

CODE OF ETHICS FOR JOURNALISTS

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Introduction

The Code of Ethics is a self-regulating instrument which aims to guide, strengthen and improve the quality of journalism and the sense of responsibility of journalists in Albania.

The principles of this Code are in line with the universal ethical values of journalism, which are widely recognized and accepted by media organizations and journalism unions in democratic countries. They are a cornerstone of democratic pluralism and also respect the spirit of the Constitution of the Republic of Albania, the Universal Declaration of Human Rights and the European Convention on Human Rights.

The Role of Media in Society

Freedom of speech, freedom of information and criticism, freedom of the press, and access to official documents are basic elements of a democratic society.

Media play an extraordinarily important role in society, by providing reliable and timely news and information in various forms and through assorted platforms. The media serve as watchdogs, holding centers of power to account and constantly monitoring government authorities and organizations, institutions and businesses. Media play a fundamental role in the democratic processes and provide ample opportunities and a safe environment to allow journalists to perform their duties independently.

The media recognize the importance of pluralism in society and respect the diversity of opinions, opposing all discrimination based on sex, race, nationality, language, religion, ideology, culture, class, conviction, or any other cause.

The media recognize and defend both its rights and duties versus the public, constantly preserving the balance between them.

The Scope of the Code

The following regulations concerning conduct shall apply to all persons and organizations engaging in the gathering, editing, preparation and dissemination of journalistic information. The scope of the Code shall cover the individual and collective supply of information performed in the field of printed (text and photography) and electronic media.

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The principles of this Code apply equally to all media and journalistic platforms, offline and online, including journalism disseminated through social media and internet portals.

The Code of Ethics presumes and expects that all media organizations and journalists recognize and accept the voluntary principles set out in this Code. All those who engage in journalism are invited to acknowledge and accept the following principles as necessary to the well-being of journalism and freedom of expression in Albania.

Journalists who knowingly violate the principles of this code betray the trust of the public and may not expect the support and solidarity of their colleagues, media organizations or journalism trade unions. Controversies arising from alleged violations of the Code are dealt with through transparent systems of voluntary self-regulation developed by journalists and news media organizations that may operate at the level of the enterprise and across different platforms of the news media industry.

1. Accuracy and Fairness of Information

Journalists have the right to seek information and the right of access to public information. They have the right to publish and to criticize.

Journalists and news media shall at all times strive to publish information that is to the best of their knowledge truthful, balanced and verified.

Accuracy

A journalist must verify information prior to its publication in order to ensure that it is accurate, fact-based and trustworthy. All data and information must be subject to careful scrutiny: whether it is obtained from human sources or documents.

Journalists should always indicate where information has not been confirmed.

Media should not mislead the public. They should clearly indicate where manipulated texts, documents, images and sounds have been used.

Media shall not publish any photos, image, audio, or visual arrangements that distort the ideas or facts of the source, with the exception of caricatures, cartoons or comic plots.

Unbiased Journalism

Journalists shall strive to provide unbiased and balanced reporting. Journalists shall refer to all available sources and interested parties that can provide useful and relevant information.

In reporting on a controversy, journalists should be inclusive and seek to ensure that all parties concerned have an opportunity to state their position.

Criticized parties shall have the right to respond to accusations, whenever possible in the same publication. Journalists shall make every effort to contact all sides and gather all relevant opinions. Mere contacts with both sides do not “release” a journalist from the obligation to present both sides of a story, and to report as truthfully as possible.

The principle of “presenting all sides” may not apply in publications representing personal opinions (editorials, opinion pieces) as well as reports of a factual nature, such as reporting on public meetings or events.

2. Distinguishing Fact from Opinion

Media must distinguish clearly between opinion and comments and fact-based reporting. Columnist, caricaturists, and critics are allowed to present their opinions on individuals and events.

News relates to information supported by facts and data, while an opinion piece contains and represents ideas, opinions and considerations of journalists, editors and publishers.

3. Rectification and Reply

Media shall be open to engage with their audience and to deal with legitimate comments and complaints.

Media should publish a clear and appropriately prominent correction when it can be demonstrated that inaccurate or misleading information has been published. Media should provide an apology and appropriate remedy where it is necessary.

A criticized party shall always have the right of response.

If the reply is not fit for publication as such, changes to it should be discussed with the writer. If he or she cannot be contacted within a reasonable time, the reply may be published in amended form. However, its essential contents must not be changed.

4. Relations with Sources

Journalists shall strive to gather information from all available sources in order to provide accurate, complete, and impartial information.

Journalists shall be transparent in their work and use methods for gathering information that are ethical and lawful.

A person being interviewed has the right to know in which medium and in what connection statements will be used.

Journalists shall exercise care in the selection of sources and establish clear working relations with them to make sure that the information they receive is correct.

Media shall exercise particular care in dealing with sources who are members of vulnerable groups, such as children and young people, victims of violence or minorities.

Media shall not distort or misuse statements made in a specific context. In particular consideration should be shown towards people who cannot be expected to be aware of the effect that their statements may have.

Journalists shall not divulge the name of a person when information is provided on a confidential basis, unless consent has been explicitly given by the person concerned.

The right to the anonymity may be broken only if:

- a) There is suspicion that the source consciously has distorted truth or is seeking to manipulate media for personal gain;

- b) The reference to the name of the source is the only way to avoid serious and inevitable damage to others;
- c) The information in question relates to the planning of a serious criminal act or is of major concern for public welfare.

If unjustly denied access to requested information, a journalist has the right to inform the general public about it.

5. Editorial independence

Media shall avoid unacceptable conflicts of interest and shall not permit any undue influence arising from personal beliefs, political or financial incentives to affect the accurate and impartial reporting of their journalists and work of editorial departments.

Journalists, publishers, and media owners must resist threats, provocations, or incentives to influence, distort or conceal information. They shall not use any information or data collected during their job for their own personal benefit.

Editorial content should be clearly distinguished from marketing, advertisements, materials prepared by political parties or other institutions/organizations, or sponsored content. Sponsored content must clearly show the identity of the sponsor.

Commercial and political advertising, as well as sponsored content – including articles and supplements – shall be labeled accordingly to ensure the media audience can distinguish them from editorial content.

6. Pre-publication Agreement

Journalists who agree not to publish a piece of information or material for a given period of time must respect these arrangements. Such an agreement (embargo) should be considered null and void if the information is published by another party, or when the person who requested the embargo in any way violates terms and conditions of the agreement reached between parties.

In the interests of fairness and accuracy journalists may show their news stories to interested parties prior to publication, but they shall not grant a veto on the right to publish and shall be free to decide for themselves on what suggestions they should take under consideration.

7. Liability after Publication

The publisher and editor are liable and responsible for the publication of news articles as well as letters to the editor, comments and replies published on the media website including where the name of the author is omitted or signed under an alias.

Media and editorial staff should agree to and publish clearly defined terms and conditions for the selection and publishing of comments from the public. Media shall monitor and review such comments and take steps to ensure the terms and conditions of publication are respected.

Media have the right to add a “note” on comments and replies, or even decide not to publish them at all, with the exception of cases when it has previously promised to publish such comments. The editorial staff reserves the right to edit or shorten letters to the editor, or comments, provided that the editing does not alter their meaning. If the media organization were to decide to publish a letter to the editor or comment, it should do so within a reasonable amount of time between the moment it was submitted and the time of publishing.

Prior to publishing a comment, or a letter to the editor, where there is a suggestion that it contains serious accusations against a third party, the editorial staff, or the editor, shall investigate if there is any basis to these accusations. Also, the accused party must be afforded the opportunity to respond.

It may not realistically be expected that all comments be read, edited, or rejected prior to publication. However, the editorial staff, or the editors, may delete or remove unacceptable comments from publication where it is abusive, hateful, or is found to contain malicious and unfounded allegations. Where there is a complaint that a comment includes serious accusations or insults directed at a third party, the editorial staff and the editors shall investigate whether there is any basis to such accusations, and, if so, the comment must be removed from publication.

8. Hate Speech

Media must not publish materials that incites intense hatred or violence towards individuals based on race, religion, nationality, color, ethnic origin, membership, gender, sexual orientation, civil status, disability, illness or age.

Any publication should refrain from specifying the origin, ethnicity, nationality, race, religion or sexual orientation of a group or an individual, unless it is deemed relevant and necessary to better understand facts and opinions presented in the publication.

9. Intrusion into private life

Media and journalists shall respect the honor and reputation of individuals who become objects of their professional interest.

Any incorrect or false information that intentionally or unintentionally may cause harm to the image and reputation of another person constitutes a breach of human dignity.

A journalist must respect the right of an individual to privacy. Only the protection of the public interest can justify journalistic investigations which interfere with the private aspects of the lives of individuals. Journalists shall only make reference to personal or private aspects of people's lives when they are relevant.

Journalists will use fair methods in the collection of information. They only make use of subterfuge, hidden cameras, microphones or other special equipment, or obscure their professional identity, in circumstances where

- a) There is no other means to obtain the information concerned
- b) The information is of urgent and serious concern to the public

Journalists shall indicate when such methods have been used in the story or provide disclosure when circumstances permit.

“Sudden” use of cameras in public or institutions should respect the desire and sensitivity of the present persons.

Public figures are entitled to less privacy than other individuals. However, information on their private lives and information related to their family and friends should be disclosed only when it serves the public interest. Public officers are also justified in not disclosing their private life except for the cases when their private life may affect their public activity.

10. Conflict of Interest

Journalists, editors and editorial managers must not seek personal gain from information and evidence collected by their media organization. Media organizations shall ensure

that there are internal arrangements for the declaration of potential conflicts of interest at all levels of ownership, management and editorial activity.

Media owners, editors and journalists so not have the right to use the professional information they collect during the course of their work for any other purpose than to inform the public.

Journalists should avoid covering stories where they have a direct personal interest.

The taking of bribes or inducement of any kind in order to alter or affect their reporting, or failure to publish a piece of information, shall be considered by journalists as a serious breach of professional ethics.

11. Incitement to Crime and Violence

The propagation of war, violence, outrage or malicious information intended to injure the feelings of the whole public or parts of it is unethical and unacceptable in any media product.

Violence and brutality shall not be sensationalized. Reporting must take due account of the need to protect minors and vulnerable groups in society

Journalists and media shall not glorify crimes and terrorism or any other cruel and inhuman activities.

Media shall report with care and sensitivity issues of crime and violence and shall treat with caution the identification of victims and witnesses of crime. In cases involving sexual assault, victims shall not be identified unless they willingly give consent.

12. Reporting of accidents and disasters

Journalists shall respect the dignity of victims and their families and shall allow people to grieve in private and will report such matters with sympathy and constraint.

In the case of accidents and disasters, media shall bear in mind that rescue operations for victims and persons in jeopardy take precedence over the public's right to be informed.

Media shall not sensationalize reporting with explicit pictures of catastrophes, accidents or violence that might insult the feelings of the relatives as well as sensibilities of the public.

Victims or missing persons shall not be identified if next-to-kin have not been informed.

13. Reporting of Court Proceedings and Presumption of Innocence

Reporting from the courthouse (including the publishing and broadcasting of images), should be accurate, fair, not prejudicial, and fully respectful of the right to a fair trial.

Journalists will always respect presumption of innocence and will refrain from describing someone as a criminal prior to final court conviction.

When reporting on juvenile crime and juvenile court proceedings, media shall exercise restraint out of consideration for the future of the young people concerned.

This recommendation also applies to reports on victims of migration and illegal human trafficking.

Media should carefully consider whether to publish facts about family scandals and historical crimes committed by individuals who have served their sentence.

14. Protection of Children and People with Limited Abilities

A journalist shall respect all principles confirmed in International Conventions on the Rights of the Child and Albanian legislation on child protection and persons with limited abilities.

A journalist protects the rights and dignity of children and people with limited abilities, including their right to be heard.

As a general rule, there is no objection to the publication of photographs and names of missing young persons but these shall only be published with the agreement of the relevant authorities or responsible adults

Journalists shall not take advantage of children's innocence and trust and will publish information or images about the private life of a child only if there is an overriding public interest.

Journalists shall not normally interview children under 18 on personal issues in the absence of parents or responsible persons.

15. Intellectual Property Rights

The journalist will respect authors' rights, and will encourage colleagues to respect the copyright of others in any creative area. They shall attribute information they use to its original source. Plagiarism is inadmissible.

Media and journalists abuse copyright, if they:

- a) Publish or attempt to publish the work of others as if it was their own (plagiarism);
- b) They quote from the work of others in such a way that they distort the original meaning, publishing distortion as reality, or wilfully indicate another person, as author;
- c) publish as their own a topic considered as original - researched and published by someone else - without reference to the origin;
- d) hand over their work for publishing to two or more publishers at the same time - without indicating this

fact - or hand over an already published work and do not draw the attention of the second publisher to this fact;

- e) publish a work without the consent of the author, or alter the material without permission, or put it into an unworthy surrounding (composition of pictures), or a surrounding different from the previous agreement, without the consent of the author.

16. Relations between Journalists

In their business relations media and journalists should recognize the importance of fair competition and professional solidarity and maintain appropriate balance between the two.

The journalist should not impede the colleagues to gather information, to mislead them intentionally, or report on them to the authorities.

Neither individual journalists, nor separate editorial staffs shall use mass media for the prosecution of personal and professional rivalries and disputes.

Journalists shall respect the confidentiality of their workplace where this information is not related to violations of laws and the Code of Ethics.

Media shall respect the right of individual journalists to act according to their conscience and their right to refuse assignments, or not to be identified as the author of

publications, which they believe are in contravention of the letter and spirit of this Code.

17. Public Interest

The terms of this Code provide essential and necessary guidelines for the exercise of ethical journalism and may only be disregarded in exceptional circumstances in order to serve the public interest.

Public interest is defined in these circumstances as follows:

- Matters of urgent and immediate concern to public health and safety;
- The finding, prevention, and disclosure of serious crimes, scandals, and abuse of power;
- Actions to protect the public from the danger of being seriously misled.

Legitimate public interest does not justify sensationalism and in the spirit of this Code it should never be confused with information that is “interesting to the public”.

18. Albanian Language

Journalists should respect and carefully observe the rules of the Albanian language. The use of foreign words should be avoided except for clarity of meaning or when appropriate in direct reporting.

