the general readers' understanding.

Journalists have the professional obligation to promptly correct any published information that is found to be inaccurate. The apology and/or correction shall be published with due emphasis.

Journalists shall always report truthfully and accurately about the outcome of an action undertaken as a result of defamation they were involved in.

The journalist shall report only on the basis of facts, the origin of which is known to the journalists.

In reporting and commenting controversy, journalists shall make an effort to hear and represent all sides in a conflict. If one side in a controversy refuses to make itself available to the journalist, the publication may legitimately note this refusal in its reporting.

Article 6 - Comment, Conjecture and Fact Journalists, while free to express their own views, must distinguish clearly between a comment, a conjecture, and a fact.

Article 7 - Opportunity to Reply

The right to reply shall be extended to relevant persons if the editor determines that such a step contributes to accuracy and impartiality.

If at all possible, the opportunity for an immediate response shall be made available in the same edition of the publication as the one containing the accusation and/or incorrect information, not exceeding the originally published article in length.

Article 8 – Misrepresentation

Journalists shall use only fair means to obtain news, documents and/or photographs.

Journalists and photographers shall not obtain information and/or pictures through intimidation or harassment.

It is unethical to misrepresent one's identity or intentions, and to use subterfuge to obtain information for publication, except in the most extreme circumstances, and in a lawful manner, when the publication of thus obtained information would clearly serve the public interest.

Article 9 – Privacy

Journalists shall avoid intrusions into and individual's private life unless such intrusions are necessary for the public interest.

Topics involving personal tragedy shall be treated with consideration, and the affected individuals shall be approached with discretion and sympathy.

Article 10 - Persons Charged With Criminal Offenses

Journalists shall not treat any individual as a criminal prior to a court sentence to that effect.

Journalists have the duty not to prejudge the guilt of an accused person.

Journalists have the duty to publish information about the dismissal of charges against, or the acquittal of, anyone whose filed charges or commenced trial they had reported about previously.

Article 10a – Protection of Witnesses

Journalists shall demonstrate special caution and sensitivity when reporting about witnesses in war crime proceedings, respecting rules and regulations in terms of not identifying the protected witnesses.

Journalists shall generally avoid identifying witnesses in war crimes trials, as well as their relatives and friends, unless their identification is necessary for the complete, fair and accurate reporting about the trial, and if such identifying shall not cause misinterpretation of the truth or the trial process.

Article 11 - Protection of Children and Minors

When treating children and minors, journalists have the obligation to be extremely careful, respecting ethical norms and the Convention on Children's Rights, starting with the child's interest.

Journalists are obligated to protect the child's identity in procedures not involving the public.

Journalists shall not interview or photograph children under the age of 18, regarding matters involving the child's family, in the absence of or without the consent of a parent or guardian.

Journalists shall not identify children under the age of 18 when they are victims of crimes.

Journalists must not, under any circumstances, identify children under the age of 18 who are involved in criminal cases as witnesses, victims or defendants.

Article 12 - Advertising and Sponsorship

Commercial, political advertisements and sponsored articles must be distinguished from editorial content and clearly identified as what they are.

Sponsored material shall clearly indicate the source of sponsorship.

Articles 13 - Confidentiality of Sources

Whenever possible, journalists should rely on open, identified sources of information. These sources are to be preferred to anonymous sources, whose honesty and accuracy cannot be judged by the public.

Journalists have an obligation to protect the identity of those who provide information in confidence, whether or not they explicitly request confidentiality.

Article 14 - Copyright and Author's Rights

Journalists may use reasonable summaries with limited quotations, material from other publications or holders of copyrights, without express permission to do so, as long as the source is cited appropriately.

Substantial use or reproduction of material protected by copyrights requires explicit permission from the copyright holder unless such permission is stated in the material.

Article 15 – Complaints

Print and online media shall, in an appropriate place, contain the following: the name, address, telephone number, fax number, the internet/e-mail address and contacts of the responsible publisher and editor, to whom complaints regarding the writing of print and online media can be addressed.

Complainants, claiming that this Code was breached by certain reporting, shall address the publisher or editor responsible for the print or online edition in question, with a denial not longer than the original article.

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