



**PRESS AND ONLINE
MEDIA COUNCIL
in Bosnia and Herzegovina**

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Print and online Media 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 the print and online media, which shall be considered morally binding for journalists, editors, owners, and publishers of the print and online media.

Print media shall mean newspapers and other periodicals published daily, weekly, monthly, or at six-month intervals maximum, and which, in an organised and continued activity, gather, process, and publish information in accordance with the principals of journalism and opinion journalism on various spheres of life and at various levels, ranging from local, to national, to global.

Online media shall be all types of media published on the world wide web using various platforms so that, in an organised and continued activity, they would gather, process, and publish information in accordance with the principals of journalism and opinion journalism on various spheres of life and at various levels, ranging from local, to national, to global.

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 rules defined by law shall constitute the framework in which print and online media operate in BiH.

This Code shall include the basic principles of the 1999 Memorandum of Understanding, signed by the Independent Union of Professional Journalists of BiH, the Association of Journalists of BiH, the Independent Union of Journalists of the Republika Srpska, the Association of Journalists of the Republika Srpska, and the Syndicate of Professional Journalists of the Federation of BiH, and adhered to by the Association of Croat Journalists in BiH.

Editors and publishers of print and online media shall ensure that all relevant staff in their medium is informed about this Code.

Editors and publishers of print and online media shall ensure that the provisions of this Code are fully complied with.

Basics of this Code were adopted by all journalists' associations in BiH at the session held on the 29th April 1999.

The Code was amended in February 2005, August 2006, December 2006, June 2011, and December 2021 by the Press and Online Media Council in Bosnia and Herzegovina, upon consultation with all journalists' associations in BiH.

General Provisions

Journalists, editors, and publishers of print and online media in BiH shall have an obligation to the public to maintain high ethical standards at any time and under any circumstances.

Journalists, editors, and publishers of print and online media shall have the duty to respect the citizens' need for useful, timely, and relevant information and to defend the principles of freedom of information and the right to fair comments and the right to free criticism of social phenomena and processes supported by arguments.

Journalists, editors, and publishers shall abide by the commonly accepted social standards of decency and respect for ethnic, cultural, and religious diversity of BiH.

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

Journalists, editors, and publishers shall raise awareness of gender equality and respect for individuality as an integral part of human rights. Journalists, editors, and publishers shall uphold the right to information serving the public interest.

Article 1 - Working in Public Interest

The public interest, for the purposes of this Code, shall be a procedure and/or information intended to help an individual in forming personal opinions and making decisions, and to the public in forming public opinion.

Work in public interest shall also include the efforts of the print and online media in detecting criminal offences and/or misdemeanour, as well as prevention of misleading individuals and public.

Journalists shall have the right and duty to report on any facts of public interest. When reporting on facts of public interest, journalists shall take care of protecting the privacy, personal and business data of the natural and legal persons on which they are reporting, with public interest always taking precedence over the protection of privacy, particularly that of politicians and public officials.

Journalists shall be given timely access to information from official sources pertaining to the operations of public institutions and persons, without discrimination, that is, without privileged treatment of certain media outlets or journalists.

Article 2 - Editorial Responsibility

The most important responsibility of journalists and editors shall be to make sure their work is focused on respect for truth and the right of the public to know the truth.

Editors and journalists shall at all times perform their work in the spirit of fairness, honesty, and civility when gathering information, reporting and presenting opinions, respecting the effective laws and this Code.

Publishing untruths, plagiarism, falsification, deliberate concealing of facts shall be the gravest moral offences of journalistic profession.

Gravest moral offences of journalistic profession shall also include accepting gift and privileges that would have an effect on the work of journalists and editors.

Editor and publisher shall be accountable for the overall content of a print or online medium, and consequently, for the user comments in the online communication space. Editor in an online medium shall have the duty to remove those user comments representing hate speech, incitement to violence, inflammatory speech, intolerance, insulting, threats, and any other form of inappropriate and socially unacceptable communication.

Article 3 - Use of Information Technology

Publishers, editors and journalists of print and online media shall be obliged to use information technologies, platforms, social networks and various tools in good faith, for true, accurate, objective, verifiable, and timely informing of the public, for the common good, civilisation values, humanism, and ethical norms of this Code.

Use of information technologies, platforms, social networks, and tools to spread hate speech, untruths and misinformation, to harangue, stigmatise, and discredit based on race, gender, age, language, nationality, ethnic and religious affiliation, opinions and political beliefs, social background, social status, sexual orientation, or in any other way, shall not be acceptable.

Article 4 - Hate Speech and Inflammatory Speech

Journalists, editors, and publishers 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 inflame and/or instigate hatred and/or inequality based on ethnicity, nationality, race, religion, gender, sexual orientation, physical disability, or mental state.

When reporting on events having elements of hate based on ethnicity, nationality, race, religion, gender, sexual orientation, physical disability, or mental state, journalists and editors shall particularly make sure not to contribute to spreading hatred.

Journalists shall under no circumstances incite to criminal offences or violence.

Article 5 - Discrimination

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

References to a person's ethnic group, nationality, race, religion, gender, sexual orientation, physical disability, or mental state may be made only when directly relevant for the case being reported about, and when in public interest.

Article 6 - Gender Equality and Respect for Individuality

Journalists and editors shall at all times avoid direct or indirect comments in media content that might place individuals in an unequal position or discriminate against them based on sex, gender, sexual identity, gender identity, gender expression, and/or sexual orientation.

Article 7 - Accuracy, Fair Reporting and Right to Reply

Journalists and editors shall not publish inaccurate or misleading content.

Journalists and editors shall not conceal and/or withhold any essential information the disclosure of which might substantially affect the interpretation of a published report and understanding by the readership.

Journalists and editors shall have the professional obligation to promptly correct any published information found to be inaccurate.

Journalists and editors shall report only on the basis of facts whose accuracy and truthfulness they have established by making a legitimate effort to contact more than one source. Journalists and editors shall have the right to publish an article without the view or opinion of the other party if they have not received an answer to their inquiry within a reasonable time, especially in cases where the inquiry has been addressed to official institutions.

In reporting and commenting a controversy, journalists shall make a legitimate effort to hear and present all sides in a dispute. If one side in a controversy refuses to make a declaration, journalists may justifiably note this refusal in their reporting.

Editors and journalists in print and online media shall be obliged to check all the facts, the credibility of the source of information, and the credibility of the media from which they take over and carry information before publishing the content.

Editors and journalists shall be obliged to convey the views of all participants in an event, that is, all stakeholders, and if necessary, the opinions of experts who are not involved in the event, have no direct interest or are not related to the participants in the event.

Article 8 - Misinformation

Editors and journalists in print and online media must be aware of the harmfulness of publishing and carrying misinformation, as it is a gross violation of the basic rules of the journalistic profession.

Carrying misinformation from another medium or source shall not relieve the editors of the media that carries it of responsibility.

Also, editors and journalists in print and online media must be aware that publishing and carrying misinformation has an impact on the loss of credibility of the medium that publishes or carries such content.

Article 9 - Separating Commentary and Fact

Journalists and editors, while free to express their own views, must distinguish clearly between a commentary and facts.

Metaphor, irony and satire shall be legitimate forms of journalists' expression.

Commentaries and columns shall be an authored form of expression and as such shall be signed.

Article 10 - Publishing Denial

The print and online media shall be obliged to publish denials if the following conditions were met: if the information contained in the published content is untrue, incomplete or incorrectly carried; if the editor has assessed that the denial shall contribute to the accuracy and impartiality of the reporting; if the denial indicates that content is not based on facts. Journalists and editors shall not be obliged to publish a denial if it does not refute the allegations in the text to which the denial refers in terms of facts.

The length of the denial shall not be longer than the length of the original text.

Article 11 - Incompatibility of Journalistic Profession

Journalists and editors must not engage in activities that might jeopardize their independence, objectivity, freedom of critical thinking, and freedom of speech.

Working in political parties, state bodies and institutions, in marketing, lobbying and PR agencies shall be incompatible with the journalistic profession.

Working for intelligence and other security services shall be incompatible with the journalistic profession.

Article 12 - Conscientious Objection

Journalists must not be forced to write texts and express opinions that are contrary to their conscience.

Journalists shall not be allowed to report on topics, proceedings, and events in which they have a direct or indirect interest.

A journalist shall have the right and obligation to refuse a task the performance of which would be contrary to the standards of the profession and the provisions of this Code.

Journalists and editors shall be advised to, if during reporting on specific persons and institutions they assess they might find themselves in conflict of interest, give the journalistic and editorial assignment to colleagues who will not compromise the reputation of the journalistic profession due to personal and business ties in the specific case.

Article 13 - Accepting Gift and Privilege

Journalists must not seek or accept gifts or any material benefits, nor use privileges that might affect their objectivity in work.

Article 14 - Ethical Obtaining of Information

Journalists and editors shall use justified means to obtain information and material used to create media content.

Journalists shall not obtain information for media content through intimidation, harassment, or blackmail.

Incorrect presentation of someone's identity or intention, and use of machinations to obtain information shall be unethical, save in exceptional circumstances, when the publication of thus obtained information would clearly serve the public interest.

Article 15 - Respecting Privacy

Journalists and editors shall avoid intrusion into and individual's private life, unless such intrusion is in the public interest.

Journalists and editors must take care of the difference between the public interest and public curiosity. Public curiosity must not be the reason for publishing media content that violates someone's privacy.

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

Special care, consideration, and responsibility shall be required when reporting on suicides, accidents, personal tragedies, illnesses, deaths, and violence. Journalists and editors shall avoid publishing the full identities of victims and disturbing content, except when in the overriding public interest.

Article 16 - Presumption of Innocence

Journalists and editors shall have an obligation to respect the presumption of innocence and not make premature judgment about the guilt of an accused person, before a court judgement confirms it.

In the event that a person who has been a suspect or accused is acquitted in a criminal proceeding, journalists and editors shall be obliged to publish such information at the person's request if they have reported on the criminal proceedings against that person.

Journalists and editors of online media shall not be obliged to remove previous coverage in which they reported on criminal proceedings, because reporting on criminal proceedings is always in the public interest.

Article 17 - Victim and/or Witness Protection

Journalists and editors shall exercise special caution with victims and/or witnesses when reporting on investigations and court proceedings in cases of war crimes, sexual offenses, peer violence, and domestic violence, and in particular must not reveal their identities.

Journalists and editors must be careful not to reveal the identities of victims and/or witnesses in such cases in any way, including disclosing the identities of suspects or the accused, if disclosing their full name, occupation, or position held would disclose the identity of the victim. Exceptionally, in such cases, the identity of the suspect or the accused may be revealed if it is necessary for the complete, fair, and accurate reporting about the court proceedings and if it shall not cause misinterpretation of the truth or the course of the court proceedings.

Article 18 - Protection of Children and Minors

When dealing with children and minors, journalists and editors shall be obliged to exercise extreme consideration, respecting good common practice and the Convention on the Rights of the Child, with the child's best interest in mind.

Journalists and editors shall be obliged to protect the child's identity in proceedings from which public has been excluded.

Journalists and editors shall not directly identify children under the age of 18 in cases when the children are involved in criminal proceedings as victims, witnesses, or the accused.

Article 19 - Advertising and Sponsorship

Advertising content of companies, political parties and other entities, as well as sponsored content, must be separated from media content or marked as advertising content.

Covert advertising, as well as presenting commissioned or paid texts as original journalistic pieces shall be unethical.

Sponsored material shall clearly indicate the source of sponsorship.

Articles 20 - Confidentiality of Sources

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

Journalists shall avoid publishing information from anonymous sources, whose relevance the public cannot judge, unless reporting on topics of public interest when referring to open and identified sources of information is not possible.

Article 21 - Copyright

Journalists may use reasonable summaries of the original with limited quotations, material from other publications or holders of copyright, without express permission to do so, with mandatory crediting and/or reference to the source.

Substantial use or reproduction of entire material protected by copyright shall requires express permission from the copyright holder unless such permission has been specified in the material itself.

When carrying content from other media, editors and journalists must take care not to significantly change the meaning of text carried from other media through editorial interventions, cutting and/or layout of the text.

When carrying photos and videos from other media, editors and journalists shall be required to sign the authors and state the name of the media from which the photos and videos were carried, unless permission to carry has been specified in the material itself.

Article 22 - Transparency of print and online media

Print and online media shall, in an appropriate place state the name, address, telephone number and e-mail address, and contact details of the responsible publisher and editor to whom complaints and objections to the writing of print and online media may be addressed.

Article 23 - Complaints

Complainant claiming that the reporting violated the provisions of this Code, shall, before filing a complaint, contact the publisher or editor responsible for the print or online media in question and request the publication of a correction in the text or a denial.

The complainant shall be obliged to address the publisher or the responsible editor in the print media with a request to publish a correction or denial within 30 days from the date of publication of the text complained of.

If the complaint pertains to a text published in an online medium, the complainant may submit a request for correction of the text or denial as long as the text is available in the online medium.

In order to decide on a complaint in terms of violations of the provisions of this Code, the complaint must contain a precise quote or quotes that the complainant alleges violated the Code, as well as a clear and precise text of correction or denial that must not be longer than the journalistic text that is the subject of the complaint.