

- Code of Ethics  
of Montenegrin  
Journalists

Work on amendments to the Code of Ethics of Montenegrin Journalists,  
design and printing was supported by the OSCE Representative Office for Media  
Freedom and the Council of Europe

# CODEX OF MONTENEGRIN JOURNALISTS

## (Basic principles)

**A journalist serves public interest.**

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

**It is in the interest of every journalist, and it is their duty, to observe this Codex.**

**Journalists must take nothing at face value, that is, they have to be critical observers of actions of those with social, political and economic power when reporting on them, in public interest.**

1. The duty of journalists is to respect the truth and persistently search for it, always having in mind the right of the public to be informed and the human need for justice and humanity.
2. Journalists are obliged to defend the freedom and the right to collect and announce information without any hindrance as well as to give free comments and critique.
3. Facts should be sacred for journalists, and it is their duty to put them in the right context and prevent their misuse, whether it is a text, picture or sound. Rumors and assumptions should be clearly marked as such. It is a duty to clearly make a distinction between news and comments.
4. It is the duty of journalists to complete incomplete and correct incorrect information, especially the one that can cause harm and at the same time to make sure that the correction is pointed out in an adequate manner.
5. One's race, religion, nationality, sexual orientation and family status will be mentioned by journalists only if that is necessary for the information.

6. In order to collect information in any form, journalists should use professionally honorable and legally allowed methods. Any violation of this rule is allowed only in cases when those methods are not sufficient, and information that is to be obtained of a great importance for the public.
7. It is the right and duty of journalists to protect confidential information sources, but also to always check motives of the confidential source before one is promised anonymity and protection.
8. Journalists are obliged to be very careful when dealing with private life of people. The right to private life is in reverse proportion to the importance of a public function that an individual performs, but in those cases, it is necessary to respect human dignity as well.
9. Journalists are obliged to protect the integrity of adolescent persons, different and disabled persons.
10. When reporting on investigations and court procedures, journalists have to respect the assumption that everyone is innocent until proven otherwise and should by no means presume the outcome of a court procedure.
11. Journalists should not accept privileges of any kind that could limit or call into question their autonomy and impartiality, and affect the freedom of a publisher and editorial board to make decisions.
12. It is the duty of journalists to display solidarity in relations with their colleagues to the extent that would not prevent them from properly accomplishing their professional tasks, or cause them to violate the basic principles of the journalist codex.

**Just as they are ready to expose their work to public judgment, journalists should be willing to subject themselves to the judgment of an impartial body in charge of the protection of professional authority.**

# **GUIDELINES FOR THE INTERPRETATION AND IMPLEMENTATION OF THE BASIC PRINCIPLES OF THE CODEX**

## **Guidelines for Principle 1**

### **1.1. General standards**

Journalists must maintain the highest professional and ethical standards. They must take all reasonable steps to ensure that they disseminate only accurate information, and that their comments on events are genuine and honest. They must never publish information that they know to be false or maliciously make unfounded allegations about others that are intended to harm their reputations. It is journalist's right to refuse an assignment conflicting with the ethical codex.

### **1.2. Treatment of sources**

- (a) Journalists should use as many sources as necessary to ensure reasonably appropriate appraisal of facts and to provide correct information. Journalists must correctly assess the affiliations and possible interests of their sources when they contact them in preparation of a release. The use of circumstantial sources is acceptable if additional sources are used or other methods employed in the verification of facts. Journalists can also assign information leakage to concrete sources. In such cases, reports should clearly stress that the information in question came from on or a limited number of sources.
- (b) Also, journalists can use information obtained from social media, from certain web blogs or other online sources. In such cases, there is a special need for specific and rigorous verification of facts, images and other reference materials. If such verification is not possible, journalists must provide clear information on the source they used

- (c) Before publishing a report, journalists must ensure that all reasonable steps have been taken to check its accuracy. Journalists must endeavor to provide full reports of events and must not be silent about or suppress essential information.
- (d) The public's right to be informed does not justify sensationalist reporting. Therefore, journalists must not distort information by exaggeration, by placing improper emphasis on one aspect of a story or by giving only one side of the story. They must avoid using misleading headlines or advertising slogans. The facts must not be distorted by reporting them out of the context in which they occurred.

### **1.3. Press releases**

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

### **1.4. Rallies during Election Campaign**

When reporting from rallies organized during an election campaign, journalists will report correctly and will not allow their personal viewpoints affect the correctness and fairness of their reporting. Such an approach is a matter of journalistic correctness; it serves the citizens' right to freedom of information and supports the principle of equal opportunities for all political parties and other participants in the election process. Previously edited material that political parties provide should only be used if there is no other way of making a report on their activities or gatherings. Citizens should always be notified if such materials are used. Journalists must honor the pre-election silence, as prescribed by law, without it calling into question their right and obligation to report in all issues of public interest.

## **Guidelines for Principle 2**

### **2.1. Commentary**

Commentary must be a genuine expression of opinion based on facts. Commentary must not be presented in such a way as to create the impression that it is an established fact.

### **2.2. Interviews**

- (a) An interview is completely journalistically correct if the interviewee or his/her representative has authorized it, or if it is obvious that there is the interviewee's approval for the intention to publish an unauthorized interview. If time is short, it is also correct to publish an unauthorized interview if it is clear to both the interviewer and the interviewee that their conversation will to be published either as a written or video report. If the text of an interview is released in full or in part, the media releasing it must state its source. If the basic content of spoken thoughts is paraphrased, it is nonetheless a matter of journalistic honor to state the source.
- (b) In the case of an interview being preceded by a report, as an announcement form, care must be taken that the announcement does not deviate from the contents of the program context that is announced. In this case as well, care must be taken to protect the interviewees against any distortions or falsehoods, which may jeopardize their dignity or legal interests.

### **2.3. Symbolic images**

- (a) If an illustration, especially a photograph, may lead an average reader to believe that it is an authentic document, despite the fact that it is merely a symbolic picture, such a case must be made clear. Photo editing or other modifications of authentic documents must be clearly marked as such in the accompanying text or in any other appropriate way.

- (b) If the media use reconstructed scenes in broadcasting/printing, such actions must be made clear to the audience or it must be clearly indicated by a narrator or in writing.
- (c) Archival materials used on television must be necessarily marked as such, and sound inserts used from radio archives must be announced as such by a narrator.

#### **2.4. Embargoes**

The imposition of embargoes during which the publishing of certain information is limited is justifiable only if it is vital for objective and careful reporting. In principle, embargoes are a free agreement between sources of information and the media. Embargoes should be observed only if there is an objectively justifiable reason to do so, such as in the case of pending speeches, company reports and other types of activities or information on a future event given in advance (meetings, resolutions, ceremonies, etc.). Embargoes must not be used for gaining advantage over competition.

#### **2.5. Opinion poll findings**

When publishing findings of opinion poll agencies, the media should report on the number of respondents, date of the poll, identity of the person or organization that commissioned it and the questions asked. If no one hired the agency to carry out the poll, the media should point out that a poll was carried out at the initiative of the agency.

#### **2.6. Daily Polling/Interviewing**

In the case of daily, ad hoc, polling of citizens about controversial social issues (vox-pop stories), a special measure of precaution is needed in order to avoid possible manipulation.



## 2.7. Letters to Editors

- (a) In terms of their form and contents, letters to editors are suitable for enabling readers/listeners/viewers to express their views and thus participate in the process of shaping public opinion. It is the duty of the media, when publishing such letters, to make sure they do not conflict with the journalistic Codex. Media are not legally bound to publish such letters.
- (b) Correspondence with publishers or editorial departments can be printed as letters to the editor if it is clear, due to their form and content, that this is in accordance with the sender's wishes. Consent may be assumed if the letter refers to articles and stories published by the media concerned or to matters of general interest. Media are not legally bound to publish such letters.
- (c) Only in exceptional cases can, at the request of the author, the name of the author can be withheld with the notice: 'Name is known to the editor'. The media should not publish the authors' addresses. If there is any doubt about the identity of the sender, a letter should not be printed.
- (d) Abridgements are possible if the Letters to the Editor section contains a permanent notice that the editor reserves the right to shorten such letters without changing the meaning of them. Should the sender expressly forbid changes or abridgements, the editorial department must either comply with that wish, even if it has reserved the right to abridgement, or decline to publish the letter.
- (e) All readers'/listeners'/viewers' letters sent to the editor are subject to editorial secrecy. They must never be passed on to third parties.

Media can define their own rules with regard to the possibility of abridging the contents of a letter as well as regarding other, additional measures related to the decision to publish the letter or the protection of sender's privacy. These rules must be clear and objective.

## 2.8. Online comments

Online media should define their internal rules that apply to third party comments. These rules should have the purpose of avoiding the publishing of illegal or unethical contents, while fully honoring the freedom of expression.

## Guidelines for principle 3

### 3.1. Corrections

- (a) All media must honor and ensure the exercise of the right to correction and the right to agreement, in line with law. Such provisions must be honored diligently and in good faith, with apologies published in good time, so as to avoid court or any other procedures.
- (b) Where a person or organization believes that a media report contains incorrect information or unfair criticism of that person or organization, they may require that the media concerned give them a fair opportunity to reply, to correct any inaccuracies and to respond to the criticism. Media institutions are expected to acknowledge such a right in the case it accepts that the report in question contained incorrect information and unfounded allegations.

### 3.2. Documentation

In cases where incorrect reports are discovered, as outlined in 4.1, media outlets must correct them in their archives, documentation, and databases as well.

## Guidelines for principle 4

### 4.1 Hate speech

- (a) Media outlets must not publish material that is intended to foster hostility or hatred towards persons on the grounds of their race, ethnic origins, nationality, gender, physical disabilities, religion or political affiliation. The same applies if it is highly probable that the publication of certain material will instigate the above stated hostility and hatred.
- (b) Journalists must take utmost care to avoid contributing to the spreading of ethnic hatred when reporting on events and statements of this nature. It is journalists' duty to respect other states and nations.

## 4.2 Reporting on crimes

When reporting on crimes, it is not permissible to refer to mention suspects' religious, ethnic or other minority belonging unless this information can be justified as relevant to the audience's understanding of the incident. In particular, it must be borne in mind that such references could stir up prejudices against minority groups in need of protection.

## 4.3. Offence and defamation

Defamation, slander or use of terms that are not justifiable for reporting on issues of public interest are not acceptable.

# Guidelines for principle 5

## 5.1. Research

- (a) Journalistic research is an indispensable instrument for journalists to fulfill their professional duty to approach their work with due attention and diligence.
- (b) Journalists should normally use open methods of gathering information, which implies their clear professional identification. False identification during research and presentation of incorrect information are irreconcilable with journalistic profession and function of the media.
- (c) Use of hidden cameras or other electronic devices for covert research must always be carried out in line with the law and reporting on issues of public interest must be its exclusive purpose. If necessary, materials gathered in such a way are used without infringing the right to privacy and taking care to protect the public image of individuals involved.
- (d) Journalists can resort to covert gathering of information only when it is not possible to obtain them through open methods and they are of exceptional

importance for the public. Such methods can be employed in cases of uncovering criminal activities, abuse of position or in cases of uncovering activities that may cause serious hazard for the health and safety of citizens and endanger the environment.

- (e) In the event of accidents and natural disasters, the media must bear in mind that providing emergency services to the victims and those in danger has priority over the public right to information.

## **5.2. Research among people requiring protection**

Journalistic research should be carried out with due sensitivity and discretion in cases involving personal grief or shock, people with mental or physical disabilities, as well as children and juveniles in general. Limited power of reasoning or special circumstances of such people must not be exploited deliberately to gain information.

## **5.3. Exclusive information**

It is standard practice for journalists to publish exclusive information and stories. Such stories should only be the result of research and information gathering instead of a quest for a monopoly in accessing information provided by public officials. Public officials should disseminate their information without favoring a limited number of media outlets.

## **5.4. Payment for information**

Journalists must not pay people for information except in cases when the value of such information is of exceptional importance to the public.

## Guidelines for principle 6

### 6.1 Confidentiality

- (a) In the case of a person agreeing to supply information only on condition that their identity remains confidential and the journalist agrees to this condition, the journalist must respect this agreement and refuse to reveal the identity of the source. However, the journalist has to warn the source that their identity might have to be revealed in court if this information is needed to prevent a serious crime.
- (b) Electronic media shall apply appropriate technical procedures (voice distortion or face blurring) in order to provide secrecy of identity of the person giving a statement under the arrangements of anonymity.
- (c) Documents classified as secret may be published if it is determined, after careful consideration, that the public's need to know outweighs the reasons put forward to justify secrecy.

### 6.2. Activities in secret services

Involvement of journalists with secret services is irreconcilable with the role the media play in society and their prestige. Information coming from secret services must not be brought into connection with the journalists' right to professional secret.

## Guidelines for Principle 7

### 7.1. Right to privacy

- (a) The journalist should not intrude into and report on a person's private life without their consent. However, disclosing certain details from a person's private life is permissible to the extent required to adequately and accurately report on issues of public interest.

All people are entitled to dignity that journalists cannot willfully violate in the name of the public's right to know. This must be born in mind especially when it comes to persons involved in events worthy of reporting against their will (accidents, different types of conflicts, etc.).

- (b) Reporting on a person's private life can be justified only when it is in the public interest to do so. Such cases include actions hazardous for public health and safety (criminal activities, terrorism, corruption, etc.). Reporting on a person's private life is also justified if it prevents the public from being misled by a statement or an action of that individual, as in the case of a person doing something in private that they publicly condemn.

When reporting on aspects of someone's private life that are of special public interest, journalists must not cross any lines driven by sensationalist, morbid curiosity, voyeurism or the desire to expose someone to public ridicule or humiliation.

Journalists are allowed to publish someone's images or voice recordings without asking for and receiving permission if the context of publishing such material is related to persons, occurrences or events of public interest, especially if they are related to public figures and it is important that they are published, since these persons occupy a public office.

- (c) When the infringement of privacy is justified or inevitable, reporting should be limited to the details of essential value for the public, thus minimizing the damage inflicted to someone's dignity and reputation.

Journalists can use security camera recordings or other authentic audio or video recordings related to those aspects of someone's private life that are of public interest, under the condition that it is the only way to convince the public of the credibility of their claims, especially if the persons reported on dispute these claims.

- (d) Victims of accidents or crimes are entitled to special protection of their names. It is not always a rule to reveal the identity of a victim in order for the audience better to understand the accident or crime. Exceptions can be tolerated if the person concerned is a public figure or in some special circumstances. Special circumstances may imply efforts to prevent the spreading of rumors and speculation about the identity of victims of accidents.

Before making public the names of victims of violence or accidents, journalists should check if their immediate family is informed about what happened to them and possibly reveal their identity only after that.

Before publishing photos from an accident site or the site of any kind of violence, journalists should make a good assessment if there is public interest in revealing the identity of victims or exposing the public to shocking images (dead bodies, pools of blood, wounds, bone fractures, etc.). Exposing the public to shocking images can be justified only if it is in the service of drawing its attention to the consequences of some utterly socially unacceptable form of behavior (terrorism, for example).

- (e) In the case of family members and other people indirectly affected by an accident or who have nothing to do with a crime, care must be taken when publishing their names and images.
- (f) People's private addresses enjoy special protection. Unique identification numbers and private phone number also enjoy special protection.
- (g) Physical and mental illness or injuries belong to the private sphere of the persons affected. Out of consideration for them and their family members, the media should not publish names and photographs in such cases and should avoid using disparaging terms to describe their illness, even if they are in popular usage.
- (h) Reporting on suicides calls for utmost restraint and tact. In such situations, names and detailed descriptions of circumstances in which a suicide took place should by no means be published. Exceptions are justifiable only if the case is of exceptional public interest.
- (i) A report is inappropriately sensational if the person it refers to is treated as an object. This is particularly so if reports about persons dying or being subject to physical or mental suffering go beyond public interest and the public's need for information.
- (j) The limit of acceptability in reports on accidents and disasters is the respect for the suffering of victims and the feelings of their family members. Victims of accidents must not be made to suffer a second time due to their media exposure.

## 7.2. Medical research and therapy

- (a) Reports of alleged successes or failures of medical or pharmaceutical research in the fight against serious illnesses call for circumspection and a sense of responsibility. Therefore, neither text nor presentation should include anything that might give rise to unfounded hopes for a cure in the near future among the ill and their family members if this does not correspond to the actual status of medical research. Conversely, critical or even one-sided reports on hotly-debated opinions should not make seriously ill persons feel uncertain and thus raise additional doubts about the possible success of therapeutic measures.
- (b) When reporting on the activities of self-professed healers and quacks, reporters must apply a special dose of reasonable doubt and restraint.
- (c) When reporting on spreading of contagious and other diseases, reporters must keep in mind that only a competent state authority is entitled to declare an epidemic.

## Guidelines for principle 8

- (a) The media are obliged to comply with the principles of the UN Convention on the Rights of Children and to research with special care the information that affect children's interests. Accordingly, no child can be exposed to media interference in their private and family life or personal correspondence or to attacks on their honor and reputation.
- (b) The media are obliged to show special consideration when reporting on minors, especially in cases when they are victims of any form of domestic, peer or other violence. It is inadmissible to publish photographs of minors victims of violence as well to reveal their identity.
- (c) The media are obliged to show special consideration when reporting on minors suspected of involvement in illegal activities, honoring their right to pre-



sumption of innocence and avoiding sensationalism. It is inadmissible to publish photographs of minors suspected of committing criminal offences as well to reveal their identity.

- (d) Any abuse of children by the media that exposes them to humiliation for the hardships they are subjected to, such as poverty or unacceptable behavior and actions of adults is inadmissible.

## **Guidelines for Principle 9**

### **9.1. Court, crime and criminal investigation reporting**

- (a) Reports on investigations and court cases serve to inform the public in a careful way about crimes, criminal prosecution and court rulings. A person is presumed innocent until proven guilty by a court, even if they confessed their guilt. Even in cases where guilt is obvious to the public, without violating the right of journalists to correctly report on issues of public interest, an accused person cannot be portrayed as guilty in the court assessment until a ruling is reached.
- (b) Prejudicial portrayals about someone's character, as well accusations against them, violate the constitutional principle of protecting human dignity, which also applies to those who may be declared criminals. The aim of court reporting must not be to punish convicted criminals socially as well by using the media as a "pillory".
- (c) When a media starts reporting on a criminal case, it must follow up and report subsequent developments in the case. If the media reports on an accused, whose name it published or whose name is known to a large circle of audience, it should also report on an ensuing acquittal or a significant reduction of charges. This also applies if investigation is dropped.
- (d) Criticism and comments on a case must be easily distinguishable from reporting on court proceedings.

- (e) The media must not reveal the identity of victims of sexual assaults or publish material likely to contribute to their identity being revealed. It can be done otherwise only if the victims consent to their identity being revealed or if the law authorizes the media to do so.
- (f) In general, the media should avoid revealing the identity of relatives or friends of those convicted or accused of a crime. It can be done otherwise if it is necessary for complete, fair and accurate reporting on a crime or legal proceedings.
- (g) When reporting on investigations and criminal court proceedings against young persons and on their appearance in court, the media must exercise special restraint out of consideration for their future. This also applies to young victims of crimes.

## **9.2. Reporting on acts of violence**

In reporting on actual or threatened acts of violence, the media should carefully weigh public's interest in information against the interests of victims and other people involved. In such cases, they should take special care to make reporting impartial, but not allow to be made a tool for criminals. The media should not make independent attempts to mediate between criminals and the police. There must be no interviews with perpetrators of violent actions, unless it is absolutely necessary for correct and impartial coverage of an event, in the service of higher public interest.

## **9.3. Coordination with the authorities/news 'blackouts'**

In principle, the media do not accept news 'blackouts'. Coordination between the media and the police is only possible in cases when actions or inaction of journalists can protect or save the life and health of victims and other persons involved. The media shall comply with police requests for a partial or total news embargo for a certain period of time, in the interest of solving crime, if the request is justified convincingly.

## **Guidelines for principle 10**

### **10.1. Invitations and gifts**

The freedom of decision and independent judgment of the media and their editorial staff is compromised if they accept invitations and gifts exceeding the usual norm for social contacts necessary in their professional work. Even creating the impression that accepting invitations and gifts can impair the freedom of decision of a media and its editorial staff is to be avoided. Therefore, journalists should not accept payments, reimbursement of expenses, discounts, donations, free holidays, business trips, gifts, or any other benefits that might impact their work and activities in a way that could cause damage to their professional credibility as well as the reputation of their media. Journalists shall not accept any benefits without previously obtained approval of their editor-in-chief or director of their media.

### **10.2. Pressure or influence**

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

### **10.3. Separation of functions**

Should a journalist or publisher exercise another function in addition to their job as journalists, for example in a government, a public authority or a business enterprise, they must take strict care to separate these functions. The same applies in a reverse case. It has to be born in mind that conflicts of interests harm the standing of a media

#### **10.4. Distinction between editorial content and advertisements**

Advertisements, newspaper pages or sponsored programs must be clearly distinguishable from editorial content and must be so designed and presented as to enable readers/listeners/viewers to recognize them as such. Journalists must not be engaged in advertising-propaganda business.

#### **10.5. Public Relations material**

The credibility of the media as a source of information calls for particular care in dealing with material intended for PR and advertising. Texts, TV or radio reports or programmes referring to companies, their products, services or events must not overstep the boundary of becoming hidden advertising. This risk is especially great if a story goes beyond justified public interest or the audience's interest in information. This also applies to unedited advertising texts, photographs and illustrations.

#### **10.6. Conflict of interest**

Economic interests of the owners of a media, editors and journalists vested in certain companies or their political interests vested in certain parties cannot lead to disinformation or failure to publish information of public interest.

#### **10.7. Transparency of media interests**

All media outlets must provide for transparency of their ownership structure and economic interests.

## **Guidelines for principle 11**

### **11.1. Solidarity**

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

### **11.2. Originality**

Journalists cannot use texts, ideas and images of others without properly naming them as copyright owners and sources.

These guidelines are not final, but can be supplemented according to ethical dilemmas arising from practice. The self-regulatory body that will be in charge of the implementation of Codex of Journalists of Montenegro shall be authorized to propose new guidelines or amendments to the existing ones, in the spirit of general ethical norms of the Codex.

### **The Codex was adopted by:**

**Association of Journalists of Montenegro**

**Association of Professional Journalists of Montenegro Association of Young Journalists of Montenegro**

**Association of Independent Electronic Media of Montenegro – UNEM  
Association of Independent Print Media of Montenegro – MONTPRESS  
Independent Union of Journalists of Montenegro**

**At the Montenegro Media Institute  
Podgorica, 21 May 2002**

