

**REVIEW OF EXPERIENCES AND PRACTICES
OF THE INTERNATIONAL PRESS CONCILS**



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March 2017

Publisher:

Council of Media Ethics of Macedonia
Boulevard Teodosij Gologanov 54-2, Skopje, Macedonia
www.semm.mk

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Design:

Myprint

Print:

Myprint

Circulation:

20

The production of this publication was supported through the Project “ReForMedia - Enhancing the Cooperation Between the Civil Society, Institutions and Citizens for Implementing Reforms in the Media Sphere”, which is implemented by the Macedonian Institute for Media and the Peace Institute in Ljubljana. The Project is financed by the European Union.

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CONTENTS

Introduction.....	5
I. Review of experiences and practices of the press councils in the network of the Alliance of Independent Press Councils of Europe (AIPCE)	7
II. Review of experiences and practices in the reporting on sensitive issues of public interest	13
III. Conclusion.....	19
IV. Literature	20

INTRODUCTION

In today's environment, facing old and new dilemmas, journalists and media workers must be consistent in the observance of ethical and professional standards and, particularly, in respect to the surrounding which is under revolutionary influence of new technologies.

One of the ways is by self-regulation, which has a direct influence on freedom of the press: "media are an excellent mechanism through which citizens demand accountability by the public and individuals. However, media must themselves be responsible if they wish to retain the role of watchdogs of governments and other centers of power, and self-regulation is a function that has a center place in this process, prompting media accountability to the audience and at the same time strengthening the quality of media through voluntary mechanisms that are followed by media professionals."¹

When discussing self-regulation and its mode of appearance, in fact, it refers to "a participation of journalists, media owners and members of the public in the assessment about the use of ethical principles in the media"² through various forms of self-regulatory bodies, press councils, ombudsmen or a combination of both, depending on the traditions of individual countries. Moreover, the existence of a press council is of particular importance, as an "archetype of a self-regulatory body and, in general, as a most common form of self-regulatory body."³

The media reality in the Republic of Macedonia marks the existence and successful work of the Council of Media Ethics since December 2013. Past experiences in implementing self-regulation in the country proved to be a real challenge. Given the importance of topics and experiences from other countries with a longer tradition in media self-regulation, the idea of this Review is to provide a narrative description of experiences and practices in dealing with particular issues by press councils – members of the Alliance of Independent Press Councils in Europe (AIPCE)⁴ in several segments, as well as the codes of ethics, by focusing

1 Janis Karklinš, „Uvodnik“, in *Profesionalno novinarstvo & Samoregulacija*, Stjepan Malović (ur.), UNESCO, Zagreb, 2001, page 11.

2 Gordana Vilović, „Etičnost masovnog komuniciranja“, in *Masovno komuniciranje*, Stjepan Malović et al. (ur.), Golden marketing-Tehnička knjiga, Sveučilište Sjever, Zagreb, 2014, page 268.

3 Ognian Zlatev, „Press Council“, in *Self-regulation Guidebook*, Miklos Haraszti and others, Council of Media Ethics of Macedonia, Skopje, 2016, pages 45-46.

4 It is actually a „non-formal network“ founded in 1999 in London, which has united around 40 European independent press councils until now, in order to provide a forum for discussion of actual topics, as well as exchange of ideas, useful information and advices on particular dilemmas among

on their provisions which refer to reporting on particular, sensitive, issues such as: *protection of privacy, prevention of discrimination on different grounds, protection of children and juveniles, reporting on crime, suicides, etc.*

The idea arose as result of the current practice of regular and useful communication between the Council of Media Ethics in the Republic of Macedonia and the members of the Alliance. The results of this discussion are useful not only for the Council, but also for the expert community and the wider public, which is expected to closely get acquainted with the operation and benefits from the existence of the self-regulatory body. The cooperation with the AIPCE members, at the same time, makes it possible for the Council for Media Ethics to continuously and openly discuss and exchange experiences on existing and possible dilemmas and their resolution, thus learning about new issues and challenges in the media sphere, subject to ethical observation, providence and resolution.

The methodology used in the preparation of this Review includes analysis of documents, ethical frameworks, regulations, opinions and decisions, analysis of secondary data and additional resources related to the topic of research. The first part of the document results from the review of the approach by the AIPCE press councils regarding practical dilemmas and their solutions which are essential for their operation, especially for newly established ones, while the second refers to the review of certain elements of selectively chosen ethical codes that respond to the challenges encountered with respect to media reporting on sensitive matters of public interest. The aim, amongst other, is to check how well they reflect the reality of work of traditional and social and new media from today's perspective.

representatives of its members. The Alliance also includes self-regulatory bodies from other countries in the world, even though the focus is on the territory of Europe.

I. REVIEW OF EXPERIENCES AND PRACTICES OF THE PRESS COUNCILS IN THE NETWORK OF THE ALLIANCE OF INDEPENDENT PRESS COUNCILS IN EUROPE (AIPCE)

Out of the corpus of extensive material, which is result of intensive communication and cooperation with the members of the Alliance, the focus is placed on those issues and dilemmas that are closely correlated with the work of the Council of Media Ethics, whose aspects could be used as a solid foundation in resolving certain dilemmas in its work. At the same time, these findings could be also useful for the expert and the general public, who can have insight into the manner of existence and functioning of press councils as self-regulatory bodies.

Therefore, the analysis mostly refers to the *rights, duties and ways of functioning of the press councils*, which includes the following issues and concerns:

1. Criteria for membership in the press council, regulation of the voting system, as well as the voting rights of the council's members:

Belgium has both a Board and Press Council. The first is equally composed of representatives of associations of publishers, broadcasters and news agencies, but also by associations of journalists, while the second is equally composed of representatives from publishers, broadcast media and news agencies, followed by associations of journalists and representatives of the civil society.

While the Board is the one that accepts the code and its modifications, appoints members of the Press Council, as well as Secretary General/Ombudsman and an Administrative Assistant, the Council is the one that prepares the amendments to the Code, drafts and adopts new guidelines and deals with the complaints. It's about a system that is almost the same with the French-speaking Council in Belgium, whereas the only difference is that this Council has two additional members in the press council, i.e. two representatives of the editors.

A different solution from the previous one is encountered in Switzerland, where the Council has no membership. It was founded and funded by journalists' unions, publishing associations, association of editors, as well as public broadcasters, while the founding Council appoints members to the Press Council.

The Press Council in Norway⁵ was established back in 1929 by the Norwegian Media Association, as a professional body where media workers consist the majority and which is always headed by an editor or a journalist. Its main objective is overseeing and extending ethical and professional standards in all media in

⁵ The Norwegian Press Council was a model for establishment of the Council of Media Ethics of Macedonia.

Norway. The Council, based on a proposal from the Norwegian Media Association, is composed of representatives with a two-year mandate, i.e. two editors and two journalists and three highly respected representatives of the public. It governs its work with the Code of Ethics and the Code of Editors adopted in 1953.

Out of the regional press councils, the Council in Bosnia and Herzegovina was established by the 10 biggest print media and two associations of journalists. All print or online media can be official members if they are registered as limited liability companies, i.e. legal entities in the field of journalism and media industry, however not as civil society organizations or marketing companies. The Board of Directors decides on the admission of new members, while the Parliament supports this decision. A certain number of media have two, three or only one representative in the Assembly of the Press Council, but when it comes to voting, only one representative per media has the right to vote and decisions are adopted by majority of votes.

On a wider level, for example in the South African Republic, the Press Council is partially composed of members of the public, while the other half are representatives of the journalistic community. The Press Complaints Commission for the Electronic Media is headed by a President, who is appointed by the Commission itself, while 12 members are appointed by a retired judge who also appoints the Ombudsman. In Azerbaijan, the Board is a managing body of the Press Council, mostly composed of representatives of traditional mass media, members of the public and also members of the internet portals. The Press Council has about 200 member organizations, which includes dailies, magazines, news agencies, informative portals and media organizations. A new congress is held as soon as the four-year mandate is finished, where new members of the Board are elected.

2. Use of press council's adjudications in judicial processes and potential coordination of the press council with regulatory bodies about particular issues;

There are different solutions in regard to this issue. More specifically, courts in Switzerland (even the Federal one) often take into consideration adjudications and ethical discussions of the Press Council. Although there is no specific coordination, there are cases when the Press Council invites a judge from the Federal Court at its sessions in order to prepare adjudication in relation to reporting on court proceedings.

On the other hand, in Belgium, in order to resolve a case related to journalists or media, one of the criteria used by the judiciary in the process of decision – making is to take into consideration journalistic ethical standards. It is, therefore, in the mission of the Press Council as a self-regulatory body to provide advices for judges or the courts when this is required by the Council.

In this context, there is a kind of an institutional cooperation, which is not formalized, but still used when there are, for instance, cases of hate speech by journalists. In these cases, the Council usually informs the Center established by competent institutions to act upon cases related to racism, discrimination, hate speech, and the Center later decides how to proceed with this information.

This practice is present in the Flemish region in Belgium. There is cooperation between the Press Council and the Center for Equal Opportunities, as a public institution that fights discrimination on legal basis.

In relation to these practices, there is an interesting experience in Ireland, where in accordance with the 2009 Law on Libel, i.e. its article 26, the newspaper that has been sued may appeal based on the fact that it worked in compliance with the Code of the Press Council and its adjudications.

3. Regulations and possibilities for parallel proceedings in the press councils and the courts;

The Press Council in Ireland does not handle complaints if a legal proceeding has been initiated, regardless if the procedure started before the press complaint was filed to the Council or during the Office's consideration of the complaint. If the subject matter of a complaint is the subject matter of legal proceedings, consideration of the complaint is postponed until the conclusion or withdrawal of the court proceedings, provided that the court proceedings are concluded or withdrawn within two years of the date of publication of the article.

If the court proceedings are still ongoing two years after the date of publication of the article under complaint, the file is closed. A threat of legal

proceedings is not, in itself, sufficient to postpone consideration of a complaint. However if, on receipt of a complaint, a threat of legal proceedings has already been made by a complainant, the complainant is asked to confirm that no legal proceedings will be initiated until after the Office's consideration of the complaint. In addition, if an article under complaint is about a report of legal proceedings, the complainant is asked, in cases when unclear, to indicate if all legal proceedings about the matter are completed.

This is a mechanism which is very similar to the one in Australia, where complainants are not asked to waive any legal rights, but they are asked to state that they are not contemplating legal proceedings at the time the complaint is lodged. Hence, if the Press Council finds that civil or criminal proceedings are running in parallel, then they will suspend their consideration of the complaint until those proceedings have ended.

The regulations of the Press Council in Switzerland also does not allow acceptance of press complaints if there is a parallel process running. However, if it refers to a matter related to some basic problem in the professional ethics, the Press Council in Switzerland can consider the case.

The practice in Finland indicates that there is a basis for rejecting a press complaint if the complainant requires an adjudication according to which he/she can initiate a proceeding in court for criminal prosecution or for damages. In this case, the Press Council does not process the press complaint or it stops its consideration. In line with this practice, a more rigid system could be found in Estonia, where, in compliance with the Statute, beside the fact that the press complaint cannot be simultaneously processed both in court and in the Press Council, the Council does not even process the press complaints if the complainant has not identified himself and if the complaint does not refer to breaches of good journalistic practices. Moreover, the Press Council in Azerbaijan rejects the cases when the press complaint has already been processed in court or it is under investigation of the security services.

Contrary to the previous experiences, the press councils in Netherlands, Norway and Sweden do not have a system to stop the procedure. The complaints are free to go to court and/or complain to the Press Council, even at the same time, having into consideration that the legal and ethical rules are not always the same.

There might be situations when ethical standards have been observed but legal provisions have been breached and vice versa. In these cases the press council cannot impose a sanction, while the court can do that. In this regard, if the complainant states that the journalist have acted contrary to the statutory rules, the press council will conclude in its adjudication that as self-regulatory body it is not competent to make a decision for it.

4. Manner of handling press complaints and adjudications;

At the regional level, voting and decision – making in the Kosovo Press Council is made with simple majority by all present members. The Press Complaints Commission in Bosnia and Herzegovina does not vote, cases are discussed, and the members must have a consensus about the adjudication, which should be unanimously adopted. On the other hand, if the Press Council in Serbia cannot reach a consensus, this would be announced and the reasons for the disagreement explained.

Broadly analyzed, in Spain, although in rare cases, the Catalan Press Council makes effort to consider the press complaint from different positions and reach a general agreement. The Estonian Press Council also requires a consensus, while voting is the last option, which is rarely used. The same is a case with the Belgian Press Council, since its founding in 2002, whose adjudications are consensus based, even though other options are not excluded. This is also a case in Netherlands, where in the majority of cases adjudications are made on the basis of a consensus. However, if necessary, in accordance with the regulations of the Press Council, adjudications are made by majority of votes and there is no “system of separate opinions”. This practice also exists in Australia, as well as in Cyprus, where the Press Complaints Commission makes adjudications on the basis of a consensus, but in technical terms majority of voices are sufficient. Members in the Press Council of Austria do not have the right to be restrained, same as in the Norwegian Press Council.

In Finland, in case there is no consensus, the Press Council’s adjudications are made by an open voting procedure. If the voting results are tight, the one who chairs the session has the deciding vote. In New Zealand, those who disagree with the adjudication have the opportunity to register their dissent, by identification of their names and by specifying details for the disagreement.

There are also interesting solutions in Ireland, where the first adjudication is made by the Media Ombudsman. Both the complainant and the publisher could, to a certain level, complain to the adjudication made by the Ombudsman to the Press Council, which will then require a consensus and if it cannot be reached the adjudication is made with majority of votes. In this context, Sweden also has quite an interesting solution, where the Press Council has 8 votes, out of which 4 by media representatives, 3 by representatives of the public and one by a judge from the Supreme Court in the country. If the ballot ends with 4:4, the judge has a decision – making voice.

5. Adjudications related to complaints about online materials, services and journalism, as well as blogs which are not directly related to traditional media;

The fast technological development brings another dilemma: are blogs, Internet and Facebook forums considered journalism?

The Press Council in Switzerland does not handle blog contents, forums and Facebook contents, while in New Zealand the Press Council extended its mission and handles complaints which refer to blog contents as well.

In this context, Norway has a Code of Ethics and a press complaints system which are open to bloggers and independent publishers.⁶

On the other hand, the Press Council in Belgium accepts press complaints which refer to blogs and posts on social media that belong to journalists. Or more specifically, the Press Council does not handle personal posts, but only the ones made by a journalist and if blog or the post are a journalistic product.

The Press Complaints Commission in Cyprus accepts complaints about bloggers even in cases when the blogger is not a journalist. At this point, the Commission insists that websites of the media, including blogs, accept the responsibility to moderate comments from the public and remove the ones that are offensive, inexpedient or in any way violating the rights of others.

In relation to press complaints lodged about blogs which are not directly related to traditional media, the press councils in Norway and in Finland accept these types of complaints, both for hidden advertising and for a defamation made by the blogger. The Media Ombudsman in Sweden has been accepting complaints about Twitter profiles as well.

In Netherlands, a distinction is made whether one blog could be considered a “journalistic act” or a failed attempt in the realization of the journalistic profession by the blogger. Therefore, this Council clearly makes a distinction between journalistic and non-journalistic work. In this context, there is a possibility in the Swedish Press Council to file a press complaint for posts on social media profiles, but only if they are related to a media outlet. The term “related” means existence of profiles that are open under the name of the media outlet and which are controlled by an editor in chief.

There is a similar approach in Australia. The jurisdiction of the Press Council refers to press complaints about newspapers, magazines, informative online media and their digital editions, such as Facebook, Twitter, as long as the publisher controls the relevant pages in terms of their Facebook – page or post. The Press Council in Ireland also accepts complaints for materials published on blogs under the condition that the blogger is identified as a member of the edition.

⁶ The annual fee for their participation in the Press Council is Euro 800.

II. REVIEW OF EXPERIENCES AND PRACTICES ABOUT REPORTING ON SENSITIVE ISSUES OF PUBLIC INTEREST

In today's media world, when the number of actors participating in production and dissemination of information increases and new methods of production and dissemination of information emerge, as well as with the unprecedented speed of media products placement, it is a challenge to ensure observance of the standards of self-regulation in the media reporting, especially by the online media.

This challenge and the manners in which the standards of self-regulation are applied is the idea for the second part of the Review. It offers analysis of elements from the ethical codes of some AIPCE members, which provide (potential) answers to challenges in relation to media coverage of sensitive issues of public interest. It is, in fact, an analysis of particular number of ethical codes, which are consisted of clear and explicit provisions in the treatment of sensitive topics and challenges. They could be beneficial for a potential upgrade of the ethical framework in Macedonia, when discussing about these particular issues and in order to raise the awareness about true values and the application of self-regulation.

1. Protection of persons and their privacy in the media reporting

The issues about protection of persons and their privacy, particularly with the appearance of new media, rose up as "burning" questions in the work of the press councils. In compliance with the analyzed provisions of the Code of Ethics in Cyprus⁷, which is the basis for the work of the Press Complaints Commission in the Press Council, media and journalists are not only forbidden to offend individuals and use offensive words that damage their honor and reputation, but it is also expected that reputation and private lives of individuals are respected.

In the „Guidelines for Journalists“ of the Code of Media⁸ in Germany, journalists are obliged to respect private life of individuals and their right to self-determination about personal information, as well as guarantee editorial protection of data, given the fact that the offence of individual's dignity by inadequate presentation with words and images is opposite to the ethics in journalism. In case of detection of identity when reporting, public interest must overcome the interests for protection of the persons affected. The sensational interest alone does not justify the possible disclosure of identity because as long as anonymization is required it must be respected.

7 http://www.cmcc.org.cy/code_practice2.html. Accessed: 19.4.2017.

8 http://www.presserat.de/fileadmin/user_upload/Downloads_Dateien/Pressekodex2017english.pdf. Accessed: 1.4.2017.

The same is also a case with the Flemish Press Council in Belgium, which, in compliance with the Code⁹, obliges journalists to respect human dignity and do not research more than the public interest allows in relation to certain topic or issue. Journalists must avoid distorting of images and/or details that should be published, particularly when facts strongly influence the public opinion. In this context, the Media Ombudsman in Sweden in its Code of Ethics¹⁰ prescribes careful consideration of any publicity that might violate privacy of individuals, whereas it is necessary to refrain from such publicity if public interest does not impose it.

Step further in specifying possible situations in which a person should be protected is the provision in the “Guiding Principles for journalistic activities” within the Code of Ethics for the Austrian media¹¹, which explicitly says that news reports will not reveal the identity of persons whose life is in danger and if they could be exposed to a greater danger. Hence, there is an insistence in the “Guidelines for Journalists’ of the Press Council in Finland¹² about the right to privacy, which should be applied when publishing public documents or other public sources. Public availability of information does not necessarily imply that it should be obligatory published. Discretion is particularly important when dealing with issues related to minors.

In terms of privacy, however, the analyzed provisions of the Cyprus Code of Ethics, as well as the Guidelines in the Code of Ethics of Kosovo¹³, state that intrusions and investigations into the private life of individuals without their consent are unacceptable, including photographing people without their knowledge or consent (unless they are involved in events that create news of general interest) or of private property, as well as collecting information from illegal wiretapping or shooting from a distance. Their publishing may be justified only in exceptional cases and only in accordance with the public interest.

2. Addressing cases of discriminatory reporting

In times of increased possibility of abuse of media work to place information that will foster discrimination, it is necessary to pay a particular attention to damage caused by the spread of discrimination on different grounds in the journalistic practice. Guided by this idea, the Flemish Press Council in Belgium explicitly provides that journalists should not encourage discrimination or racism. Journalists, while reporting, should not stigmatize when mentioning factors such as ethnicity, nationality, religion, ideology, sexual orientation or gender.

9 <http://www.rvdj.be/sites/default/files/pdf/code-rvdj.pdf>. Accessed: 22.03.2017.

10 <http://www.po.se/regler/presstiska-regler>. Accessed: 03.04.2017.

11 http://www.presserat.at/rte/upload/pdfs/grundsaeetze_fuer_die_publicistische_arbeit_ehrenkodex_fuer_die_oesterreichische_presse_idf_vom_2.12.2013.pdf. Accessed on: 19.3.2017.

12 http://www.jsn.fi/journalistin_ohjeet/. Accessed: 5.3.2017.

13 <http://presscouncil-ks.org/wp-content/uploads/2015/04/Udh%C3%ABzues-p%C3%ABr-Kodin-e-Mediave-t%C3%AB-Shkruara-t%C3%AB-Kosov%C3%ABs-mars2015.pdf>. Accessed: 11.3.2017.

In this context, the analyzed provisions of the Cypriot Code emphasize that media should avoid any explicit or implicit mentioning or action against persons which contain elements of prejudice based on race, color, language, religion, political or other opinion, national or social origin, ownership, gender, age or other individual status, including physical and mental illness or disability.

Such precise provisions in the protection of the person from discrimination can be also found in the Code of the Norwegian Press Council¹⁴, which states that personal character and identity, privacy, ethnicity, nationality and religion shall be always observed and attention will be paid to avoid using terms that create stigmas and never draw attention to the personal and private aspects if they are irrelevant. This is similarly a case with the Press Council in Finland, which besides the provision for respect of human dignity of every individual, also states that the ethnic origin, nationality, gender, sexual orientation, convictions or other similar personal characteristics must not be presented in an inappropriate or disparaging manner.

This provision can also be found in the “Guiding principles for the journalistic activities” in the Code of Media in Austria, which provides that every discrimination on the basis of age, disability gender, race, religion, nationality, sexual orientation, ideology or any other reason is not allowed, whereas discriminatory statements which underestimate or encourage suspicion against a person or a group of persons should be strictly avoided. Therefore, the Guidelines of the Press Council in the Netherlands¹⁵ specify that the reporting will identify the ethnicity, nationality, race, religion, sexual orientation of groups and individuals only if it is necessary for a proper understanding of the facts and circumstances that are reported.

3. Protection of children and juveniles in the media reporting

Most precise norms of this complex and sensitive issue in relation to ethical and responsible media reporting can be found in the “Guidelines for the journalistic work,” in the German Code of Ethics, which forbids publishing of the identity of children and juveniles before the age of 18 years in terms of reporting on crimes and accidents. Moreover, the chapter concerning sensationalist reporting and protection of juveniles precisely states that journalists will refrain from inappropriate sensational display of violence, brutality and suffering and will respect the protection of young people, i.e. in the figurative representation of acts of violence and accidents at the front pages journalists should take into consideration the possible effects on children and youth.

14 <http://presse.no/pfu/etiske-regler/vaer-varsom-plakaten/>. Accessed: 08.04.2017.

15 <https://www.rvdj.nl/leidraad>. Accessed: 3.4.2017.

In addition to this, the Code of Ethics in Norway requires a prior assessment of the potential impact that media might cause in every situation and it emphasizes the general principle that the identity of children should not be disclosed even in reporting on family disputes or cases under consideration of social care services or by courts. This also applies in cases where the responsible person or parent gives consent for disclosure of the identity of children and/or minors.

The Guidelines of the Code of Ethics of the Press Council in Kosovo indicate the commitment of the media to act in accordance with the UN Convention on the Rights of the Child. Moreover, at least three provisions determine that media should have the consent of parents or guardians to interview, video film or take photographs of children under 16 years. The media should also not identify a child under 16, unless it is involved in violent crimes, has a role of a witness or a defendant. In addition, journalists are not allowed to interview, disturb, and take photos or film children in school or in its vicinity without permission of the school principal.

There are similar provisions in the Austrian Code, which states that in case the identity of children is concerned, their protection will have precedence over the value of information. Before pictures and reports of minors are published, a special critical attention will be paid to the question of whether such disclosure is in the public interest. This is especially a case when the reports of a crime or offense committed by juveniles can later cause difficulties or completely prevent their eventual reintegration into society. That is why the tendency to avoid disclosing the full name of the individual is justified, or, as stated in the last article of this Code, journalists will pay special attention in interviewing and photographing of children and in the reporting on issues that can have a detrimental effect on their future.

4. Reporting on crime

In the daily execution of tasks arising from professional commitment of journalists and media and in cases of increased opportunity for sensationalism, media are increasingly faced with another difficult and responsible question that needs to be considered through the moral lens i.e. with the need for responsible and ethical reporting on crime, criminal acts, perpetrators, victims and their families.

Namely, the Code in Germany clearly states that the public has a legitimate interest in being informed about crimes proceedings, investigation and judicial processes and it is the job of journalists to report on these issues, by specifically considering the following factors: intensity of the doubt, seriousness of the allegations, state of proceedings, the degree of fame of the suspect or offender,

previous behavior of the suspect or offender etc. Thus, journalists will publish only names, photos and other information allowing disclosure of the identity of suspects or offenders if the legitimate interest of the public prevails over the interest to protect the identity of persons involved in each case. However, publishing of the names and photographs of witnesses is generally inadmissible. In case of updated reporting on criminal procedure from the past, the name or image of the offender will not be published because the interest of re-socialization is higher the longer the period since conviction is.

Moreover, the Code specifies that the reporting on real and threatening acts of violence should be reported in an independent and authentic way, by which the journalist would not let himself serve as a “a tool for criminals”, meaning he would not attempt to mediate between criminals and police and will not do interviews with perpetrators during acts of violence. In this context, the Press Council of Finland goes a step further when providing that during an ongoing trial journalist will not seek to influence the decision of the court or present state of the fault of the subject in question in advance.

At the same time, when considering the issue of a crime, a special attention should be paid on the issue about the journalistic reporting on victims of crime and their families. As provided in the Swedish Code, there shall be always a greatest possible understanding for victims of crime and accidents in terms of publishing names and images of victims and their relatives. In addition, according to the Finnish Code, victims of crime from various damages or accidents have the right to preserve their identity, except when the disclosure of the identity to the public is necessary due to a better understanding of the event.

A more precise provision is found in the German Code, where the part related to the protection of victims states that the awareness about the identity of the victim is usually irrelevant to understand the occurrence of the accident, the circumstances of the accident or the crime, whereas the publishing of the name and the photo of the victim is allowed if their relatives or other authorized persons have given consent or if the victim is a public figure. In case of relatives and other persons who are indirectly affected by the publishing of the information and who are not involved with the topic reported, publishing of the names and photographs is usually unacceptable.

Namely, as stated in the Norwegian Code, there should always be a consideration about the way the reporting on accidents and crime can affect victims and their relatives. There should be an understanding about people in grief or during shock, hence it is not allowed to disclose the identity of victims or missing persons until their relatives are notified.

5. Reporting on suicides

When discussing the responsibility and ethics in news reports on suicides, “there are many misunderstandings and perceptions about the problem of suicide and media can play a significant role (...) Suicides cannot be reported in a simplified manner. Rather, media should consider various factors, including cultural, genetic and sociocultural factors (...), educate the public about this social problem, especially those at risk of this type of behavior to seek appropriate help.”¹⁶

Guided by this role of the media, in one of the most precise codes - the German - it is stated that reporting on suicides requires restraint. This particularly applies to publishing names and photographs and descriptions of the particular circumstances in which it occurred.

Moreover, the Norwegian Code requires careful approach by journalists in reporting or avoiding of a description of the methods or other details that can contribute to the provocation for future suicidal actions and taking into consideration the general needs for information. If such needs do not exist, then reporting should be avoided.¹⁷

At the same time, based on the findings of this analysis, it is noticeable that in the Swedish Code of Ethics of the Media Ombudsman there is even an addition to this provision which includes not only suicide, but also suicidal attempts, insisting on a greater caution in publishing information, especially in terms of the feelings of relatives and taking into consideration the privacy of the victim.

The Flemish Council of Ethics also insists on this, which requires avoiding of drama, exaggerated details and positive representation of facts, followed by a requirement to “avoid dictionary that sensationalizes suicide or normalizes it or if it being presented as a solution to problems.”¹⁸

16 Marina Tuneva & Filjana Koka, *Ethical Reporting of the Media in Europe and Macedonia*. AJM & Konrad Adenauer, Skopje, 2016, pages 39-40.

17 As result of the data provided by the World Health Organization, almost one million persons commit suicide annually and at least six persons are affected by that. World Health Organization (2008) Preventing Suicide – A Resource for Media Professionals, 2008. http://www.who.int/mental_health/prevention/suicide/resource_media.pdf. Accessed: 11.11.2016.

18 Marina Tuneva & Filjana Koka, *Ethical Reporting of the Media in Europe and Macedonia*. AJM & Konrad Adenauer, Skopje, 2016, page 40.

III. CONCLUSION

Self-regulation is more than necessary “to build trust and credibility in the media; to improve quality standards in the media; for preventing interference from the state and state authorities; and reducing the number of court cases against journalists (...).¹⁹ “ That is why this Review is prepared: to provide an overview of topics and dilemmas, as well as good practices and possible solutions from the experience of the AIPCE members, in particular those that have a long tradition on issues and challenges with self-regulation.

Namely, at a time of increasingly frequent use of Internet as a platform for exchange of information there is a growing need for re-considering of that exchange, of the place and role of journalism, journalist ... the overall media reality, in particular the possible limit between ethical and legal when submitting complaints and the adjudication process by the councils for online materials and services, then the possible regulation of blogging, receiving and transmitting information through social networks and basic human right - protection of privacy. It's about applicative solutions that can simultaneously respond to current challenges encountered in respect to media reporting on sensitive matters of public interest in the country.

The goal was to present experiences that are useful not only for the Council, but also for experts and the general public, and it would be of great benefit and for the possible upgrade of the ethical framework in the country when it comes to these issues. Open discussion can bring about influence in terms of “fixing” the image with the journalism in Macedonia. Hence, we hope that this analysis will serve as a kind of benchmark to catalyze further research in more specific areas, which would simplify and facilitate the process of solving specific dilemmas.

¹⁹ Ognian Zlatev, „Press Council”, in the *Guidebook for Self-regulation in the media*, Miklos Haraszti and others, Council of Media Ethics of Macedonia, Skopje, 2016, pages 45-46.

IV. LITERATURE

1. Bertrand, Claude-Jean. *Deontologija medija*. Zagreb: Sveučilišna knjižara & JETiC, 2007.
2. Donev, Dejan. *Ethics in Journalism*. Skopje: UKIM, 2011.
3. Karklinš, Janis. „Uvodnik“, *bo Profesionalno novinarstvo & Samoregulacija*, Stjepan Malović (ur.), UNESCO, Zagreb, 2001.
4. Milošević, Milan. *Ethics and Journalism in the South Eastern Europe: Comparative analysis of the journalistic profession*. Belgrade: Media Center, 2005.
5. Tuneva, Marina & Filjana Koka. *Ethical Reporting of the Media in Europe and Macedonia*. Skopje: AJM & Konrad Adenauer, 2016.
6. Zlatev, Ognian. „Press Council“, in the *Guidebook for Self-regulation in the Media*, Miklos Harazsti and others. Skopje: Council of Media Ethics of Macedonia, 2016.
7. Vilović, Gordana. „Etičnost masovnog komuniciranja“, *bo Masovno komuniciranje*, Stjepan Malović et al. (ur.). Zagreb: Golden marketing-Tehnička knjiga, Sveučilište Sjever, 2014.

Internet sources:

1. World Health Organization (2008) Preventing Suicide – A Resource for Media Professionals, 2008. http://www.who.int/mental_health/prevention/suicide/resource_media.pdf. Accessed: 11.11.2016.
2. http://www.cmcc.org.cy/code_practice2.html. Accessed: 19.4.2017.
3. http://www.presserat.de/fileadmin/user_upload/Downloads_Dateien/Pressekodex2017english.pdf. Accessed: 1.4.2017.
4. <http://www.rvdj.be/sites/default/files/pdf/code-rvdj.pdf>. Accessed: 22.3.2017.
5. <http://www.po.se/regler/pressetiska-regler>. Accessed: 3.4.2017.
6. http://www.presserat.at/rte/upload/pdfs/grundsaeetze_fuer_die_publizistische_arbeit_ehrenkodex_fuer_die_oesterreichische_presse_idf_vom_02.12.2013.pdf. Датум на пристап: 19.3.2017.
7. http://www.jsn.fi/journalistin_ohjeet/. Accessed: 5.3.2017.
8. <http://presscouncil-ks.org/wp-content/uploads/2015/04/Udh%C3%ABzues-p%C3%ABr-Kodin-e-Mediave-t%C3%AB-Shkruara-t%C3%AB-Kosov%C3%ABs-mars2015.pdf>. Accessed: 11.3.2017.
9. <http://presse.no/pfu/etiske-regler/vaer-varsom-plakaten/>. Accessed: 08.04.2017.
10. <https://www.rvdj.nl/leidraad>. Accessed: 3.4.2017.