

Reporting in the Public Interest - Protection of the Ethical Principles in the Media Reporting through the Work of the Press Complaints Commission



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Introduction

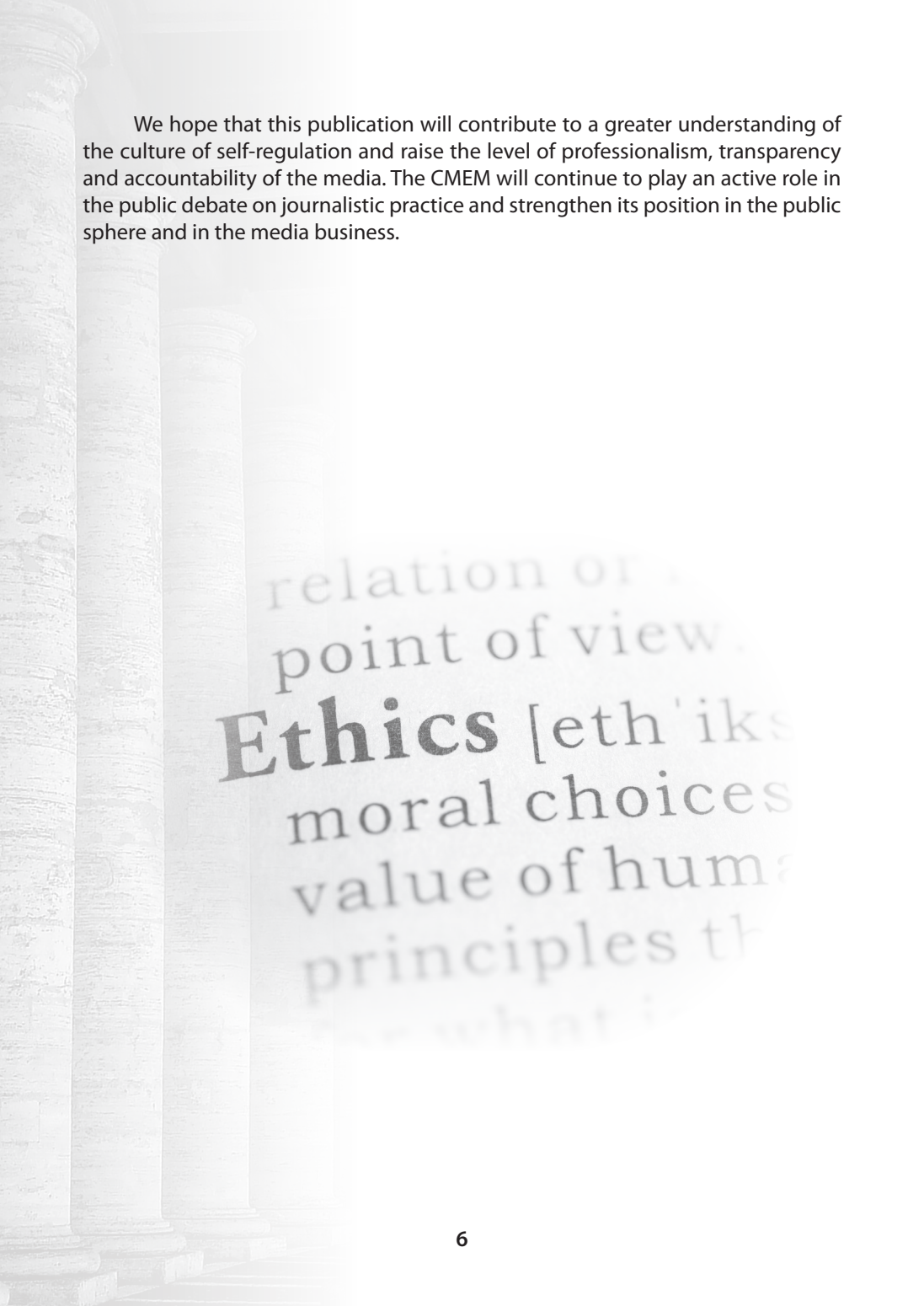
The Council of Media Ethics of Macedonia (CMEM) in April 2017 marked the third year of its existence. During the first three years, the main efforts of the CMEM were aimed at its establishment in the public and raising awareness about the importance of ethical journalism and self-regulation. Through its active work in the media, the CMEM advocated to protect media independence, while reminding them of their great responsibility in the protection and fulfillment of the public interest.

In the efforts to promote self-regulation, the CMEM was committed to informing the public, which increasingly reacted to cases of unprofessional media reporting. Over a period of three years, 200 press complaints were filed to the CMEM and the number is changing almost daily.

An advisory body of the CMEM, the seven-member Press Complaints Commission makes adjudications about the press complaints related to content in print, electronic and online media. In its work, the Press Complaints Commission uses the Code of Journalists of Macedonia, the Charter of Ethical Reporting, the Declaration of Principles of the International Federation of Journalists and other ethical frameworks and documents containing norms of professional media reporting. Moreover, the CMEM is in regular communication with the Alliance of Independent Press Councils of Europe (AIPCE), whose member it is since October 2015, as well as with the regional network of press councils MediaNethics, whose experiences and recommendations enable easier overcoming of the challenges in the development of self-regulation in the country.

In an attempt to summarize the past work of the Press Complaints Commission and to make its adjudications widely available to the public, the CMEM prepared this publication, which aims to offer a review of the adherence to some of the basic principles of journalistic ethics and review the most typical adjudications made by the Commission.

Due to the large volume of material, this publication does not offer an overview of all adjudications of the Press Complaints Commission, but only to those related to the violation of the most important principles of news reporting. A more detailed review of the adjudications can be found at the website of the CMEM www.semm.mk.

The background of the page features a series of classical stone columns on the left side, receding into the distance. Overlaid on the right side is a large, semi-transparent text block. The text is in a serif font and appears to be a definition or a list of terms related to ethics. The word 'Ethics' is prominently displayed in a larger, bold font. The overall aesthetic is professional and academic.

We hope that this publication will contribute to a greater understanding of the culture of self-regulation and raise the level of professionalism, transparency and accountability of the media. The CMEM will continue to play an active role in the public debate on journalistic practice and strengthen its position in the public sphere and in the media business.

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Basic principles of the news reporting

Accuracy and verification of information

Sefer Tahiri

1. Truthfulness and accuracy – foundation for the journalistic profession

Media are considered the fourth power in modern democracies, despite the legislative, executive and judicial power. They function as a “watchdog” of the public interest for the benefit of the public, i.e. citizens. Truth and accuracy are top principles of journalism and they determine whether the media outlet is credible or not. Journalists are expected to provide accurate and comprehensive information, based on which citizens will make decisions. Editors and journalists shall always keep in mind that trust is very difficult to acquire, and very easy to lose.

Accuracy is an old principle same as journalism is, i.e. this principle defines the journalistic profession. Information disseminated through the media should correspond to the reality, which means they should be truthful; hence it is very important that they are checked by at least two sources independent of one another. Therefore, journalists have the right to seek information, publish them and critically analyze. Information should be accurate and verified. Each element of the news (report, article) must be correct: the events, dates, places, quotations and the like. One mistake for just one fact may cast a shadow over the entire news product.

Accuracy does not only mean placing facts and journalists are not only “transmitters” that stick to the rule to respond to the five questions: “Who?”, “What?”, “When?”, “Where?”, “Why?” (and also the sixth question “How?”). Journalists are not only collectors of news, but they are expected to explore, report objectively and accurately about what is happening. The selection of facts must provide objective information and consideration of all relevant aspects of the topic discussed.

According to the Code of Journalists of Macedonia, “the basic task of journalists is to respect the truth and the public’s right to be informed, in accordance with the Constitution of the Republic of Macedonia”¹.

¹ Association of Journalists of Macedonia, *Code of Journalists - Principles of Conduct*. (Skopje, AJM:2001), accessed February 25 2017: http://znm.org.mk/?page_id=1412

2. Standard of accuracy as a basic journalistic principle

Among the main standards in journalism are accuracy and precise informing by the journalists. The speed should not be more important than accuracy and precision. Media should not publish or broadcast any news or report without routine and appropriate research aimed at checking reliability.

It is also important that all news, reports and other journalistic genres contain enough sources, be based on solid evidence, thoroughly tested and presented in a clear and precise language. Journalists should avoid unfounded statements or speculations and should try to give an opportunity to the parties involved in an event, process or phenomenon to express or explain their views. This is particularly important in cases where the journalist brings suspicions or allegations, or when someone is a subject of attack and criticism. Moreover, journalists should not distort or abuse statements about particular event that is reported.

If mistakes occur in the reporting, journalists should recognize and correct them as soon as possible, in a clear and appropriate manner. Admitting mistake is a virtue, and its concealment is incompatible with the professional dignity. Therefore, it is desirable that the journalist or media apologize for the mistake. It is set at the level of a rule - media should publish a clear correction at a prominent place to emphasize that an inaccurate and distorted information was published, and if necessary, apologize.

Accuracy and verification of information are part of the five provisions of the Code of Journalists of Macedonia. The interpretation of these articles is based on the Manual on Journalistic Ethics, published in 2012 by the Association of Journalists of Macedonia².

Article 1 emphasizes that the need to report in a short period of time must not jeopardize the accuracy, credibility and professionalism of the article/news item. Journalists should provide second source of information, which means a systematic examination of all the facts in the article/news item. The disclosure of information that have the status of "confidential" is possible only when the journalist is sure that the public's right to be informed is more important than the duty to respect the confidentiality of information.

According to article 2, in cases when journalists do not receive response by the government to questions which are considered of public interest, they should inform the public that her right to be informed is endangered. Government must not avoid topics and issues of interest to the public and therefore journalists

² Tamara Causidis and Zoran Bojarovski, *Handbook on Journalism Ethics (Priracnik za etika vo novinarstvoto)*, (Skopje: 2012), accessed 12 February 2017, <http://znm.org.mk/wp-content/uploads/2016/03/Прирачник-за-етика-во-новинарството-мај-2012.pdf>

should seek to get a response from institutions and officials, and if they are closed the public should be informed about that in a critical manner.

Article 3 speaks of the moral responsibility of journalists about publishing of inaccurate information. Therefore, this article provides that journalists insist on publishing of a denial, correction or reply in the media that reported inaccurate information whose authors are they. Thus, journalists protect their own integrity and the integrity of the media outlet in which they work. Those that were subject to attack or criticism must be able to respond before the story is published, and if that is not the case and their answer comes after the release, then it should be provided a reasonable length, be related to the subject and have a proper form. The published response should not be accompanied with a polemic editorial comment.

Article 4 refers to the citation of sources. The source of the information should normally be identified, except where it could affect the safety of individuals or the safety of a third party. Wrong indication to a certain source or use of fake sources of information aimed at presenting inaccurate, incomplete and insufficiently reliable information is considered a gross violation of journalistic standards.

Article 5 defines topics of public interest. This is information that can contribute to the identification of: crime, abuse of power by a public official, endangerment of democracy, corruption, cases of injustice, human rights violations, discrimination and endangerment of health and safety of people, negligence and/or incompetence of public officials. The public interest also includes information that helps people make decisions of public character and prevent seduction and manipulation of people with public statements or actions of individuals or organizations.

3. Adjudications of the Press Complaints Commission related to the principle of truthfulness and accuracy

Out of the number of 149 press complaints by citizens and legal entities (political parties, non-government organizations, international organizations), 103 press complaints are related to false or misleading information³. The analysis of the cases under consideration by the Press Complaints Commission confirms that in many of the journalistic texts article 1 of the Code was breached. More specifically, it is stated that the “second party” is almost excluded or absent from the articles

³ In many of these press complaints, the parties affected complain about other breaches of the Code of Journalists of Macedonia, such as hate speech, defamation and insult, discrimination, political bias, etc. However, only the violation of the principle of accurate and truthful reporting is analyzed in this context.

to which different parties complain. It is important to point out that almost all complaints refer to texts or news articles that present doubts or allegations to a particular person or a group, or there is a presence of insults or attacks such as: traitors, 'Sorosoids', mercenaries, foreign services, etc. Thus, in the article entitled "The agents who take more than they deserve," published in the online portal *Republika* on November 11, 2014, to which Lidija Dimova complained, at that time MP from the Social Democratic Union, it was concluded that the claims in the text do not match the evidence against the complainant and that they contain unsubstantiated allegations. Also, in the article entitled "Sekerinska is an informant to an unknown French secretary of Greek origin", published on the portal *Kurir* on November 8, 2014, the Vice President of SDSM is accused and she was not contacted at all.

The general conclusion is that in Macedonia the decline of quality of media reporting is primarily due to the non-representation of the second party, or all affected parties in the journalistic text are not given the opportunity to voice their opinion. This is a reason both for imbalance and inaccuracy in the media coverage. It is a basic journalistic rule that the information should be checked with at least two sources of information. However, the practice shows that even in cases of serious allegations, the texts do not have a second source of information. In the article entitled "Macedonia hostage to the Vanhaute's caprices" published on *Netpress* on October 26, 2015, it is accompanied with a photograph of the complainant Angela Ilievska, with the following text: "Does Vanhaute become a real idol in SDSM?" Namely, it is a photograph of a meeting between Angela Ilievska and Vanhaute, taken from a personal Facebook profile and abused in a rude manner. The text contains degrading and discriminatory phrases about Angela, while she was not contacted to offer her position. Namely, the text states that "Even though Vanhaute has a busy agenda of activities, he still finds time to be photographed with young Social Democrats. A question remains whether this is because of his daily wage of 900 euro, or because of his looks."

The journalist must not degrade the level of professional reporting and use one-sided information in the news reports, because in this way the public is served with half-truths or lies, which are presented as accurate and checked news.

Journalistic products are not complete or comprehensive unless they are based on at least two independent and opposing views, or if they do not contain facts. In other words, if they do not contain different viewing angles of an issue they cannot be considered as accurate and objective. The text entitled "Archbishop Stefan at a 'fatty' table during strict fasting?!" published on January 8, 2016, on the online portal *Libertas*, the author based the information on an anonymous source, but it lacks another source that would confirm the accuracy and truthfulness of the information.

It is important to emphasize that the media often face isolation by institutions, so that in some of these cases the “other party” may not be provided because journalists did not have access to more sources of information, primarily due to lack of transparency in institutions. Furthermore, there is quite a big number of press conferences where only part of the media are invited, i.e. only those who support the Government.

Code of Journalists of Macedonia, article 4, stipulates that journalists can use anonymous sources of information in their articles when they are not able to explicitly specify a source that represents a different view. But this formulation proves to be abused in the journalistic practice. Namely, sources that are anonymous are often used to publish speculations, rather than provide a comprehensive and full view about various aspects of the issue to the public. This practice is especially present in part of the online media, which prove to publish half-truths or lies. This fact that online media are among worst offenders indicates the tendency of professional degradation and abuse of the freedom of expression via the Internet for publishing untruths, half-truths and speculations.

The ease and low cost of use of the Internet as a platform for informing allow dissemination of all information online. While a good deal of information available helps people to expand their horizons of information and knowledge, many journalists working in the national online news media place incorrect information, constructs, and even lies in order to manipulate the public for political and other interests.

According to the Code, withdrawal of already published content on the Internet should generally be avoided, and if it is changed or removed that must be clearly announced. In practice, very often, due to political pressure, threats of lawsuits, and often due to bribes in certain online media the content published is completely deleted. This is also evident in some traditional media, especially pro-government national commercial televisions, which serve the political party in power VMRO-DPMNE, and not the public interest. They often forget the principles of accuracy and verification of information.

Journalists should distinguish between facts and opinions, news and comments

Mirce Adamcevski

1. About the difference between opinions and facts

Mixing news and commentary is one of the most common problems in journalism, similarly as mixing facts and opinions. By harmfulness it is close to lying, silence, misinformation, manipulation. It violates all professional and ethical norms prescribed in the codes of ethics.

The fact is basically something that could be unquestionably and undeniably identified. There is a need of an objective approach when identifying facts, which must be supported by an exact proof. In establishing the facts there must be no mixture of personal opinions or any bias. Since journalists have a right of attitude and an opinion, a very important element in their work is impartiality. In order to preserve impartiality, opinions, attitudes, comments in news reports or programs should be separated from facts⁴.

Journalists, like every individual, are entitled to an opinion. They have the right to express opinion and judgment, but should not try to camouflage their opinion as a fact. The problem with our journalists, as experienced by the Press Complaints Commission, is that they usually express opinions not supported by facts or they transmit other “commissioned” opinions that are “sold” as their own, while the same mistake repeats –they are not supported with facts. In the expression of opinion, whether through comment, review or other journalistic genre, they do not even take the news into account.

This is evident in all types of media. Journalists have forgotten that “journalism is based on news”⁵. The five basic questions should be answered: who, what, when, where and why, but also “how”. The news is the most important factbased on which commentaries are made. As result of the absence of facts there are commentaries which do not contain news at all. This is dominant in the online media, where many young journalists work and who sometimes have the urge to comment without news and facts. This is the reason for the presence of commentaries without news, which seem to be someone’s “collective” effort coming from outside of the newsrooms.

4 “Campaign on Media Literacy”, Media Literacy, accessed 11 February 2017, <http://www.medijskapismenost.net/>

5 Dubravka Valić Nedeljković, *Journalistic genres (Novinarski zanrovi)*, (Novi Sad: Novinarska škola), accessed 13 January 2017, <http://novinarska-skola.org.rs/vodic/zanrovi/Novinarski%20zanrovi.pdf>

The commentary is, briefly, described as a “personal attitude of the journalist supported with facts”⁶. The basic importance of commentary is to interpret or explain something what is not seen and which is below the surface. Commentary is actually something that accomplishes the highest value in the journalistic expression. Commentaries need good argumentation and a “strong language”. Journalists use ongoing events, news, facts or documents, laws, decisions, books to explain the topic to the wider audience. Commentaries make the journalistic style apparent as well as the skills of journalists when they communicate and interpret facts, in an attractive way and with a reach dictionary. Here comes the idea that “a strong journalistic language is needed”. The commentary is, in fact, interpretative, but it sometimes has more weight being a critical, polemical or analytical by its nature. The analytical commentary has a deeper structure when elaborating certain attitudes to the public and it emphasizes the different aspects when discussing the event in the focus. The analysis is built based on a prior knowledge and a certain position is taken towards the reason for writing of the commentary itself.⁷

Successful commentary requires a quick reaction and elaboration of specific details. The basis for it is news and reports. The commentary should answer for stands behind news. It should also indicate the causes and predict future developments related to what some news contains. Any news is based on a fact. If there is no fact, there is no news either.

2. No facts, no news, if there are opinions and comments

However, the practice does not confirm the above said. Journalists prefer to comment rather than give the right information. And then they mix everything, news and comments, facts and opinions. The practice of the CMEM's Press Complaints Commission shows that journalists consciously, of course not all of them, but many of those against whom complaints were filed, do not distinguish between facts and opinions, news and comments. The adjudications of the Press Complaints Commission confirm that this type of violations of ethics and professionalism are right behind the violation of the principle of truthfulness, accuracy, i.e. the presentation of views of at least two sides.

Article 13 of the Code of Journalists of Macedonia provides that: the journalist should distinguish between facts and opinions, news and comments⁸.

6 “Campaign on Media Literacy”, Media Literacy, accessed 11 February 2017, <http://www.medijskapismenost.net/>

7 Zoran Bojarovski, Branko Geroski et al., *Writing for Print Media (Pisuvanje za pecateni medium)* (Skopje: Macedonian Institute for Media, 2005), page 75

8. Association of Journalists of Macedonia, *Code of Journalists - Principles of Conduct*. (Skopje, AJM:2001), accessed February 25 2017: http://znm.org.mk/?page_id=1412

Hence, such cases confirm that we cannot talk about professionalism, but for a tendentious reporting with some other background, which can often be political or there is some kind of an influence or dependency of political and economic centers of power. The German writer and playwright Sigmund Graff says: "One of the strangest phenomena is that we lie ourselves when we expect independent thinking from dependant people." Indeed, there is nothing worse than a dependent reporter, dependent on the media owner, the editor or any political or another center of power.

According to the Code of journalistic principles in Belgium, "facts must be collected and reported without prejudice"⁹. It also says that "separation of facts that are reported with the comments must be obvious. This principle shall not prevent journalists/media to present their views or opinions of others."¹⁰

The National Code of Conduct in Denmark, in respect of this issue, has a short provision: "The facts should be separated from the commentary."¹¹ The Code of Ethics of journalists' associations in Poland emphasizes that "the principle of separation of information from commentary means that the structure of the message is such that it allows the recipient to clearly separate facts from opinions and attitudes."¹²

The assumption is that in Macedonia most journalists are educated in journalism and they know where the news ends and where the comment begins. It is much worse if they do not know this. It would be a failure of the professional journalist if he insufficiently knows, poorly estimates what a real fact is, what news is or when the journalist, consciously or unconsciously, falls under influence of media owners, editors, and interviewees – politicians or economic centers of power. There are also ethical problems in these cases. Bias, one-sidedness, and tendentiousness occur. It is a forgotten fact that journalists should work professionally and resist any kind of pressure.

Journalists, like all other people, have their own beliefs, attitudes and opinions. But the public deserves media reporting that is based on facts and analysis supported by information. Therefore, the views and opinions of journalists should not affect the standards for informing of the public, especially for topics, events and conflicting occurrences. To offer a full and credible coverage of news and events, journalists must suppress their personal views and perspectives. Only

9 Stevan Niksic, Ana Davico, *Ethics in Journalism – Handbook for Professional Journalists (Etika novinarstva – Prirucnik za profesionalne novinare)*, (Beograd, CPM> 2004), accessed 11 January, 2017, <https://www.scribd.com/document/26507848/Etika-novinarstva>

10 ibid

11 EthicNet, *The National Code of Conduct – Denmark*, пристапено на 1 февруари 2017, http://ethicnet.uta.fi/denmark/the_national_code_of_conduct

12 Stevan Niksic, Ana Davico, *Ethics in Journalism – Handbook for Professional Journalists (Etika novinarstva – Prirucnik za profesionalne novinare)*, (Beograd, CPM> 2004), accessed 11 January, 2017, <https://www.scribd.com/document/26507848/Etika-novinarstva>

by displaying a wide range of views and opinions, journalists can offer a true picture of what is really happening. In doing so, it is important that journalists offer appropriate weight and representation of the views and opinions of different groups in the society.¹³

3. Adjudications of the Press Complaints Commission related to article 13

Out of 150 adjudications of the Press Complaints Commission, 74 of them are related to violation of the principle set out in article 13 that *the journalist should distinguish between facts and opinions, news and comments*.

The large number of violations of this principle raise the need of educating journalists, and perhaps the entire newsroom, together with editors who allow such unethical behaviors.

In the case *Dimova* against *Republika*, the Press Complaints Commission discussed the press complaint for an article published on the online edition of the magazine "Republika" entitled "Agents who get more than they deserve". Dimova complained that "the article is incorrect, with tendentious lies, and therefore her reputation is damaged as a person and as an MP from the opposition and that she also fears for her safety ...". In her reply as an Editor in Chief of the online edition of "Republika", Biljana Zafirova said that they used statements and photographs of persons referred to in the text and that "journalists have the right to ask dilemmas and questions about things that are important to society ... No one would like to accept information (which turn out to be incorrect) if they are not in the interest of Macedonia ...". And, indeed, media should ask questions and request and provide unbiased answers. Manipulation of the audience in the quest for answers should be avoided. And this proved to be a case in the adjudication made by the Press Complaints Commission.

How else evaluate parts of the text which reads: "This is a group of journalists, political analysts and politicians of the country that work for everyone else, but not for their country. Some of them editors, some political analysts, all with the same goal - to be focused on two things that certainly did not bring anything positive to the country. They are focused on two things: how to spit out the country abroad and destroy its image and compromise the country through the dispute with neighboring Greece, undermining the positions of their own country. For two things that are in their focus, the question is the same: Who likes that? "Whose opinion is this? Does it belong to the journalist? Or the comment that: "They spit on

¹³ "Campaign on Media Literacy", Media Literacy, accessed 11 February 2017, <http://www.medijskapismenost.net/>

everything that is Macedonian, complaining of everything that is done in Macedonia. There is a lack of real factual attitude. Everything comes down to complaints about some regime, some dictatorship and enslavement. They stand against any step that is taken for Macedonia to move forward, working for foreign interests, tread on Macedonia's position ... And did these agents take more than they deserve?!"

Journalists have a responsibility to treat news and information with a proper impartiality, give a due weight to the events, attitudes and opinions and to the major angles of the story. The news should be based on facts that are tested and proven. Being impartial when placing news and information means excluding any imposed personal or other's approach or thinking, and the audience should be given the right to draw its own conclusions.

In the case *Transparency International Macedonia (TIM)* against the portal *Zurnal.mk*, the TIM filed a press complaint for the article: "Scandal: the Embassy of Netherlands and Transparency International discriminate against Albanians and the Albanian media in Macedonia?!". In the view of the complainant, this is an incorrect and unfair reporting and there are "false information that TIM discriminates against Albanians and Albanian media", emphasizing that their content is also published in Albanian language. The Press Complaints Commission upheld the press complaint. It was found that the portal writes: "This Embassy (the Netherlands's), which promotes high values of the European democracy, did not find it necessary to implement the projects that are funded for the benefit of the citizens of Macedonia, accessible to the public, the Albanian reader and viewer." The text continues "the last campaign of the organization TIM...is a clear proof that there is an ongoing discrimination against Albanian citizens." The Commission found that the previously stated is disinformation and manipulation of politics. Media and journalists have a right to their opinion, but the assumptions or the author's attitude should prevent manipulation. Their personal opinion cannot be offered as a fact.

The principles of journalistic conduct set out in the Code of Journalists of Macedonia emphasize the right of journalists to comment and transmit information, ideas and opinions. But it is also pointed out that it is the right and duty of journalists to prevent censorship and distortion of news.¹⁴ Furthermore, the Code says, while respecting the ethical values and professional standards in the presentation of information, journalists should be honest, objective (...) and precise.¹⁵ Journalists have a right to their opinion, attitude and judgment, but they must not camouflage their own opinions as facts. It must be clearly distinguished what facts and information are, and what comment, assumption or an attitude of the author is to avoid misinforming and manipulation of the audience.

¹⁴ Association of Journalists of Macedonia, *Code of Journalists - Principles of Conduct*. (Skopje, AJM:2001), accessed February 25 2017: http://znm.org.mk/?page_id=1412

¹⁵ *ibid*

Journalism of political (non)distance

Sefer Tahiri

1. The reforms did not provide political impartiality of the media

Today, the media system operates within a clearly defined institutional framework under which media, especially electronic, function as a standalone, independent entity under the rules of parliamentary democracy and the laws of market economy. All broadcasters, commercial or public, cannot be in the “hands of any political party.” But despite this fact, the actual situation clearly shows that innovative ways are found for political misuse of broadcasters.

Examples of partisan bias of media can be found among editorial comments that recommend support of a particular political party. But there is also a propaganda bias that appears in the reporting that advocates particular party, policy or viewpoint. There have been countless examples of this kind, and politicians complained to the Commission about cases of one-sided reporting and breaches of the Code of journalists. These examples show that in practice political parties constantly find ways to influence the editorial policy of the media.

There is almost no media, especially those that transmit informative program, in which inclination towards a certain political option cannot be recognized, and some not even try to hide it. Even ordinary citizens know which group or individual is behind particular radio or a television station. Politicians use media for their own political purposes, while owners and others (politicians and the media) for their corporate purposes¹⁶.

Since their establishment until today, electronic media (and their owners and journalists) have been continuously in the focus of political struggles by the Government and the opposition, not succeeding to achieve autonomy in the media sphere and independence from politics. The fact that a large number of media are connected with political subjects confirms the thesis that electronic media, primarily, serve as a means to achieve political goals and articulate political interests. Despite the fact that the broadcasting legislation contains measures to protect the media and journalists from various types of impacts by groups or individuals, practice confirms that political parties (especially the Government, which uses state advertising) managed to impose its control over commercial televisions. This

¹⁶ Open Society Institute EU Monitoring and Advocacy Program, *Television across Europe: regulation, policy and independence* (Budapest: 2005), пристапено на 15 февруари 2017, https://www.opensocietyfoundations.org/sites/default/files/summary_20051011.pdf

is particularly evident from the influence exercised by owners of largest television stations on their editorial policy. They continuously use their media not only to support their businesses, but also for their own political promotion.

The ownership structure of the commercial televisions is a key factor that shows and proves that there is a direct relationship between political parties and part of the commercial media, especially televisions. The fact that many owners of commercial televisions, or members of their immediate families, are politically active is an indicator of the political dependence of journalists and editors of these media. There are numerous studies and articles clearly concluding that they “dictate” the program of the media.

We cannot talk about independence of commercial televisions when many owners (or members of their immediate family) are politically active, and at different times they had or still have important positions in the Government or the Parliament. It undoubtedly means that they place the interests of the political parties to which they belong on the foreground in the television reporting.

Despite the fact that the Constitution and the legislation (aligned with international standards) guarantee editorial independence from political parties and state institutions, it can be noticed that there is quiet or even public favoring of certain political options among certain commercial broadcasters and portals. It can be detected by the presence of an option/political party and its activities (attitudes, actions, initiatives, proposals, etc.) in news programs of commercial televisions.

2. The Code prescribes a distance of journalists from the political subjects

The Council of Europe recommends the member states to encourage media organizations to voluntarily strengthen editorial and journalistic independence through documents or other self-regulatory measures in the newsrooms. In Macedonia, a self-regulatory act is the Code of Journalists of Macedonia. In the section on Principles of behavior it points out the following:

“The right and duty of journalists is to strive to prevent censorship and prevent the distortion of news. Following their role in building democracy and civil society, journalists shall defend the human rights, dignity and freedom, respect pluralism of ideas and opinions, contribute to strengthening the rule of law and in the control of the government and other entities of public life”.

Furthermore, article 10 of the Code regulates the issue of political discrimination.

*"The journalist shall not consciously create or process information that jeopardizes the human rights and freedoms, shall not speak with the language of hatred and encourage violence and shall not discriminate on any grounds (national, religious, racial, gender, social, linguistic, sexual orientation, **political** ...)."*

In terms of politics and the influence of political parties, section 14 of the Code states that: *"Reporting on political processes, especially elections, must be impartial and balanced. The journalist must make professional distance from the political parties."*

In the interpretation about the application of this principle, the Manual on Journalistic Ethics¹⁷ emphasizes that the media and journalists have a duty to critically monitor political processes and the use of political and economic power, which in itself implies that they have to set borders or distance in communication with political parties and prevent any influence by them. It also underlines that there is a significant difference and incompatibility between the journalistic profession and the political propaganda and in this regard journalists are obliged to make a clear distinction between news reporting and political communication.

The final provisions of the Code of Journalists of Macedonia also note that: *"... journalists will accept the judgment regarding the profession only by their colleagues and will be free from political and other influence."*

As it can be concluded, the Code of Journalists of Macedonia clearly identifies the professional and ethical journalistic standards and norms to safeguard the journalistic profession. However, findings from the practice warn about the discrepancy between the normative and the real.

3. Media with an ideological – political mission

The news on television often resemble each other in terms of their content. Propagandistic text, with the same content and the same announcements may be seen in the evening news on all pro-government televisions. This is not just a case with the television, but also with many portals. There is often one – sided information or news reports that begin and end with glorification of successes of the Government. There are often news items which present three analysts who demonize the opposition and justify the steps of the Government.

¹⁷ Tamara Causidis and Zoran Bojarovski, *Handbook on Journalism Ethics (Priracnik za etika vo novinarstvoto)*, (Skopje: 2012), accessed 12 February 2017, <http://znm.org.mk/wp-content/uploads/2016/03/Прирачник-за-етика-во-новинарството-мај-2012.pdf>

News programs, in general, are based on events that happen during the day, and the role of journalists is to assess which of these events or topics are of interest to the public. But the news of many media shows that topics of public interest are avoided, and there is an emphasis on the protocol or promotional activities of officials of the Government. Unfortunately, not only the commercial media, but also the public broadcaster often violate professional standards, which provide that professional journalism must critically monitor policies of the Government and ensure a balance in reporting on various political actors and groups.

What could be the guarantor of the editorial independence of the media to achieve a higher professional level? One of the ways is to make a “model” based on which the media and the public will learn to critically observe and present social reality (especially what happens on the political scene) and thus actively contribute to the process of creating and implementing policies on all issues and matters of public interest. The moment when the media will overcome one-way communication i.e. enable a participatory system which will enable citizens to actively influence public policy, they will then make a step towards the realization of the democratic ideal - two-way communication in the public sphere. This means that the media (especially public service), besides having duties towards the viewers to provide objective news and diverse program schedule, they are also bound to provide space for free expression of opinions and beliefs of citizens and civil society organizations in their news programs. Moreover, the media are obliged to truthfully portray events with equal treatment of different approaches and opinions and encourage free formation of opinion on a variety of events and issues.

4. Adjudications of the Press Complaints Commission related to the political impartiality

The Press Complaints Commission at the Council of Media Ethics of Macedonia often made adjudications for cases in which violation of the Code of Journalists was made on the basis of political discrimination or political imbalance. The Commission received 11 press complaints by citizens or politicians who complained about one-sided media reporting, absence of second party or blaming and assaulting politicians or journalists without any argument. Examples include the cases *Lidija Dimova* against *Republika.mk*, *Radmila Sekerinska* against *Kurir.mk* and other media, *Geroski* against *Kanal 5*, *Davkova* and *Vankovska* against *Alsat M*, which indicate that media criticized and accused the aforementioned individuals, without their consultation as an affected party, which is in fact a bad practice because in many media there is only one side of the story.

In the case of *Dimova against Republika*, the former MP from SDSM Lidija Dimova complained of an article published on the online media Republika entitled "Agents take more than they deserve." According to her, the text was biased and distorts her reputation as an MP and a person. The Press Complaints Commission decided that Republika breached the Code of Journalists of Macedonia, and among the violated provisions is article 10, under which journalists shall not consciously create and process the information that encourage discrimination on political grounds. The Commission concluded that the text is full of insults and personal disqualifications of the MP Dimova, and that journalists should be responsible for their public statements.

In the case of *Sekerinska against Kurir and several online media*, Radmila Sekerinska, MP and Vice President of SDSM sent a complaint about the articles published on the online media Kurir entitled "Sekerinska is an informant to an unknown French secretary of Greek origin" and "Together with Greek diplomats, SDSM continues to work against Macedonia," by an unknown author, published on 8 and 10 November 2014. Sekerinska also complained about the online media Netpress, Press24, Denesen, Falanga and Vistina, which published the first text. In this case, the Commission decided that the Code of journalists was violated in several articles, among which article 10. In this case, the Commission concluded that the media and journalists should not publish material (information, picture, opinion, comment, and printscreens) which are aimed at spreading enmity or hatred, or when there is a high probability that the published material will cause hostility or hatred towards someone because of their race, ethnicity, gender, religion, political affiliation, sexual orientation, disability, etc.

In the case *Geroski against Kanal 5*, the Editor in Chief of Plusinfo and the daily Sloboden pecat, Branko Geroski, complains about the interview Lidija Bogatinova made with Ivica Bocevski, broadcasted in the central news program of Kanal 5 on November 13, 2014. The press complaint was processed and the Commission identified breaches of articles 10, 11 and 16 of the Code of Journalists of Macedonia. The complaint says that there were insulting and defamatory qualifications about Geroski in the interview published, without having to provide any evidence and with the apparent intention of causing harm to his reputation and honor. In this case, the complaint is about the statement of the editor Bogatinova: "How far will this conscious manipulation of the interests of Macedonia go when Venizelos said yesterday that there will be no developments in the negotiations about the name until the elections? Does it turn out that Geroski is more Greek than Venizelos?" Geroski also indicates that at the end of the interview Bogatinova speaks of "... those scum who try to distort the positions of Macedonia in the negotiations." The Commission underlined the unacceptability of harm by the other party in the interview. It is considered to be a responsibility of the journalist,

who is responsible for the things said by the guests, because those statements receive publicity, so he/she is obliged to refrain from abusive language, promotion of stereotypes or political discrimination.

The case *Siljanovska and Vankovska* against *ALSAT M* ended up with reconciliation between the parties as result of the process of mediation by the Executive Office of the Council of Media Ethics. A press complaint was filed by the professors Gordana Siljanovska – Davkova and Biljana Vankovska, who complained about the column “Sabotage” of the “360 degrees” show, broadcasted on April 10, 2015.

As the professors stated, the journalist makes a construction and a causal link between the two events that have neither time nor essential connectivity and insinuates that the professors were named as persons who at the request of the Minister of Interior provided “services” and were “taken out of bed to perform on someone’s request.” In addition, it is also emphasized that recordings of media appearances of the professors were used in a selective way. At the request of the professors, the newsroom of the show “360 degrees” apologized, and the news item was pulled out from the YouTube channel of Alsat M and the Facebook profile of the author Srecko Popovski.



The journalist will not speak with the language of hate and will not incite violence and discrimination

Sefer Tahiri

1. Hate speech and discrimination in the media

Preventing or limiting hate speech and the control or self-control of the media and the actors involved in media production, in terms of spreading of these messages, does not mean restricting freedom of expression. A famous proverb says: "There is no freedom for the enemies of freedom." This means that freedom of expression is not absolute, i.e. it can be limited when someone abuses it to violate the rights of others in the society or threaten some established legitimate objectives of public interest. Considering that hate speech can encourage violence and can lead to discrimination, promotion or justification of xenophobia, anti-Semitism and other forms of intolerance, it is considered that the need of its restriction is legitimate to prevent abuse of freedom of expression and violation of the rights of others.

The Analysis of the School of Journalism and Public Relations about the media coverage of ethnically sensitive topics¹⁸ shows that in the past two and a half decades in Macedonia many examples of reckless or intentional reporting which lacks sensitivity to interethnic, intercultural and interfaith relations in our society has been identified.

Are media creators of hate speech? In some situations they may be classified as such, but they are more channel or tool for spreading hate speech and discrimination created by the political parties, government institutions and some radical social groups. Therefore, it is often stressed that media have a responsibility and should be careful not to produce and transmit messages of hate speech and discrimination. Otherwise, they contribute to the dissemination of hate speech and create a favorable climate for it. Journalists, editors and especially the editors in chief, who are creators of the editorial policy of media and responsible for the content published, have a high responsibility to the public, since hate speech and expressions containing its elements have a detrimental effect if spread through the media.

Journalists constantly write about diversity, differences that are based on ethnicity, religion, race, gender, sexual orientation, social background and so on. Considering this fact, media that report about sensitive social issues may intentionally

18 Vesna Sopar, ed., *Reporting on interreligious and interethnic tensions: meaning behind headlines*, (Skopje: School of Journalism and Public Relations, 2013), accessed 2 February 2017, <http://www.unescochair-vs.edu.mk/attach/Znacenjeto-zad-naslovite.pdf>

or unintentionally cause hatred. The International Federation of Journalists with its special Code of Ethics¹⁹ obliges journalists to take care of humanity and protection of human rights. This means that the journalist and the editor are expected to be aware of the responsibility of their work. Journalists should be moral, and motivated to serve the readers, listeners, viewers and the democracy.

2. What does the Code of Journalists of Macedonia prescribe?

According to article 10 of the Code of Journalists of Macedonia, journalists must not use hate speech or incite violence and discrimination on any grounds in their texts. The Handbook on Ethics in journalism provides additional interpretation and guidance on the application of this article. It provides that journalists should be careful when hate speech especially comes by public officials or representatives of public institutions and in such situations they should challenge or criticize this speech. It also provides that the form and the genre in which hate speech appears can be different (information, picture, opinion, commentary). Whatever the form or genre is, the journalist must assess whether there is a high probability that their publication could “provoke hostility or hatred of someone because of their race, ethnicity, gender, religion, political affiliation, sexual orientation, disability, etc.”²⁰

Media should generally refrain from publishing any form of hate speech, i.e. journalists and editors must not themselves be authors of such messages. They must neither reproduce hate speech, which does not mean that they should report situations where hate speech comes from the mouth of various social actors. It is important that hate speech is identified in these situations and make the audience aware about the possible implications of hate speech use. This especially refers to politicians, their statements and interviews, and particularly about direct messages that contain hate speech.

Journalists and editors should be very careful and selective when it comes to messages with direct hate speech, because Macedonia is a region with ethnic and religious specifics. This can be illustrated with the cases of the memorial church building on the Kale fortress in 2012, the protests against the statements of politicians about the killings close to Smilkovsko Lake, the vocabulary of the former Minister of Interior Jankulovska in the wiretapped conversations released by the opposition, the slogans and messages spoken during political protests and counter protests, etc.

19 International Federation of Journalists, *IFJ Declaration of Principles on the Conduct of Journalists*, (Bordeaux: International Federation of Journalists, 1954), accessed 3 February 2017, <http://www.ifj.org/about-ifj/ifj-code-of-principles/>

20 Tamara Causidis and Zoran Bojarovski, *Handbook on Journalism Ethics (Priracnik za etika vo novinarstvoto)*, (Skopje: 2012), accessed 12 February 2017, <http://znm.org.mk/wp-content/uploads/2016/03/Прирачник-за-етика-во-новинарството-мај-2012.pdf>

Editors should be cautious not only in terms of direct speech of hatred expressed in the form of official views or personal opinions of politicians and public figures, but also in cases where this speech is coming from the audience. This especially refers to readers' comments that are published on the online media. Similarly to the section "Letters from readers" in the papers, the role of editors is very important in this context. Namely, online media and traditional media have a responsibility to not publish comments that go beyond the boundaries of public criticism and which contain explicit messages of hate speech. To this end, editors should be engaged on a daily level to organize the work of the media in order to prevent posting of hate speech messages. They should not only be mere selectors of information gathered by journalists and should not allow media outlets to turn themselves in an ordinary carrier of statements by politicians who often use ethno-nationalist and aggressive propaganda discourse. Such examples can be often found in pro-government media: "Traitors who attacked Macedonia which can lead to fratricidal wars"²¹ or "nits that need concrete slab" etc.

A characteristic example is the statement of Milenko Nedelkovski, author of the show "Milenko Nedelkovski Show" on TV Kanal 5, which he gave as a member of the NGO GDOM during a direct link conversation on Sitel TV. In this case, there was a failure by the news editor of Sitel, who only apologized after the speaker just unleashed his arsenal of offensive words in live. When it comes to direct participation in live television or radio programs, editors or anchors should immediately repudiate and warn those who spread hate speech to immediately stop using this vocabulary. The same should happen if a journalist is reporting from a direct broadcasting of events such as protests, demonstrations or riots. When hate speech suddenly appears in such situations, journalists should immediately intervene to make a distance in a clear manner or terminate the interlocutor.

3. Adjudications of the Press Complaints Commission at the Council of Media Ethics of Macedonia

Many citizens and entities complain about presence of hate speech in the media content. The Commission examined 56 out of 149 cases which refer to a violation of article 10. It is mostly about hate speech on grounds of sexual orientation and based on political affiliation of affected groups and individuals. Hate speech is mostly used by online media and some journalists and hosts of shows.

21 Mkdnews, „Pandov: The Republic of Macedonia attacked by domestic traitors and spies in cooperation with foreign services “, Mkdnews, accessed 7 April, 2015, <http://www.mkdnews.com/2015/04/pandovrepublika-makedonija-e-napadnata-od-domashni-predavnici-i-shpioni-vo-sorabotka-so-stranska-sluzhba/>

There is a strong media campaign, supported by the Government, whose target is critical media and journalists, especially those supported by Soros and foreign foundations, which are treated as traitors. In this orchestrated campaign, run by journalists and media, they use direct hate speech, slander, threats, calls to public lynching etc.

In the case *Jovanovski* against *Kanal 5 TV*, the journalist Borjan Jovanovski reacted to the edition of the central news programme on Kanal 5 from November 14, 2014. According to him, the press complaint refers to a story that “in an extremely unprofessional and unethical way questioned my professional integrity, as well as the integrity of our other colleagues.” The Press Complaints Commission concluded that it is a TV news item with an indistinct genre, commentary or something else. There are many quotes for which it is not clear when they were expressed. The TV news item manipulates the statements. The Commission concluded that article 10 was breached, in particular in the section that refers to the threat to human rights and freedoms and inciting of hatred for political views, because the television published posts on Twitter and a link that leads to another text, from which conclusions are drawn that the said journalist carried out activities against national interests.

In the case *Cvetkovska* against *Vest*, the journalist Saska Cvetkovska reacted to the article entitled “Love drama in the Skopje settlement of Zelezara –he beat the mistress and dumped her naked on street”, published on 24 January 2017 in the daily newspaper *Vest*, a text that was also announced on the front page. The explanation of the press complaint highlights that it is about a tabloid story in which a woman in this society is reported in a sexist, discriminatory and discrediting manner. The complaint states that the text subtly suggests gender inequality by discrediting and personal disqualification of the victim. The Commission upheld the complaint and concluded that the text used phrases containing sexist, stereotyping and discriminatory connotations, and that it was not taken into account that it is about someone’s family tragedy.

Journalists will respect privacy of persons, except when it is opposite to the public interest. The journalist is obliged to respect personal pain and grief.

Mirce Adamcevski

1. What is privacy?

Where does privacy stop and where does public interest start and vice versa? This question is an eternal journalistic dilemma. It is a fact that private and public are divided with an almost invisible frontier, which is often crossed, whether justified or not. The European Convention for the Protection of Human Rights and Fundamental Freedoms protects the right to respect for privacy (article 8) and the right to freedom of expression (article 10), as fundamental human rights and freedoms. None of these rights is absolute, which means they can be restricted for the protection of any other right or interest. So, the right for privacy respect can be limited if the public interest justifies the violation of privacy. Also, freedom of expression can be restricted for the protection of one's personal or family life if there is no dominant public interest.²²

The term privacy is defined by the Resolution no. 428 of the Parliamentary Assembly of the Council of Europe²³ since 1970. The right for privacy respect is primarily consisted of the right of every individual to live his life with minimum interference of others. It applies to private life, family and home, the physical and moral integrity, honor and reputation, avoidance to present individuals in a false light, non-disclosure of irrelevant and unpleasant facts, unauthorized publication of private photographs, protection against unwarranted and unjustified spying and surveillance, protection against misuse of private communications, protection from disclosure of information given or received in confidence. Some believe that private life is a true manifestation of the principle of freedom of the individual, while for others it is a source of subjective rights of a particular kind of the persons' rights.²⁴

A particular problem is the privacy of public figures. They have a right to protect their privacy, but at a considerably lower range compared to other persons

22 European Court of Human Rights, *European Convention on Protection of Human Rights*, (Strasbourg: European Court of Human Rights, 2017), accessed 1 April 2017, http://www.echr.coe.int/Documents/Convention_MKD.pdf

23 Council of Europe, Parliamentary Assembly, *Declaration on Mass Communication Media and Human Rights*, (Strasbourg, 1970), <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-EN.asp?fileid=15842&lang=en>

24 Snezana Trpevska, *Freedom of Expression and Media Regulation (Slobodan na izrazovanje i medijumska regulacija)* (Skopje: School of Journalism and Public Relations, 2010)

who are unknown to the public. The Resolution no. 1165 from 1988 about the right to privacy clearly states that public figures must be aware that the position they have in society automatically leads to increased public concern about their privacy.²⁵

The European Court of Human Rights in all cases concerning rights to privacy and freedom of expression tends to find and establish a balance between them. Otherwise, as far as the media are concerned, there are no any doubts. The right of citizens to transparent and objective information includes reporting about privacy of public figures, particularly about politicians and other public figures, when there is a public interest. Media are obliged to protect and promote public interest, i.e. serve primarily interests of the public.

When it comes to protecting privacy in Macedonia and the Macedonian media, there is often a great ignorance, but also a deliberate violation of this right. Media often due to ignorance, and often because they look for sensations, grossly interfere in privacy of individual persons, particularly in cases of catastrophic illness or injury. It is especially concerning that there is an intrusion of privacy on the online media. After all, most of the adjudications of the Press Complaints Commission refer to breaching of privacy on online media, which is usually done by re-publishing content and photos from other media.

The photograph is a biometric personal data falling within the category of sensitive personal data, which has a special level of protection and, as a rule, cannot be processed without consent of the data subject or without any legal basis²⁶. The consent of the user to publish his photos on his personal account, regardless of how many other users will have access to them, does not automatically mean his consent for their re-publishing to other websites or media. However, if the individual has chosen the option for “public” disclosure, there are different interpretations about the legality and legitimacy of the publication of that photograph without his consent.

2.The Code of Journalists is clear

Having in mind these dilemmas in the region, steps are taken to incorporate guidelines on how to help media not to violate principles of respect for privacy in journalistic codes. Therefore, beside the importance of the general rules of the codes, new rules are also introduced for the online environment. In Serbia, the Press Council prepared specific guidelines for it. One of them refers to the

25 Council of Europe Parliamentary Assembly, *Resolution 1165 (1988) Right to Privacy*, accessed 10 January 2017, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=16641&lang%20=en>

26 *ibid*

treatment of private posts and photos posted on public networks and platforms. A rule is applied which states that private data and records, including a private photo, video and other records that the person has published on public networks or other platforms may be published only with a prior consent, except in cases when the public interest outweighs the right to privacy.²⁷

The right to privacy and the public interest in the Code of Journalists of Macedonia are governed by several principles (articles in the Code).²⁸ The Principles of Conduct provide that a main task of the journalist is to respect truth and public's right to be informed, in accordance with article 16 of the Constitution, which guarantees freedom of expression, freedom of speech, public appearances, public information, free access to information, freedom of receiving and transmitting information, prohibition of censorship.

Article 1 of the Code of Journalists of Macedonia provides that journalists have the right to free access to all sources of information of public interest. The fact that the public interest is regulated in the first article of the Code of Journalists speaks about the need of the public to always have available accurate and timely information. Article 7 requires journalists to avoid intrusion into private lives of individuals, unless the behavior of that person's private life has an impact on the public interest.

The journalist is also obliged to respect personal pain and grief. The Handbook on Ethics in journalism²⁹ provides more detailed guidance on things journalists should be aware of in order to avoid breaching of this principle, while still taking into account the public interest.

Provisions in the Code of the German Press Council about privacy:

"The press keeps private life and intimate sphere of people. However, if private behavior is related to the public interest, it can be reported. Efforts should be made not to violate rights of persons not participating into it. The press respects the right of each person to decide about publishing of data related to their own personality and ensures data protection within the newsroom."³⁰

27 Press Council, *Guidelines for application of the Code of Journalists of Serbia in the online sphere*, accessed 3 March 2017, http://www.savetzastampu.rs/doc/savet-za-stampu_kodeks-i-onlajn-mediji.pdf

28 Association of Journalists of Macedonia, *Code of Journalists - Principles of Conduct*. (Skopje, AJM:2001), accessed February 25 2017: http://znm.org.mk/?page_id=1412

29 Tamara Causidis and Zoran Bojarovski, *Handbook on Journalism Ethics (Priracnik za etikata vo novinarstvoto)*, (Skopje: 2012), accessed 12 February 2017, <http://znm.org.mk/wp-content/uploads/2016/03/Прирачник-за-етика-во-новинарството-мај-2012.pdf>

30 Stevan Niksic, Ana Davico, *Ethics in Journalism – Handbook for Professional Journalists (Etika novinarstva – Prirucnik za profesionalne novinare)*, (Beograd, CPM> 2004), accessed 11 January, 2017, <https://www.scribd.com/document/26507848/Etika-novinarstva>

The Press Complaints Commission of the British press, in its Code, when it comes to public interest, emphasizes that “in cases involving children younger than 16 years, editors are obliged to prove that there is an extraordinary public interest on the account of the interest of the child, which is most important.” Under this Code, a child under 16 years cannot be photographed except with the permission of his parents, guardians or other adults responsible for him.³¹

3. Adjudications of the Press Complaints Commission related to violation of privacy

The Press Complaints Commission reviewed 150 complaints and in fifteen of them it identified violation of the principle of respect for privacy of individuals. A general conclusion is that the number of breaches of this article, compared with others, is done to a lesser extent, but it does not mean that the violation was less important than others because usually it is done consciously, and rarely out of ignorance or negligence of the journalist. But, sometimes when complainants feel their privacy is violated this proves to be wrong.

Thus, in the case of *Gjorgi Ugrinovski* against the weekly *Fokus*, this complainant reacted to the article entitled “The millions worthbusinesses of the Vevcani family,” published in the weekly *Fokus*. The complaint states that in several parts of the articles there are untruths and the reporting is inaccurate and unfair, there is defamation, privacy is violated and the secondparty is not represented. As it can be concluded from the text, the author analyzes familial, political and business relations of the complainant Ugrinoski with persons from the politics. The Commission initially concluded that it is in the public interest because it includes analysis of the work and relations of political figures and public officials, who thus accepted to be subject to public scrutiny and potentially strong criticism by the media regarding the way they have carried out or carry out their functions. Therefore, the Complaints Commission concluded that the principle of respect for privacy in this case is not breached.

Article 7 of the Code of Journalists also contains a provision that sensationalism should be avoided. In this regard, violations made by some media are commonly associated with copying of contents from social networks and its re-publishing with sensational headlines, without taking into account whether it impairs the person’s privacy. The contents of social networks can be considered to be in the public domain. But the use of such content for publishing in the media must be done with a prior consent, unless the public interest outweighs the right to privacy.

31 ibid

Thus, in the case of *Angelallievski* against *Netpress.com.mk*, the press complaint has been filed for the articles “Macedonia hostage to the Vanhaute’s caprices” and “PHOTO: Did Vanhaute become a real idol in SDSM?”, published on the web portal *Netpress.com.mk*. The complaint states that the texts are damaging the reputation of *Ilievska* as a civil activist and a young person. It is also stated that photography is taken from a personal profile which is a crude abuse. In addition, the text has a sexist comment. The Commission estimated that when connecting the photo published in the text and the sexist statements made in the interrogative form, the dignity of the complainant and her reputation in the community are questioned. Moreover, the author of the text did not state if he had received permission to take the photograph of *Ilievska* from her profile on the social network Facebook. As further noted by the Commission, the personal life of the complainant, who is neither elected nor appointed official, and the publishing of her personal data in the form of physiognomy seen in the photo, cannot be considered a matter of public interest that prevails over her right to privacy, which is guaranteed by the Law on Protection of Personal Data. The Commission therefore concluded that there was a violation of the principle of respect for privacy.

According to article 7 of the Code of Journalists of Macedonia, posting photos or pictures of dead people should be avoided, in order to respect personal pain and grief. This includes images of suicides, even if taken at public places. Exceptions are cases where shooting is justified to protect public interest and if the affected persons consent to it.

In the case of *Daniel Kalajdzhevski* against *plusinfo.mk*, a complaint was filed about the pictures “Horrible sight of the unfortunate woman in the City Park (Gallery)”, published on the web portal *plusinfo.mk*. The complaint states that the publication of the photos violated privacy and the publishing of these photographs of the late person is disrespect and disregard for the pain of her family and the closest ones. In response to the press complaint, the portal pointed out that the “self-immolation of the 45-year old woman, as the only one of this kind event in the history of Macedonia (...) is a public event, for which media usually report with text, photos and videos.” Moreover, the Commission was provided with links about cases of suicides worldwide. It was also added that “in the photographs of *Plusinfo* there are no sufficient elements to recognize the face of the victim, nor the sad state in which she was.” In deciding, the Press Complaint Commission took into account the recommendations of the World Health Organization for the prevention of suicide, where, among other things, it is said that explicit description of the method used in completed or attempted suicide should be avoided, photos or videos from the site of suicide should not be used, especially if it makes the location or method clear to the reader or viewer.³²

32 World Health Organization, *Prevention of Suicide: A Resource for Media Professionals*, (Geneva:

The Press Complaints Commission concluded that the Code of Journalists of Macedonia was breached and that the publication of photographs of the victim may further increase the pain of the family, i.e. that personal pain and grief are not respected, regardless of the fact that the identity of the woman was not released. The coverage of the event itself could be professionally done without publishing photos of the deceased.



The journalists shall defend the reputation and dignity of their profession, urge mutual solidarity and diversity of opinions and not misuse media for arguments with persons, including their colleagues

Mirce Adamcevski

1. Arguments with persons, including colleagues

Specific provisions or principles, by which journalists should keep the reputation of the profession and not use media for arguments with persons, including their colleagues, is not in the focus of all press councils. Most of the codes of press councils in many countries do not have an article for this matter. The ethical violations "*journalist against journalist*" is more appropriate for consideration within the councils of honor, which are part of associations of journalists. It is a kind of journalistic self-regulation, which exclusively deals with journalists. In Macedonia, since a special code of ethics for the media is still not adopted, the Council of Media Ethics is governed by the Code of Journalists of Macedonia.

The absence of such an article or paragraph in the codes of press councils in most countries should not be understood as unnecessary, neither that these situations are only typical for Macedonia. In other countries these issues are resolved within the principles enshrined in the ethical codes. Until the production of a new code of ethics of the media, the current Code allows carrying of valid adjudications, since it regulates the same ethical and professional principles, and the reputation and dignity of the profession are also part of the ethical behavior of the media.

One of the few countries whose Code includes provision about the behavior of journalists towards journalists is Lithuania. The Code of Ethics of the Journalists, among other things, states:

"7. In their business relations journalists should maintain a balance between honest competition and professional solidarity.

8. Journalists shall not prevent their colleagues in collecting information, they shall not intentionally refer or report to the authorities.

9. Neither individual journalists nor the newsrooms shall quarrel through the mass media for old issues. Such behavior not only harms the reputation of their profession, but also their professional reputation...."³³

³³ Stevan Niksic, Ana Davico, *Ethics in Journalism – Handbook for Professional Journalists (Etika novinarstva – Prirucnik za profesionalne novinare)*, (Beograd, CPM> 2004), accessed 11 January, 2017, <https://www.scribd.com/document/26507848/Etika-novinarstva>

2. Preservation of dignity and reputation

Breaches of the principles of professionalism and ethics in the Macedonian media occur quite often. Journalists' associations in countries with long democratic tradition sought to eliminate or reduce to the lowest extent possible violations of basic professional and ethical principles over the years. Self-regulatory bodies in these countries, whose beginnings are from hundred years ago, are one way to prevent such incidents by the media. Codes are adopted which incorporate principles that indicate how media should deal with unethical behavior and, among other things, with the damage to the reputation and dignity of individuals and journalists.

In Macedonia, this phenomenon is very widespread. This particularly applies to online media. There are "media" and "journalists" who agree to work unprofessionally and in a propagandist manner, having no responsibility and willing to do anything for money and/or any other privileges. Such "journalists" and "media" are a danger to the profession and the society, just as much as those who exploit them. Some say they do this because owners threaten them, while owners themselves are threatened by business and political elites, or everything is done in a clientelistic relationship.

No editorial policy contains a principle that media should "spit" someone or have conflicts among themselves. On the contrary, they all agree that everything should be done to first acquire confidence by the audience and that editorial decisions are not made with an influence by outside interests, political or commercial pressure or any personal interests. Therefore, the content should be made according to the highest professional and ethical standards and as such be offered to the audience. Media ultimately depend on the trust of the audience. While this is not a fact in Macedonia, it still needs to be pursued.

Annie Hoogenboom writes in her book "Universal reporter":

"If you want to be propagandist, get employed in the advertising business, in the government or politics. The journalist must not be loyal to anyone and anything, but to the newspapers and readers: none political party, source, commercial or any other interest, regardless if they deserve it or not. It is difficult for someone to deal with balanced journalism without any conflicts of interest. The newspaper Washington Post has a rule which prohibits journalists to participate in any political activity. It also refers to protest marches and demonstrations. So when a group of journalists were seen at demonstrations in defense of abortion rights, they were told they would not be allowed to write anything about the topic of abortions."³⁴

34 David Randall, *The Universal Journalist*, 4th edition, (Pluto Press, 2007)

There are norms, professional and ethical, that should be respected. One of the primary things is the respect for common interests and goals of the media community. Then comes the care for the prestige of the profession: crimes are not allowed, gifts, services, privileges that compromise the moral purity of the journalist, the official position should not be used for personal purposes (racketeering and extortion), pressure to avoid publishing texts should not be accepted and writing of materials on behalf of someone else's interests should be avoided. Journalists need to help their colleagues who found themselves in a difficult situation.

The copyrights of others should be respected, but journalists should also defend their own copyrights, respect the right if someone does not want to fulfill a task that is contrary to his/her beliefs and principles.

In some countries these norms include duties for mutual assistance in "technical" areas of cooperation, encouraging exchange of inter-journalists knowledge (data), a joint search for information and business contacts. In this context, one paragraph of the Declaration of the International Federation of Journalists (IFJ) provides that: The journalist shall regard as grave professional breach the following: plagiarism; malicious misrepresentation; defamation, insult, humiliation, unfounded allegations; acceptance of bribe in any form on the basis of publishing or non-publishing of certain information.³⁵

Or all of the above in one sentence: in their work, journalists are guided by the ethics of the journalistic profession, they keep the reputation, dignity and integrity of their profession, cooperate mutually and foster peer relationships and professional solidarity.

3. Adjudications of the Press Complaints Commission related to reputation and dignity of the profession

The Press Complaints Commission reviewed 149 complaints and detected breaches of article 16 in 21 of them, i.e. violation of the principle of preserving the reputation and dignity of the profession. The findings of the Commission indicate that journalists and individuals are discriminated against, which is obviously a problem for opponents of professionalism in the media.

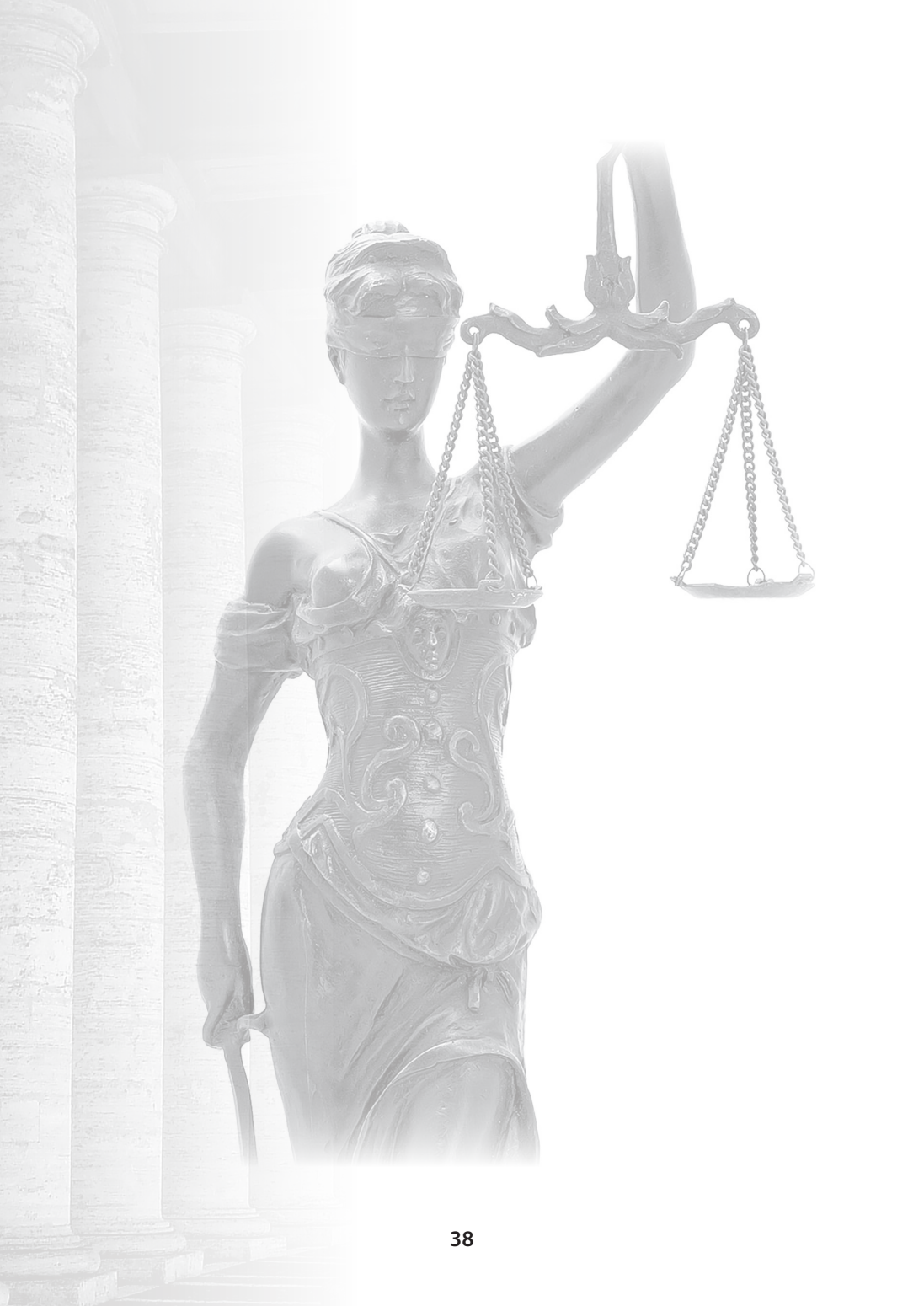
In the case *Jovanovski* against *Kanal 5* the journalist Borjan Jovanovski complained to the Press Complaints Commission, as one of the persons that are mentioned in the edition of the Kanal 5 TV central news broadcasted on November

³⁵ International Federation of Journalists, *IFJ Declaration of Principles on the Conduct of Journalists*, (Bordeaux: International Federation of Journalists, 1954), accessed 3 February 2017, <http://www.ifj.org/about-ifj/ifj-code-of-principles/>

19, 2014. According to Jovanovski, it is a story that “in an extremely unprofessional and unethical way questioned my professional integrity, as well as the integrity of our other colleagues.” The Press Complaints Commission requested an answer from the Editor in Chief of Kanal 5, Lidija Bogatinova. In her reply she offered several Twitter posts from Borjan Jovanovski and a link that is not connected with the complainant. The Commission has accepted the complaint of Jovanovski and identified breaches of three articles of the Code of Journalists of Macedonia, including a violation of article 16. The Commission concluded that neither journalists nor editors are allowed to deal with persons and colleagues through their media. Such behavior does not only reduce their integrity and dignity, but also ruins the reputation of the journalistic profession in general and reduces public trust in media. The journalist is especially obliged to defend colleagues who suffer because of their professional activities.

In the case of *TV 21* against *Telegraf.mk* a press complaint was filed for a photo published in the text entitled “THE GERMAN HAS ARRIVED: Heindl met at the airport by the Ambassador Althauzer only” (photo), published at the *Telegraf.mk* portal.

The television complained about inaccurate and unfair-reporting, discrimination and insult of the media outlet, with an explanation that the logo of the television was blurred when a photograph was published on the portal *Telegraf*. In its response, the portal said that the initial unfair treatment was initiated by the *TV21* reporter who was at the same place with the photographer of *Telegraf.mk* and who photographed the arrival of the German diplomat. The Commission concluded that the colleagues could have agreed beforehand about how to do their job. The struggle for fast information of high quality should not lead to conflicts between the media. The press complaint was accepted only in respect of the violation of article 16, which provides that journalists in their work should strive to maintain a balance between honest competition and professional solidarity, while the allegations of discrimination and insult of the media outlet were rejected.



Adjudications of the Press Complaints Commission

PUBLISHING OF ACCURATE AND VERIFIED INFORMATION (ARTICLE 1)

Press complaint: Jane Dimeski against Kurir

Context

The Internet portal *Kurir* published an article entitled “Intellectual racketeering wing of the SDSM with a series of affairs” on June 15, 2015, under the section “Macedonia”. The text, which was not signed by the author and which in terms of the genre is a mixture of a report and commentary, built a construction around the relationship between the opposition party SDSM with the NGO sector, and it confirms that the key decisions of the political party are made by persons who are not part of the bodies of the party, but intellectuals and NGO activists who have a strong influence on the Macedonian opposition leader Zoran Zaev.

Press complaint

The journalist and NGO activist Jane Dimeski filed a press complaint on June 17, 2015, in which he states that the reporting is incorrect and unfair.

Response by the media

The Executive Office of the CMEM, in accordance with article 12 of the Rules of Operation of the Press Complaints Commission, upon receiving and processing the press complaint, contacted the web portal *Kurir* requesting the reply of the editorial board regarding the allegations of the complainant. *Kurir* did not reply to the complainant’s allegations.

Adjudication of the Press Complaints Commission

The Press Complaints Commission decided that the complaint regarding the text was established and that the contents of the published text violated four articles of the Code of Journalists of Macedonia: articles 1, 10, 13 and 15.

Explanation of the adjudication

At the meeting held on July 6, 2015, the Press Complaints Commission reviewed the complainant’s allegations and analyzed the content of the published text. The text covers statements of individuals about the work of the former Minister

Frčkoski, Vladimir Milčin (in his capacity as a president of an NGO) and Branko Geroski and Saso Ordanovski as journalists. As it can be seen from the text itself, the author claims that the leader of the opposition Zoran Zaev was advised by Frčkoski (former minister), Branko Geroski and Saso Ordanoski (journalists) and the Head of the Soros Foundation in the country, Vladimir Milčin (former president of this NGO) and that their views and attitudes later on became attitudes of Zaev and SDSM. To this claim, the author did not offer any evidence or a statement, nor did he offer evidence if this was a speculation or an assumption and the second party was not consulted.

Furthermore, the author does not make a status difference between the aforementioned parties. The Commission found that the former Minister Frčkoski is a legitimate journalistic target, who as a former public official may be subject to a political media debate, an act that is in full compliance with the Declaration of political debate in the media of the Committee of Ministers of the Council Europe.

The Commission concluded that the author does not make a distinction between facts and opinions, news and commentary, and says that some of his claims for Ordanoski were previously confirmed by the journalist Dragan Pavlovic-Latas in his recent column, and re-publishes some of his quotes that also contain rude insults. Therefore, the Commission concluded that the author did not maintain the culture of speech and ethics, delivering content that constitutes inappropriate communication with the public.

Because of all stated, the Press Complaints Commission finds that the article "Intellectual racketeering wing of the SDSM with a series of affairs" article 1 of the Code of Journalists of Macedonia was breached, according to which the journalist should publish accurate, reliable and verified information. If the information cannot be confirmed or if it is an assumption or a speculation, that should be said and revealed. The accuracy of information should be checked as much as possible. Verification of data accuracy is a moral imperative in journalism, therefore journalists are obliged to check information from as many sources possible and from at least two mutually unrelated sources. The journalist must provide a "second party", i.e. give an opportunity to all those who are concerned with the journalistic product to express their opinion, especially in cases when there are suspicions or allegations or when someone is a subject of attack and criticism.

The Press Complaints Commission concluded that in the disputed text, article 10 of the Code of Journalists was breached, which states that journalists shall not consciously create or process information that jeopardize human rights and freedoms, shall not speak with the language of hatred and shall not incite violence

and discrimination on political grounds. The Code of Journalists requires a special responsibility by journalists for their public speech. Their views are important factors in shaping public opinion, and therefore hate speech is incompatible with the journalistic ethics. The media and journalists should not publish content that is aimed at spreading hostility or hatred, or content which is likely to cause hostility or hatred toward someone because of his political affiliation.

The Commission also concluded that the text breached article 13 of the Code, which states that the journalist should distinguish between facts and opinions, news and comments. Journalists have a right to their opinion, attitude and value judgment, but they must not camouflage their own opinion as facts. It must be clearly distinguished what facts and information, comments, assumptions or attitudes of the author are, to avoid misinforming and manipulation of the public.

And fourth, the Press Complaints Commission found that the text breached article 15, which states that the journalist must maintain the culture of speech and ethics. Impolite communication with the public is incompatible with the journalistic profession.

Press complaint: Ksenofon Ugrinovski against Sloboden pecat

Context

The daily Sloboden pecat in its double issue of 22 and 23 October 2014, under the section "Macedonia", published an article titled "Ejaculation outside the woman is not recognized." It is a news report in which the journalist critically looks at the quality of the new textbook for the course Civic Education, which is used in primary education. The journalist, through her individual research and the views of the sources used, seeks to inform the public about content of textbooks on this subject and whether students have the opportunity to read and acquire knowledge in line with modern concepts of social relations in a democratic and liberal society, as Macedonian needs to be.

Press complaint

Mr. Ksenofon Ugrinovski, one of the authors of the Civic Education textbook for eighth grade, filed a press complaint on October 24, 2014, stating that journalist selectively took part of the textbook in order to present a distorted picture of its contents. Namely, it is the following wording: "Loyal citizens are willing to follow the rules and regulations of the society to the price of giving up their freedom." The author argues that although the textbook mentioned other forms of civic loyalty, journalist considered that the content of the textbook is depleted. He also notes that the text does not accurately quote part of the textbook, which can lead to a wrong conclusion.

Response by the media outlet

The Executive Office of the Council of Media Ethics contacted the daily *Sloboden pecat* on November 12, 2014 with a requirement to get their reply on the allegations in the press complaint. The daily *Sloboden pecat* responded the same day in which the article and its author were completely supported, asking for rejection of the press complaint, while offering its arguments for the allegations.

Namely, it is emphasized that in the disputed article there is neither a word nor an allusion to insult or defame the authors of the textbook in any way in terms of the provisions of the Law on Civil Liability for Defamation and Insult. Furthermore, the media outlet emphasizes in its response that in the process of preparation of the contested article the journalist Byrns has consulted the necessary sources to be able to present controversial parts of the textbook and relevant expert opinion on them. Cited are: (1) the textbook as the undisputed written source, (2) Lenka Gogoska, a longtime professor at the Faculty of Education, (3) the former Minister of

Education Nenad Novkovski, and (4) Tatjana Gogoska, Master of Communicology and a researcher on the impact of media on children development. The sources are expert and politically neutral. The authors of the textbook are not consulted as sources, because there was no need - everything they had to say about the methodological units shown to the children was told in the textbook (the textbook is not studied along with the “explanations” of the authors given in the media). The response also concludes that, as it can be read in the text annexed by the complainant, independent and neutral sources confirm and support the findings of the author and the angle of the journalistic text. It is also emphasized that the journalistic text has no comments!

Adjudication of the Commission

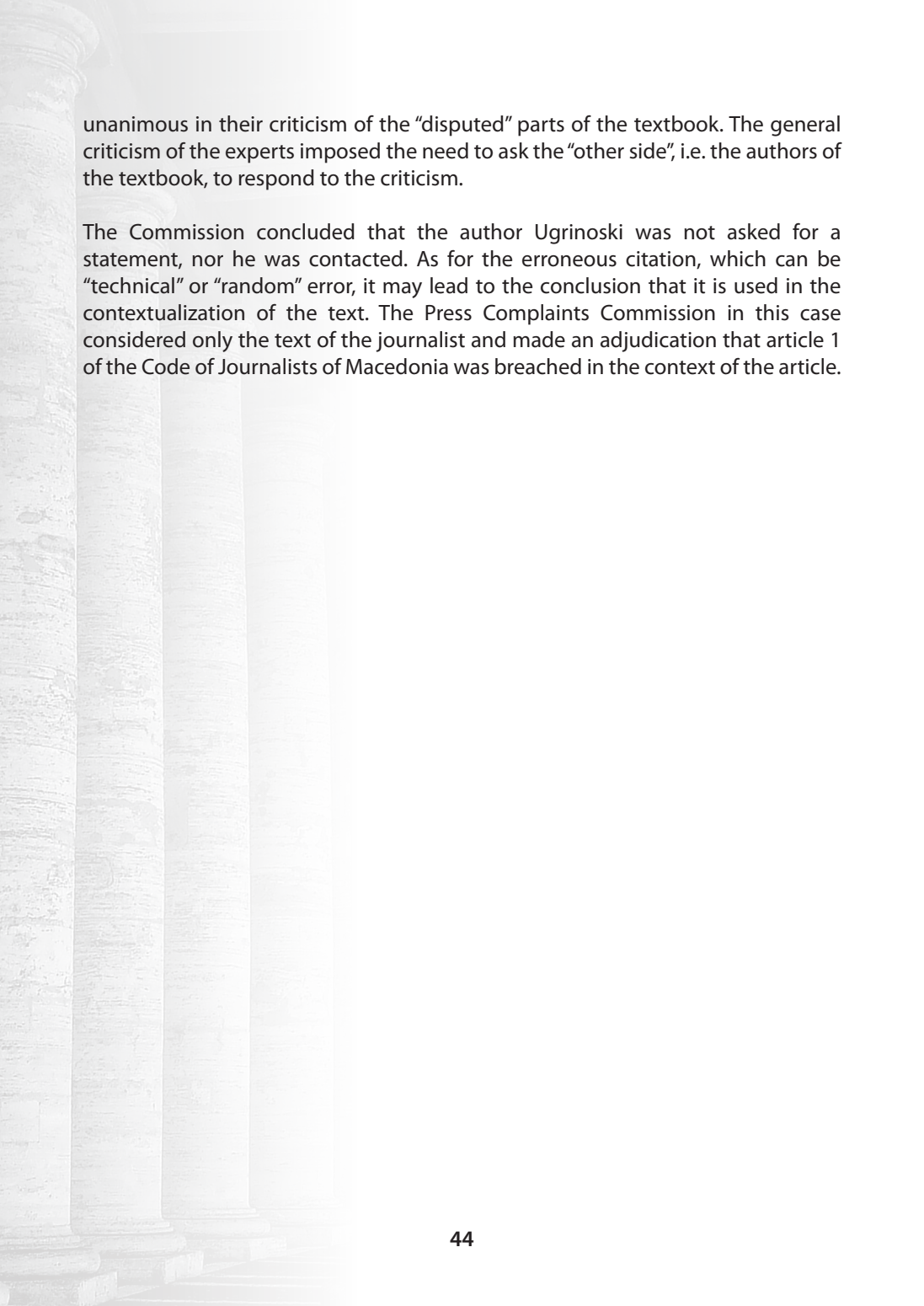
The Press Complaints Commission of the Council of Media Ethics decided that the press complaint is founded. Article 1 of the Code of Journalists of Macedonia was breached: “The journalist has the right to a free access to all sources of information that are of public interest. The journalist shall publish accurate, verified information and shall not hide essential data and use false documents. If the information cannot be verified and it is an assumption or a speculation only, that should be disclosed and published. The accuracy of the information should be checked as much as possible”.

The Press Complaints Commission at the Council of Media Ethics of Macedonia concluded that the text fully and indisputably observes the public interest. But it is also concluded that the journalist has not provided the “other side”, i.e. not all affected parties of the journalistic text were given an opportunity to voice their opinion, especially as it was a text that criticizes textbooks for primary education. At the same time, the headline does not entirely match the content of the text. The Commission recommended that the journalist should always strive to keep the original context of all quotes or excerpts, avoid changing the meaning of the sentence, statement or quote.

Explanation of the adjudication

The Press Complaints Commission was approached by Mr. Ksenofon Ugrinoski, one of the authors of the Civic Education textbook for eighth grade. According to him, the journalist referred to actualize some of the content in the unit Civic loyalty without analyzing the entire contents of the unit. He also notes that part of the textbook is not accurately quoted, which can lead to the wrong conclusion.

The Press Complaints Commission took into consideration the views of the editorial board of the newspaper in the consideration of the complaint. It concluded that the author initiated a topic which is undoubtedly of public interest. There are no comments by the author and relevant interlocutors are quoted who are

The background of the page features a series of classical stone columns on the left side, receding into the distance. The columns are light-colored and have a textured surface. The overall aesthetic is clean and professional, with a focus on the text.

unanimous in their criticism of the “disputed” parts of the textbook. The general criticism of the experts imposed the need to ask the “other side”, i.e. the authors of the textbook, to respond to the criticism.

The Commission concluded that the author Ugrinoski was not asked for a statement, nor he was contacted. As for the erroneous citation, which can be “technical” or “random” error, it may lead to the conclusion that it is used in the contextualization of the text. The Press Complaints Commission in this case considered only the text of the journalist and made an adjudication that article 1 of the Code of Journalists of Macedonia was breached in the context of the article.

THE JOURNALISTS SHALL RESPECT PRIVACY OF THE PERSON (ARTICLE 7)

The Ombudsman against the portals *Republika*, *Press24*, *Kurir* and *Puls24*

Context

On November 25, 2014 four similar texts were published on these portals: *Republika* published an article entitled "Cristiano Ronaldo enrolled in first grade (photo)", *Press24* published an article entitled "PHOTO: Cristiano Ronaldo is from Shutka - the photo that made all Macedonia laugh", *Kurir* published an article entitled "PHOTO: Proof that Cristiano Ronaldo is from Šutka" and *Puls24* published an article entitled "Photo: Ronaldo scored in first grade." In all texts there is a photograph of a child showing an excerpt from the list of evidence from a primary school student who is enrolled in first grade in the academic year 2014/2015.

Press complaint

The Deputy Ombudsman Vaska B. Mustafa contacted the Council of Media Ethics of Macedonia with a press complaint, where she emphasized that the articles published on the portals *Republika*, *Press24*, *Kurir* and *Puls24*, which are also published in some entertainment and local portals, "ridicule members of the Roma community" by publishing of a photograph of the registration paper of a pupil in the first grade and with an ironic tone in view of the names that Roma gave their children.

Response by the media outlets

The Executive Office of the Council of Media Ethics of Macedonia, immediately after receiving the complaint, in accordance with article 12 of the Rules of Operation of the Press Complaints Commission, contacted the aforementioned Internet portals. Only one answer arrived in due time, i.e. from the Editor in Chief of the portal *Puls24* Emilija Velinovska. In her response, Velinovska explained that it is about a content taken from other media, and the photograph was taken from Facebook. Furthermore, Velinovska stated that an unintentional omission was made without any intention to insult. According to Velinovska, the portal does not have such a policy of work and have not been faced with similar problems so far, assuring that this will not happen again in the future. Simultaneously, Velinovska apologized for, as she said, the unintentional omission and informed the Commission that, if necessary, the portal will publicly apologize. The Editor in Chief also notified the Commission that the content has already been removed from *Puls24*.

Adjudication of the Commission

The complaint is accepted. The Code of Journalists of Macedonia was breached in articles 7, 9 and 10. Article 7 refers to the fact that the journalist will respect the privacy of individuals, article 9 stipulates that the journalist must not interview or photograph children under 16 without parental or guardian's consent, and article 10 requires the journalist to respect human rights and freedoms, not use the language of hate and encourage discrimination on any basis. Moreover, the Commission recalls that the treatment of children in the media is regulated by international documents and domestic legislation, which, among other things, stipulate that media must not manipulate children's emotions or broadcast the identity of the child without the consent of a parent or a guardian.

Explanation of the adjudication

The Press Complaints Commission concluded that the published text does not deal with matters of public interest, on the contrary, content is published that is meant to attract readers for fun, without taking account about the violation of the human rights, in this case the rights of a child with Roma ethnic background. The Commission found that articles 7 and 9 of the Code of Journalists of Macedonia were breached, because information about the private life of a person can be released only if the behavior of that person's private life has an impact on the public interest. In this case, the Commission found that the aforementioned portals published document that reveals the identity of a minor pupil, without being aware that they could harm him. The name and surname of the minor should not be discussed or mentioned in any context in the media without the consent of his parent or guardian, because privacy is a human right.

The Press Complaints Commission found that the portals breached article 10 of the Code, by publishing a photograph of a minor with an excerpt from the registration list from the primary school.

Dusica Mrgja against Sitel (electronic edition)

Context

The web edition of Sitel television published an article on April 25, 2016 with a photograph taken from a private status at a public network, titled “They raise ‘revolution’ and on Sunday they have a rest in Austria, Istanbul and in restaurants and seaside.” The electronic copy (printscreen) of the status shows persons totally unknown to the general public and not the person referred to in the text.

Press complaint

The Journalist Dusica Mrgja, a person referred to in the text of 26 April 2016, submitted a complaint to the Press Complaints Commission about the content entitled “They raise ‘revolution’ and on Sunday they have a rest in Austria, Istanbul and in restaurants and seaside”, posted on the electronic edition of Sitel TV. The complaint states that the contents published breached her privacy.

Response by the media outlet

The Executive Office of the CMEM, in accordance with article 12 of the Operational Procedures of the Press Complaints Commission, after receiving and processing the complaint, got in touch with Sitel TV and asked the editorial board to respond to the allegations in the press complaint. The Editor in Chief of Sitel, Dragan Pavlovic Latas, in his response, amongst other, stated that the editorial board does not hold a responsibility for this case, especially because there is no such news in the TV programme.

Adjudication of the Commission

The press complaint was founded. The Code of Journalists of Macedonia was breached in the articles 7,13 and 16.

Explanation of the adjudication

At the session held on May 20, 2016, the Press Complaints Commission considered the allegations by the complainant Dusica Mrgja and inspected the specified content. The Commission concluded that the text “They raise ‘revolution’ and on Sunday they have a rest in Austria, Istanbul and in restaurants and seaside” has a printscreen provided (electronic copy) by Dusica Mrgja. The text explains that Dusica was seen in a fish restaurant, but two men and a child with a blurred face can be seen on the photograph. The Commission concluded that the persons at the photo are unknown to the general public and are not public officials, while Dusica Mrgja is known as a reporter/editor in the television 24 Vesti.

In its decision the Commission took into account the fact that the website of TV Sitel, at its bottom, states that the copyright of the site belongs to TV Sitel and the logo is included for copyright protection. The Commission also concluded that there is no editorial board with the names of the editors and the journalists at the website of TV Sitel. The Commission inspected the registry of Internet domains in Macedonia MARNet and stated that the internet domain Sitel, with registration code NEXT-R36628 is owned by Sitel TV LTD, address str. 1732 No.2, Skopje, 1000, Macedonia.

In addition, the Commission inspected the registry of broadcasters published on the website of the Agency for Audio and Audiovisual Media Services, where the names of the editors of all commercial broadcasting companies in the country are published. The registry clearly states that the Editor in Chief of TV Sitel is Dragan Pavlovic-Latas. In accordance with the foregoing, the Commission concluded that the website sitel.mk is owned by the commercial broadcasting company Sitel, where the Editor in Chief Dragan Pavlovic- Latas is responsible for the copyright of the journalistic content and for the content published.

The Commission found that the faces at the photograph published on the website sitel.mk should also enjoy the protection of private life, which in this case has not been done by the media, because their private life in no way represent the public interest. Therefore, the Commission found that the published content breached article 7 of the Code of Journalists of Macedonia, according to which information about the private life of a person can be released only if the behavior of that person's private life has an impact on the public interest.

The Press Complaints Commission found a violation of article 1 of the Code of Journalists of Macedonia, under which verification of data accuracy is a moral imperative in journalism and therefore the journalist is obliged to check information from as many sources as possible. In this case, Dusica Mrgja has not been contacted, and a Facebook post of someone's profile is used as a source.

Furthermore, the Commission concluded that article 13 was breached, under which journalists have a right to their opinion, attitude and judgment, but their opinion must not be camouflaged as a fact. The information claimsthat "the participants in the violent protests in Skopje, who are driven and supported by SDSM raise a 'revolution' in weekdays and go for a weekend at luxury travels." It also said that "those who are most vocal during protests that destroy symbols of Macedonian history and beat policemen,travel abroad on expensive destinations where they spend a lot of money. Ironically, they speak of poverty among citizens duringthe protests." Thus Mrdja is a target of comments, without any fact in the

information. Neither she was abroad, nor has she has been on the photograph published.

Furthermore, the Press Complaints Commission found a violation of article 16, under which neither journalists nor editors are not allowed to have arguments with individuals and with their colleagues through their media. Such behavior does not only reduce their integrity and dignity, but also ruins the reputation of the journalistic profession in general and reduces public trust in the media. Besides the battle with Mrgja, this is also an attack on other persons and a child who are unknown to the public and a printscreen is published of their status.

THE JOURNALIST SHALL NOT SPEAK WITH THE LANGUAGE OF HATRED (ARTICLE 10)

Coalition „Sexual and health rights of marginalized communities“ against *Sitel 3*

Context

In the contact show “Jadi Burek (Eat pastry)” on *TV Sitel 3* of 25 February 2015, the host and editor of the show Janko Ilkovski used a vocabulary that does not cultivate the culture of speech and ethics and it was discriminatory against the LGBT community.

Press complaint

The coalition „Sexual and Health Rights of Marginalized Communities“ filed a press complaint on March 11, 2015 for the TV show „Jadi burek (Eat pastry)“. The complainant states that hate speech is used in the TV show against the members of the LGBTI community.

Response by the media

The CMEM contacted *Sitel 3* asking for the TV station to respond to the allegations in the press complaint. Neither the media outlet, nor the host of the TV show responded back to the press complaint from the non-government organization.

Adjudication of the Commission

The Press Complaints Commission at the Council of Media Ethics concluded that the press complaint is founded and the Code of Journalists of Macedonia was breached in the articles 10, 11 and 15.

Explanation of the adjudication

At the session held on June 10, 2015 the Press Complaints Commission considered the allegations by the Coalition “Sexual and health rights of marginalized communities” and inspected the TV show. In the videos of the show the part that is indicated in the press complaint could be clearly heard. More specifically, a spectator who called says “..the fagots that call should be [.....]” to which the host replied: “No, children also listen to the show, let’s not give them bad associations. Tell me something more polite. It does not have to be necessarily so vulgar, although I agree; I would let you tell everything you want.”

The Press Complaints Commission found that in the show “Jadi Burek” the journalist and the media have breached article 10 of the Code of journalists, according to which the journalist shall not speak with the language of hatred and encourage

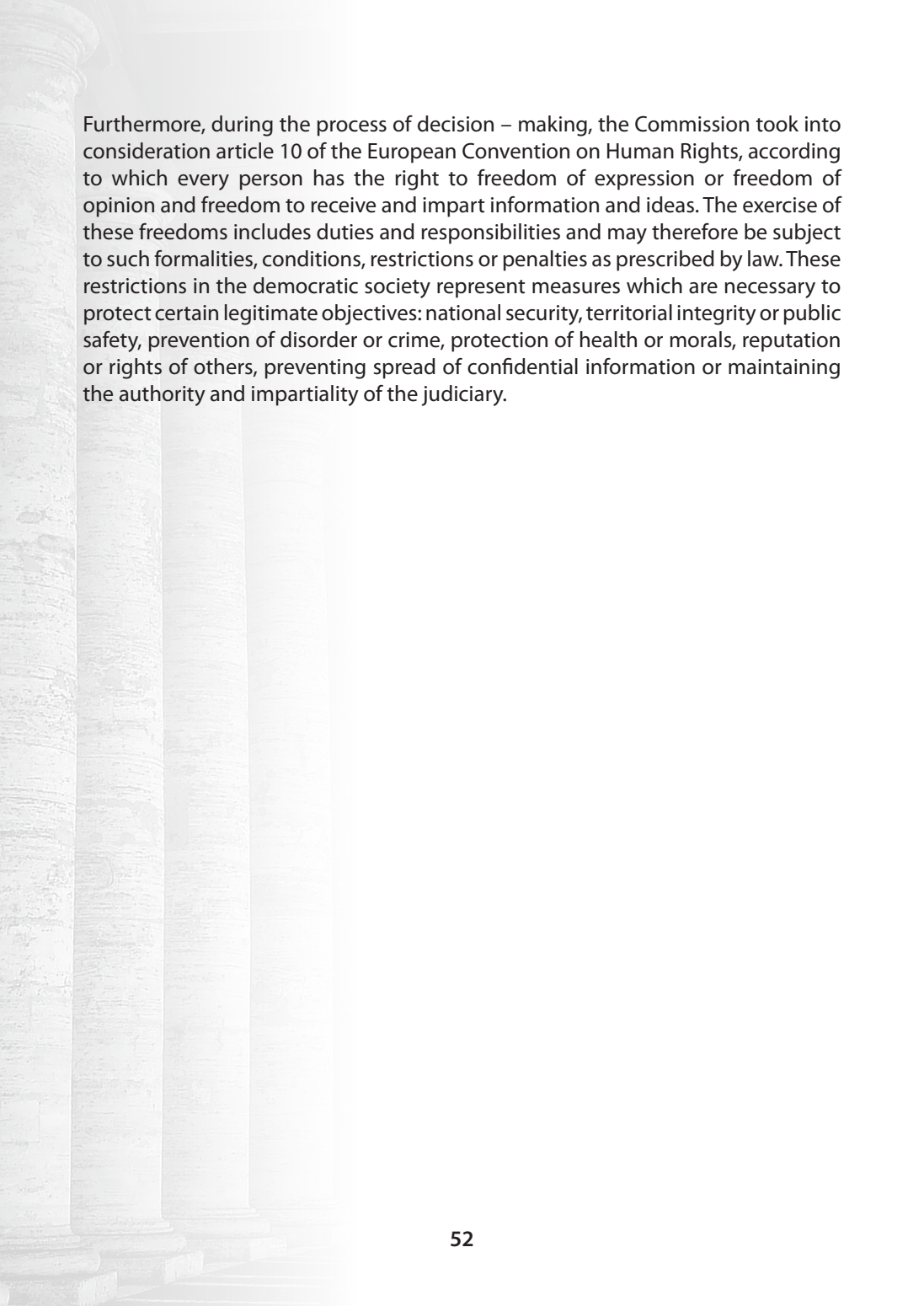
violence and discrimination on any grounds (national, religious, racial, gender, social class, language, *sexual orientation*, political). In this case, the media and journalists published a material that aims to spread enmity or hatred against members of this community. Journalists and the media have the duty to protect individuals and groups against injustice and discrimination committed by public authorities and institutions, private companies or anyone else. Ethical and professional codes of journalists require a special responsibility in the public expression. The views of journalists are important factors in shaping public opinion, because hate speech is incompatible with the journalistic ethics. The media and journalists should not publish content (information, picture, opinion, commentary) that aim to spread enmity or hatred or any other content that is likely to cause hostility or hatred against members of a community.

The Commission also concluded that in the show, contrary to article 11, the journalist did not respect the generally accepted standards of decency and respect for diversity in Macedonia and violated all provisions in this article. Namely, insults based on ethnic, national, political, gender or sexual affiliation is permitted only if it is important to fully understand the story.

The journalist must be aware of ethnic, cultural, religious, sexual and other sensitive topics and treat them accordingly. Journalists must be aware of the consequences and effects of their words and be careful of their choice and must not offend or ridicule. Professional journalist shall never talk about individuals based on stereotypes about race, gender, age, religion, ethnicity, sexual orientation, physical deficiency, physical appearance or social status.

The language of journalists should always be balanced and neutral, as opposed to the one that offers ready-made conclusions and judgments and is considered to be or is close to hate speech. Journalists should always avoid phrases which carry chauvinist, sexist or any other discriminatory connotations. Journalists are responsible for the thoughts expressed by the interlocutors, because those thoughts receive publicity, therefore he is obliged to paraphrase or refrain from abusive language and promotion of stereotypes or discrimination.

The Press Complaints Commission found that in the present case, contrary to article 15 of the Code, the journalist did not nurture the culture of speech and ethics. Indecent communication is incompatible with the journalistic profession. The journalist must bear in mind the moral standards of the audience that the media addresses. The journalist should not use inappropriate and disturbing content in his work.



Furthermore, during the process of decision – making, the Commission took into consideration article 10 of the European Convention on Human Rights, according to which every person has the right to freedom of expression or freedom of opinion and freedom to receive and impart information and ideas. The exercise of these freedoms includes duties and responsibilities and may therefore be subject to such formalities, conditions, restrictions or penalties as prescribed by law. These restrictions in the democratic society represent measures which are necessary to protect certain legitimate objectives: national security, territorial integrity or public safety, prevention of disorder or crime, protection of health or morals, reputation or rights of others, preventing spread of confidential information or maintaining the authority and impartiality of the judiciary.

The OSCE against Sitel TV

Context

On February 26, 2015 in the central news of TV Sitel in 6:00 p.m. the TV presenter Milenko Nedelkovski was directly broadcasted from Kavadarci as a member of the Civic Movement for Defense of Macedonia (GDOM) and he expressed opinions and attitudes that contain hate speech.

Press complaint

The Executive Office of the CEMM on March 4, 2015, received a press complaint by the OSCE Mission regarding a statement by Milenko Nedelkovski given from Kavadarci for the central news of TV Sitel. The OSCE letter stated the statement of Nedelkovski according to which large number of persons, majority of them journalists should be “buried deep and they should be covered by a thick and strong slab of reinforced concrete, so that they could no longer have any influence on what is happening”. With this, including other remarks which were made by him, as the OSCE stated, he crossed beyond the red line of hate speech, an act that must not be tolerated. Furthermore, the OSCE’s correspondence says “Nedelkovski’s remarks are only a continuation of the negative practice of hate speech, which is part of his regular expressions. The OSCE Mission to Skopje is actively involved in projects against hate speech. In case the media allow spreading of such speech it could compromise and undermine our commitments”; the reaction by the OSCE Mission to Skopje says. Accordingly, the OSCE Mission to Skopje “refuses any contact with Nedelkovski and any media outlets that allow him to have a forum to express his appalling messages”.

Response by the media outlet

The Executive Office of the CEMM upon receiving the press complaint on March 5, 2015, contacted the editor of central news on Sitel TV Valentin Nikolovski, followed with a meeting with the Editor in Chief of the television Dragan P. Latas. After the meeting, the Editor in Chief Latas submitted an official response. The reply states that Sitel has no responsibility for the statement of the person, which was given in the live broadcast and for which the editor of the central news, Valentin Nikolovski, immediately after the statement by Milenkovski made a disclaimer. The response also notes that the underlying case is not part of the Sitel’s program, but a personal statement of a known source given in live and Sitel has no effect on it. Latas emphasized that Sitel TV believes that the OSCE has no mandate, nor the right to occupy a selective attitude that the Mission will communicate with some media, and not with others, so they consider the position of the OSCE as a pressure on the media outlet and a personal caprice of the Head of the OSCE Mission.

Adjudication of the Commission

The Press Complaints Commission of the Council of Media Ethics decided that the press complaint of the OSCE Mission was founded. The Code of Journalists of Macedonia was breached in articles 10 and 11.

Explanation of the adjudication

At its session on March 20, 2015, the Press Complaints Commission considered the statements of the complainant, i.e. the OSCE Mission and the ones of the Editor in Chief of Sitel TV, Dragan P. Latas and inspected the news.

Based on the video footages of TV "Sitel" news, dated 26.02.2015, it is clear that as a guest to a program, Milenko Nedelkovski when asked by a journalist what will his message to the citizens of Kavadarci be Milenko responded by saying, "Here is my message regarding this final battle of the Macedonian people against the traitors infiltrated in its own ranks, they should be dealt with in a manner in which all of these traitors, the Macedonian nits, should be buried deep down and should be covered by a thick and strong slab of reinforced concrete. So that they could no longer have any influence on the event that is happening. In addition, I will say the following that I fully agree with the statement Saso Ordanovski made yesterday that there are bastards in Macedonia. Bastards like Saso Ordanovski, a person who spent most of the past 20 years as a lobbyist for Kosovo and who was financed by Kosovo's Albanian underground mafia. Also another bastard is the man himself, Zoran Zaev, a close collaborator of foreign based intelligence services who is using the materials for a political blackmailing, in other words for a political blackmail purposes. A person like Branko Gerovski is also a bastard who has admitted in his texts that when Ms. Dosta Dimovska was Minister of Internal Affairs, he used to call her by using the nickname "Dostich." He used to call her up and managed to secure the release of people involved in trade, i.e. withpeddling of drugs. We have to deal with such kind of bastards, these are type of bastards for whom we need to make the slab of reinforced concrete, a slab which they will find impossible to lift...".

After the finishing of the link connection the news editor-host of the program extends an apology on behalf of TV "Sitel" and he distances of the vocabulary used by Nedelkovski.

The CMEM acknowledges and shows its appreciation concerning the extended apology by the news editor, but this does not diminish the seriousness of a hate speech that was used by the interlocutor. While considering the press complaint, the the Press Complaints Commission took into a consideration article 10 of the European Convention on Human Rights and the Recommendation R(97)20 of the Ministers of the Council of Europe regarding "hate speech" of 1997, where it is emphasized that the terminology "hate speech" is understood as a terminology

which incorporates all forms of expressions outspreading, inciting or justifying a racial hatred, xenophobia, anti-Semitism or other forms of hatred inspired by intolerance....

In addition, the Press Complaints Commission, when assessing the evidence and the factual situation, took into a consideration the intention, content, i.e. the context of expression and the banned consequence. In this particular case, the Press Complaints Commission concluded that the interlocutor had an intention to incite, promote or justify hatred against persons that belong to a particular group with different attitudes than the one he has. Besides the content of the hate speech, additional factor taken in consideration was the fact that the said speech came from a public figure - journalist in the midst of tensed political state of affairs and was broadcasted on national television. In reference to the forbidden consequence, the Press Complaints Commission found that hate speech, despite the fact that causes an injury to person/s dignity could also lead up toward disruption of the peace and public order or could lead up to violence like instantaneous incidents or even inciting of violence against previously targeted persons with the hate speech.

Based on this, the Press Complaints Committee concluded that the media outlet and the journalist breached article 10 of the Code of Journalists, based on which hate speech is incompatible with the journalistic ethics. Ethical and professional rules for journalists require special responsibility for the public communication, because their attitudes have a major impact on shaping public opinion. Furthermore, the Commission came to the conclusion that in this particular case the journalist did not adhere to generally accepted standards of decency and respect for diversity, and that the journalist is responsible for the expressions by interlocutors as they receive publicity, therefore he has the duty to paraphrase or clearly distance himself from the hate speech pronounced.

JOURNALISTS SHALL MAKE A DIFFERENCE BETWEEN FACTS AND OPINIONS (ARTICLE 13)

Mitko Andreevski against Vecer

Context

The daily newspaper *Vecer*, in its editions from 16, 17 and 18 of November and in the electronic edition from 15, 16 and 17 of November, 2016, published a series of articles on the front page and then in the internal pages of the daily, under the section “News”. They were entitled “Why Strumica’s gas is more expensive than electricity?!” and “Zaev’s party pal takes millions from the people in Strumica through the pipeline”, then “Zaev’s party pal encashed 2,5 million of Euro for 3 years!” and “The tender scandal of Zaev and his party pal Andreevski will be examined by the Anticorruption Commission”.

It is about an investigation in which media refers to the supply of gas in Strumica. The media outlet seeks to prove that the supply of city gas is on the back of citizens, who pay it too expensive, and the profits from the high prices goes to the company “CNG System”, whose owner and director is a member of the bodies of the political party SDSM and a close friend to the leader.

Press complaint

Mr. Mitko Andreevski, owner and director of “CNG System”, through the Lawyer’s Office of Filip Medarski, filed a press complaint for the three articles. The press complaint claims that the reporting is inaccurate and unfair, there is no second side and defamation was made. The complainant also submitted an evidence – request for a denial, apologize or public withdrawal of the articles, which he claims has been submitted to the Editor in Chief of the daily and submitted a receipt for the post delivery.

Response by the media outlet

The Executive Office of the CMEM, in accordance with article 12 of the Operational Procedures of the Press Complaints Commission, got in touch with the *Vecer* daily and asked the editorial board to reply on the allegations in the press complaint. No response arrived from the newsroom.

Adjudication of the Press Complaints Commission

The Commission has accepted the press complaint and concluded that the Code of Journalists of Macedonia was breached in articles 1, 3 and 13. The Commission concluded that the texts refer to topics of public interest, but the media did not provide the “second side”, did not publish the denial i.e. did not give an

opportunity to all concerned parties to voice their opinion. Moreover, the texts contain comments without taking into account the absence of facts.

Explanation of the adjudication

At the session held on December 26, 2016, the Press Complaints Commission considered the claims of the complainant and inspected the articles. The members of the Commission, first of all, concluded that these are three analytical articles and refer to the same circumstances, thus deciding to analyze them as one case. The Commission concluded that all three articles refer to topics of public interest, because they critically analyze the work of politicians and holders of public functions, in this specific case the Mayor of the Municipality of Strumica and leader of the SDSM – Zoran Zaev, Mitko Andreevski, President of the Energy Committee of the SDSM and Manager of the company CNG Systems and the Director of the public enterprise for energetic activities “Strumica gas”, Zoran Kitanov.

As public officials, and according to the Declaration on freedom of political debate of the Council of Europe, they are subject to public scrutiny and criticism in terms of the way they performed and perform their function (to the extent necessary to ensure transparency and responsible performance of their functions), hence they should not enjoy greater protection of reputation and other rights than the ordinary individuals (articles III, IV and VI of the Declaration).

The Commission concluded that in the articles “Zaev’s party pal takes millions from the people in Strumica through the pipeline” published on November 16, 2016, “Zaev’s party pal encashed 2,5 million of Euro for 3 years!” published on November 17, 2017, the author uses the term “paytas (pal)” which refers to Andreevski. In the dictionary of the Macedonian language the term “paytas” is an archaic word, pejorative, remnant from the Turkish word “pâydaş”, denoting comrade, friend, accomplice. Although this word has no offensive content as such, the journalist however, is entitled to use sharper words, to exaggerate and provoke, in order to draw public attention to the protection of the public interest.³⁶

In the process of decision – making, the Press Complaints Commission concluded that its members cannot and do not have the right to confirm the facts in the article, i.e. they are competent to analyze the use of ethical and professional standards in the creation of the journalistic product. Therefore, the Commission concluded that the author of the texts mentioned above acted without paying sufficient attention to the professional standards of the journalistic profession even though he/she asked for an opinion by the Municipality of Strumica. Still not all affected parties

³⁶ This is emphasized in several decisions of the European Court of Human Rights, such as in *Dichand and others v. Austria*.

were given the right to express their own view, i.e. the complainant Andreevski was not contacted at all. It is a duty of the journalistic profession that when there is an amount of doubts and where more persons are involved as subject to criticism, he/she is obliged to ask for the attitudes of all listed entities. If it is not possible to provide attitude of all involved, it must strictly mentioned.

As can be seen from the evidence, and the sentence "Andreevski in his denial yesterday says information that he had received two tenders in Strumica are not accurate, but the data from the Bureau of Public Procurement confirmed what was reported in Vecer", the Commission concluded that Andreevski sent a denial to the newspaper "Vecer", which was accepted, but the author only announced that he/she received a denial which refutes the published information.

By withholding the correction the author and the newspaper again failed to act in accordance with the professional standards of the journalistic profession. This is also contrary to articles 17 and 18 of the Media Act.

The correction is a constitutionally guaranteed right, so that the media had denied Andreevski this right and only announced that a denial arrived which rejects the information.

Furthermore, the Commission concluded that in two of the three texts there is no distinction between facts and information, and assumptions or attitudes of the author. In the article "Zaev's party pal encashed 2,5 million of Euro for 3 years!" the author states: "the tender combinations by Zaev, his relatives and party members are nothing new for Strumica. The media reported the whole tender network of Strumica's mayor through which millions of euro of the people in Strumica ended in his firms, the ones of his father, uncle, aunts and close friends of the Zaev's clan." In this way, and based on the previously stated claims in the text, the author conceals his position in the form of facts and information which misinform and manipulate the audience. To this claim, the author does not state already known, specific, fact.

In the article "The tender scandal of Zaev and his party pal Andreevski will be examined by the Anticorruption Commission", the author states "The tender's scandal of Zaev and his party Chairman of the Committee on Energy is just one in a series of tenders Zaev shared with his relatives, friends and party colleagues. The media have already announced a network of tenders which Zaev gave to his brother, father, uncle, cousins and party servants, and millions of euros were drawn from the pockets of the citizens of Strumica." In this way, and based on the previously stated claims in the text, the author also hides his attitude in the form of facts and information which misinform and manipulate the audience. To this claim the author does not offer any already known, concrete fact.

Due to the foregoing, the Press Complaints Commission concluded that the disputed articles published in the print edition and the online portal of the newspaper, the daily newspaper "Vecer" violated article 1 of the Code of Journalists of Macedonia, according to which journalists shall publish correct, verified information and will not conceal essential information or falsify documents. If the information cannot be confirmed or if it is an assumption or a speculation, this should be said and revealed. The accuracy of the information should be checked as much as possible. The selection of facts must provide objective information and consideration of all relevant aspects of the subject discussed. Journalists must provide a "second party" i.e. give opportunity to all affected by the journalistic product to express their attitude. This is especially in cases when the journalist brings suspicions or allegations or when someone is a subject of attack and criticism.

The Commission also concluded that article 3 was breached, according to which the media outlet or the journalist should provide publishing of a correction, denial or response when incorrect information is found. The moral responsibility for the inaccuracy of information falls on the journalist and that is why it is important that he influences on this and provide publishing of a denial, correction or response in the media outlet in which the information is published, or whose author is him. Thus, the journalist protects his own integrity and the integrity of the media in which he works. All errors must be verified and corrected. The acknowledgment of a mistake is a virtue, and its concealment is incompatible with the professional dignity and integrity.

The Commission concluded that article 13 was breached, under which the journalist should distinguish between facts and opinions, news and comments. Journalists have a right to their opinion, attitude and judgment, but must not camouflage their own opinion as facts. It must be clearly distinguished what the facts and what the information are, same as comments, assumptions or attitude of the author in order to avoid misinforming and manipulating the audience.

Jane Dimeski against *Kurir*

Context

The Internet portal *Kurir* on June 15, 2016 in the section Macedonia published an article entitled “Intellectual racketeering wing of the SDSM with a series of affairs.” It is a journalistic text that should be a review and it was not signed by the author. It criticizes individuals, according to the author, “racketeering intellectual wing of the party”, journalists and professors, who are called criminals, thieves, police reporters.

Press complaint

Jane Dimeski filed a press complaint to the Executive Office of the Council of Media Ethics of Macedonia on June 17, 2015, in which he states that the reporting in the article is unfair and inaccurate.

Response by the media

The Executive Office of the CMEM, in accordance with article 12 from the Operational procedures of the Press Complaints Commission, upon receiving and processing the press complaint contacted the Internet portal *Kurir*, with a requirement from the editorial board to explain their positions regarding the allegations in the press complaint. Until the session of the Press Complaints Commission, *Kurir* did not submit a response to the allegations of the complainant.

Adjudication of the Commission

The Press Complaints Commission found that the press complaint regarding the text was founded and that the Code of Journalists of Macedonia was breached in articles 1, 10, 13 and 15.

Explanation of the adjudication

At the session of 6 July 2015, the Press Complaints Commission considered the complainant’s allegations Jane Dimeski and inspected the specified text. The text “Intellectual racketeering wing of the SDSM with a series of affairs” among other things stated: “With the latest moves taken by the SDSM leader Zoran Zaev, in the eyes of the public, it became clear that Macedonia’s main opposition party and also the entire opposition is not managed and headed by Zaev, but he blindly obeys and only repeats the views expressed by the racketeering intellectual wing of the SDSM which actually runs the party. Zaev unflinchingly followed orders of a group of people who are known for anti-state acting based on destruction and personal frustrations, but also people who have had a bunch of scandals and affairs series in recent years. Namely, the views of Zaev were built on previously expressed

opinions by Ljubomir Frčkoski, Branko Geroski, Saso Ordanoski and the Head of the Soros Foundation in the country Vladimir Milčin. What this quartet would have imposed to Zaev immediately became a stance of the opposition leader. But what is so-called intellectual wing that currently dictates the views of Zaev and SDSM. Frčkoski, Geroski, Ordanoski and Milčin have a series of scandals behind, who now work in extremely irresponsible and harmful manner, thereby holding the whole country and all its citizens as a hostage.”

Furthermore, the author carries statements by persons about the work of Frčkoski as minister and then about the work of Vladimir Milčin (in his capacity as president of an NGO) and Geroski and Ordanoski as journalists. As it can be seen from the text, the author claims that the Head of the opposition Zoran Zaev was advised by Frčkoski (former minister), Branko Geroski (journalist) and the Head of the Soros Foundation in the country Vladimir Milčin (former president of an NGO) and the expressed views of Ordanoski (journalist) became views of Zaev and SDSM. To this claim, the author did not offer any evidence or statement, did not announce whether it is a speculation or an assumption, nor has provided the second side for this statement second and did not give an opportunity to the aforementioned persons to express their view on this claim.

Furthermore, the author does not make a status difference between the mentioned persons, does not distinguish between public interest and interest of the public. In the present text, a legitimate aim of the criticism is the former minister Frčkoski, who as a former public official is subject to supervision and public criticism, according to the Declaration on freedom of political debate in the media of the Committee of Ministers of the Council of Europe.

Furthermore, the author does not distinguish between facts and opinions, news and comments, and says that some of his claims for Ordanoski were previously confirmed in a recent column by the journalist Dragan Pavlovic-Latas and re-published his quotes where he uses vulgar language. Therefore, the Commission concluded that the author has not nurtured the culture of speech and ethics, delivering content that constitutes inappropriate communication with the public.

Based on the above findings, the Complaints Commission concluded that there was a violation of four articles of the Code of Journalists of Macedonia: 1, 10, 13 and 15.

In the text “The intellectual racketing wing of SDSM with a series of affairs”, published on June 15, 2015, the Internet portal Kurir violated Article 1 of the Code, i.e. the duty to publish accurate and verified information. The text does not have

a “second side”, i.e. none of the persons mentioned in it is given the opportunity to express their opinion. This is especially important in cases when the journalist brings suspicions or allegations or when someone is a subject of attack and criticism, as is the case with the mentioned article.

The Press Complaints Commission concluded that the disputed text violated article 10 of the Code, which states that journalists shall not consciously create or process information that jeopardize the human rights and freedoms, not they will speak with the language of hatred and encourage violence and discrimination on political grounds. In this case, since the beginning of the text, it is clear that political discrimination is made against several individuals. It is announced in the headline: “With the recent moves taken by SDSM leader Zoran Zaev, in the eyes of the public, it became clear that Macedonia’s main opposition party and the entire opposition is not managed by Zaev, but he blindly obeys and only repeats the views voiced by the racketeering intellectual wing of the SDSM which actually runs the party.” Also the following sentence, like many others, that “Zaev in the recent years unflinchingly followed orders of a group of people who are known for anti-state acting based on destruction and personal frustrations, but also people who have had a bunch of scandals and series affairs.”

The Commission also concluded that the text has violated article 13 of the Code, which states that the journalist should distinguish between facts and opinions, news and comments. In order to manipulate the audience, there are different comments, so, among other things, the text can be read that “... the so-called intellectual wing that currently dictates the views of Zaev, SDSM ... Frčkoski, Geroski, Ordanoski and Milčin have a series of scandals behind themselves, who are now extremely irresponsible and do harmful acts while holding the whole country and all its citizens as hostages.”

The Press Complaints Commission found that the text violated article 15, which refers to fostering of a culture of speech and ethics. The text has statements that are inconsistent with this article. For example, Get lost, you brainless head, work more for the bloody Kosovo’s money of Veton Suroi. Ordanoski lives for decades from that bloody Kosovo money, he sucks it to Kosovo oligarchs and their criminals.”

PROFESSIONAL DISTANCE FROM THE POLITICAL SUBJECTS (ARTICLE 14)

Press complaint: Lidija Dimova against *Republika*

Context

The online edition of the magazine “Republika” on November 11, 2014 published an article entitled “Agents who take more than they deserve,” whose genre is a mixture of report and a comment. This text accuses certain people of working for foreign interests, although the text does not confirm the conclusion in the title, and it is about an open defamation.

Press complaint

Mrs. Lidija Dimova, Member of Parliament, filed a press complaint alleging that the article in *Republika* is incorrect and has tendentious lies, and as a consequence her reputation as a woman and an MP from the opposition is damaged. In the press complaint she states that she fears for her safety due to the fact that the article clearly calls for hatred and violence.

Response by the media

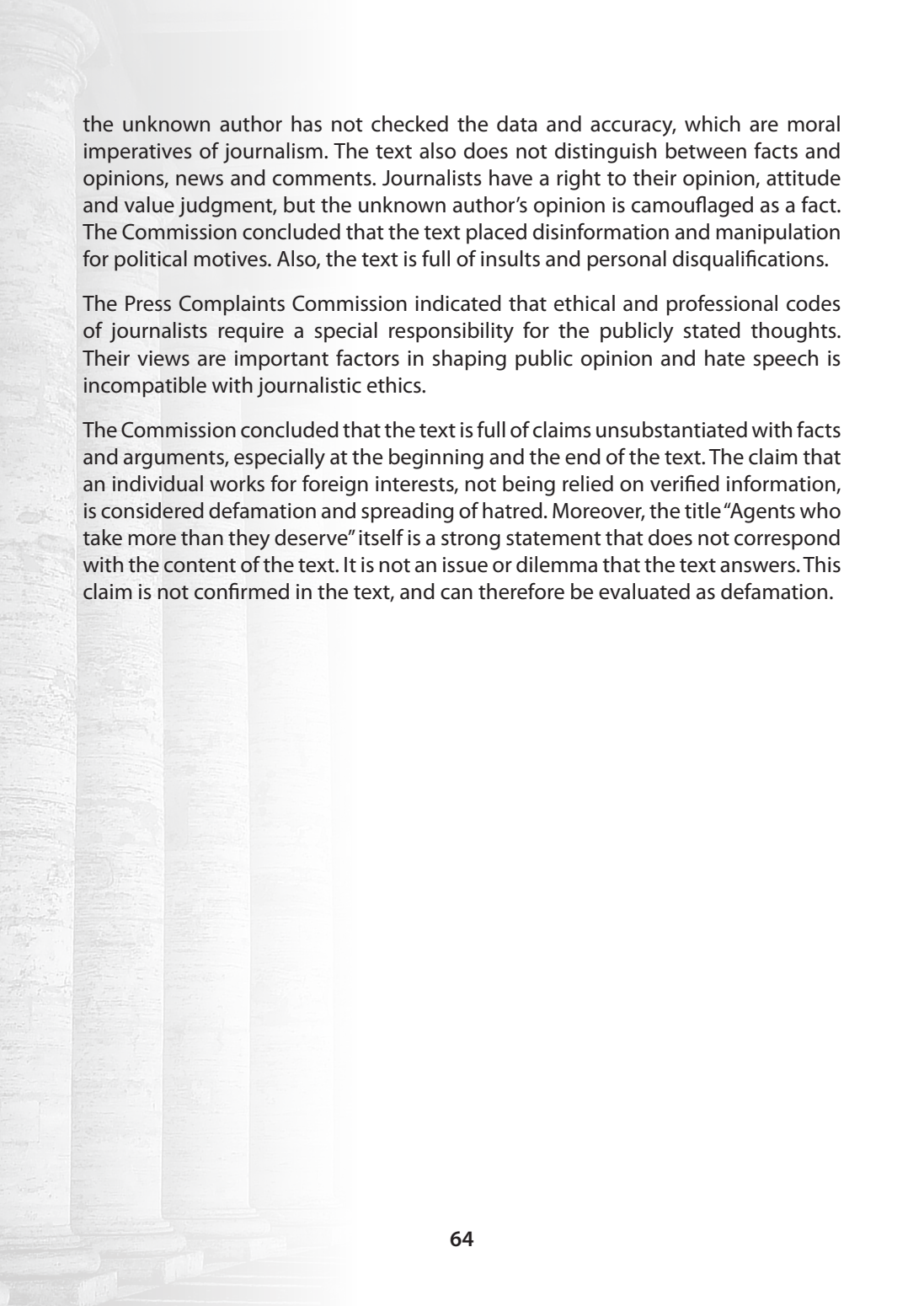
The Press Complaints Commission contacted the Editor in Chief of the online edition of “Republika”, Biljana Zafirova, and asked for her position on the complaint. In her response from November 28, she says that journalists have the duty to ask questions and dilemmas about things that are important to the society. “That’s exactly what we did - we set dilemma and then asked the question: Who would agree with the placement of information that is not in the interest of Macedonia and that harms the Macedonian position on the name? This was supported by excerpts from statements and published texts about the persons mentioned in relation to the subject we talk about. Mainly, the whole article is supported with printscreens and links of statements and the published materials. No statements have been invented, nor printscreen and photos forged and assembled.” The reply further states that the published text does not at all call for a public lynching and violence and does not endanger anyone’s life.

Adjudication of the Commission

The Commission decided that the complaint was founded, and that the Code of Journalists of Macedonia has violated articles 1, 10 and 13.

Explanation of the adjudication

The Press Complaints Commission concluded that in the text mentioned, which has no author, there is a gross violation of three articles of the Code of Journalists of Macedonia. Specifically, the text does not have a “second side” and



the unknown author has not checked the data and accuracy, which are moral imperatives of journalism. The text also does not distinguish between facts and opinions, news and comments. Journalists have a right to their opinion, attitude and value judgment, but the unknown author's opinion is camouflaged as a fact. The Commission concluded that the text placed disinformation and manipulation for political motives. Also, the text is full of insults and personal disqualifications.

The Press Complaints Commission indicated that ethical and professional codes of journalists require a special responsibility for the publicly stated thoughts. Their views are important factors in shaping public opinion and hate speech is incompatible with journalistic ethics.

The Commission concluded that the text is full of claims unsubstantiated with facts and arguments, especially at the beginning and the end of the text. The claim that an individual works for foreign interests, not being relied on verified information, is considered defamation and spreading of hatred. Moreover, the title "Agents who take more than they deserve" itself is a strong statement that does not correspond with the content of the text. It is not an issue or dilemma that the text answers. This claim is not confirmed in the text, and can therefore be evaluated as defamation.

Press complaint: Artan Grubi against *Tetova sot*

Context

The portal *Tetova sot* published an article on February 28, 2015, entitled “The drummer is afraid that the drum might be ruptured, he requires an expert from Brussels” („Lodraxhiu“ ka frikë mos i plase lodra, kërkon ekspert nga Brukseli”). This text brings constructions against Artan Grubi, Chief of Cabinet to the President of DUI.

Press complaint

Artan Grubi filed a press complaint to the Executive Office of the Council of Media Ethics on March 6, 2015, where he claims that the article contains lies, insults, defamation, hatred and unethical reporting due to political motives.

Response by the media

The Executive Office of the Council, immediately after receiving the complaint, forwarded it to the Internet portal *Tetova sot* requesting the editorial board to bring its position regarding the allegations of the complaint. The response by the editorial board of *Tetova sot* claims that they partially agree with the submitted arguments for unethical reporting, starting from the idea of establishing ethical standards in the media. They point out that the present text is created in the form of a satirical comment that as a journalistic genre allows a wider freedom of expression, which is not as strict as the report as a genre and is not intended to discredit, insult and breach the ethical standards. The reply states that the newsroom is open to cooperation and clarification of the situation, that they are available for further dialogue and mediation and thereby accept the proposals from the CMEM.

Adjudication of the Commission and an explanation

Artan Grubi, after the response by the newsroom of *Tetova sot* pointed out that he expects withdrawal of the text to which he reacted and publishing of an apology to him at the same place where the text was published.

Following the request by Grubi, the newsroom of *Tetova sot* responded that the text has already been removed, but they see no need to apologize because the article was a satirical text. Following this, the Commission again addressed Artan Grubi, requesting his answer if he is satisfied with the removal of the text, while emphasizing that if he does not reply in the period of procedural deadlines, the procedure will be stopped. Artan Grubi did not reply.

Given that the procedural deadlines had passed, at the meeting held on July 6, 2015, the Press Complaints Commission has decided to close the case.

THE JOURNALIST SHALL DEFEND THE REPUTATION AND DIGNITY OF HIS PROFESSION (ARTICLE 16)

Branko Geroski against *Kanal 5*

Context

Kanal 5 Television, in its news from November 13, 2014 broadcasted an interview in the studio of the Editor Lidija Bogatinova with Ivica Bocevski. The occasion for the interview was the Greek-Macedonian relations and the name dispute. But persons from Macedonia that are “out of the current politics” and who allegedly “manipulated the interests of Macedonia” were also mentioned in the interview.

Press complaint

The journalist Branko Geroski, as one of those mentioned in the interview of Lidija Bogatinova with Ivica Bocevski, filed a complaint to the Council of Media Ethics. He stated that the opinions expressed in the interview were offensive and contained defamatory qualifications, thus inflicting damage to his reputation and honor. He referred to the statement of Bogatinova: “How far will this conscious manipulation of the interests of Macedonia go when Venizelos yesterday said there will be no developments in the negotiations up to the elections? Does it turn out that Geroski is more Greek than Venizelos himself?” At the end of the interview, Bogatinova speaks of “... those scum who try to distort the positions of Macedonia in the negotiations for the name.” Geroski added in the press complaint: “Given that during the interview two people were specifically mentioned, me and Mr. Frčkoski, it is obvious that the qualification of Mrs. Bogatinova applies to me.”

Response by the media

The Executive Office of the CMEM sent a letter requesting the Editor of Kanal 5, Lidija Bogatinova, to take a position against the allegations of the complaint. Kanal 5, i.e. Bogatinova, in her reply asked the Commission to check with Geroski what he wrote two days before the interview with Bocevski, whether he knows what Venizelos said three days before. She added, “Venizelos gave the statement on Monday, on November 10 this year, and Geroski extensively wrote at his portal the next day, on Tuesday, November 11th. The negotiations were held on November 12th, and I talked to Bocevski the day after.” She requested from the Commission to ask Geroski to submit the links mentioned in the texts.

Adjudication of the Commission

The press complaint was accepted. The Press Complaints Commission concluded that breaches were made of three articles of the Code of Journalists of Macedonia: 10, 11 and 16.

Explanation of the adjudication

Taking into consideration the complaint and the reply, the Press Complaints Commission concluded that the interview, among other things, was used for expressing intolerant attitude and offensive speech to individuals who think otherwise (article 10). The Commission has highlighted the inadequacy of the harm imposed by the other party in the interview. Journalists are responsible for the thoughts expressed by the interlocutors, because in this way they receive publicity, hence the journalist has a duty to refrain from offensive language or the promotion of hate speech (article 11).

At the same time, neither journalists nor editors are allowed to fight with their colleagues through their own media (article 16). Such behavior not only reduces their integrity and dignity, but also ruins the reputation of the journalistic profession in general and reduces public trust in the media.

Zoran Fidanoski against *Netpress*

Context

The Internet portal *Netpress* of March 16, 2016 published an article entitled "Photo: SDSM wants a law on censorship of the media." The text is taken from another site, which talks about the activities of Zoran Fidanoski, journalist and member of the Council of the Agency for Audio and Audiovisual Media Services for which the writer considers to be incompatible with his position in the Agency. The illustration used photos from the personal Facebook profile of Fidanoski.

Press complaint

The journalist and member of the Agency, Zoran Fidanoski filed a press complaint to the Executive Office of the Council of Media Ethics of Macedonia on March 21, 2016, about the article entitled "Photo: SDSM wants a law for partisan censorship of the media," published by the portal *Netpress*. In his complaint he claims that the text contains insinuations that directly attack his personality and make damage to his reputation, honor and professional integrity, and as an illustration images from the personal Facebook profile were taken, which included members of his family, thus exposed them to an attack of their integrity.

Fidanoski directs his press complaint to part of the text that says "So, the journalist Zoran Fidanoski, who is close to the SDSM, provides maximum support of the opposition on the ground. He took part in the protests directly supported by Zoran Zaev." "Fidanoski was elected to the Council of the Agency in July 2014. He has a mandate of 7 years. However, it is obvious that either he has not read the Code of ethics or consciously decided to violate it. This journalist publicly offers support to SDSM, though it is prohibited in the description of his job –Kurir wrote". Fidanoski claims that the text contains insinuations that directly attack his personality and violate his reputation, honor and professional integrity, and photos were used from his personal Facebook account as an illustration, which included members of his family, who are thus exposed to an attack of their integrity. He stated the following allegations as incorrect information presented in the text "although this is prohibited in the description of his job" and "or he has not read the Code of ethics or consciously decided to violate it." Fidanoski said that he was present at the protest as a citizen, using his constitutional right to publicly protest against something he does not agree with, and in this particular case, with the already made decision of the majority in the Constitutional Court that the President can abolish election criminals, pedophiles and drug dealers.

Response by the media

The Executive Office of the CMEM, in accordance with article 12 of the Rules of Operations of the Press Complaints Commission, contacted the portal *Netpress* requesting the editorial board to take a position regarding the allegations of the complaint. In the response from the Editor in Chief Dejan Nikolovski the text is not a copyright of *Netpress*, but taken from the portal *Kurir*, which is indicated in the text. Nikolovski said that Fidanoski, as a member of the Council of the Agency, had to bear in mind that in no way he could have afforded participation at a party rally and a protest, because, as he said, "this step directly discredits him as a person, discredits his work and the institution in which he works, actually he makes it partisan." In the reply, the editor also said that the participation of Fidanoski at a protest of the opposition his professionalism in carrying out his work as a member of the Council of the Agency is directly questioned, therefore *Netpress* decided to take and publish the said text.

Adjudication of the Commission

The press complaint is accepted. The Press Complaints Commission identified that the Code of Journalists of Macedonia was breached in articles 1, 13 and 16.

Explanation of the adjudication

The Press Complaints Commission found that the violation of article 1 of the Code of journalists is more pronounced in the present case because the editor of *Netpress* made an editorial assessment to publish the text. Given that this text is taken from another media outlet, the Commission considers that the portal *Netpress*, before announcing the disputed text, should verify the facts and consult the second side.

The Commission also concluded that article 13 was breached, under which journalists have a right to an opinion, attitude and value judgment, however they must not camouflage their opinion as a fact. For example by saying "Fidanoski was elected to the Council of the Agency in July 2014. He has a mandate of 7 years. However, it is obvious that either he has not read the Code of ethics or consciously decided to violate it. This reporter publicly supports the SDSM, although it is prohibited in the description of his job..."

Furthermore, the Press Complaints Commission found a violation of article 16, under which the journalist shall defend the reputation and dignity of their profession, will urge mutual solidarity and diversity of opinions and will not misuse the media for arguments with persons, including his colleagues.

Overview of the complaints filed to the Press Complaints Commission

Complainant and name of the media outlet against which the complaint is filed	Basis of the complaint	Adjudication of the Press Complaints Commission	Date of the adjudication
Coalition "Sexual and health rights of marginalized communities" and the Alliance of Women vs. Vecer, Puls24, Kurir and Infomax	Hate speech, incorrect and unfair reporting	Rejected, filed after the deadline	20.3.2017
Yahya Kemal vs. aa.com.tr	Defamation	Rejected, not in the jurisdiction of the CMEM	14.3.2017
Yahya Kemal vs. aa.com.tr	Defamation	Rejected, not in the jurisdiction of the CMEM	14.3.2017
Enver Gashi vs. telegraf.com	There is no source of information, infringed copyright	Rejected, not in the jurisdiction of the CMEM	14.3.2017
Slagjana Taseva Petrovska vs. Vecer	Defamation	The press complaint is upheld, articles 1 and 13.	10.3.2017
Slagjana Taseva Petrovska vs. Kurir.mk	Defamation	The press complaint is upheld, articles 1 and 13.	10.3.2017
Slagjana Taseva Petrovska vs. Sitel TV	Defamation	The press complaint is upheld, articles 1 and 13.	10.3.2017
Transparency International Macedonia vs. Sitel TV	Inaccurate and unfair-reporting, absence of second side of the story	The press complaint is upheld, articles 1 and 13.	10.3.2017
Transparency International Macedonia vs. Kanal 5 TV	Inaccurate and unfair-reporting, absence of second side of the story	The press complaint is upheld, article 1.	9.3.2017
Transparency International Macedonia vs. Alfa TV	Inaccurate and unfair-reporting, absence of second side of the story	The press complaint is upheld, articles 1 and 13.	9.3.2017
Transparency International Macedonia vs. TV Nova (Television)	Inaccurate and unfair-reporting, absence of second side of the story	The press complaint is upheld, articles 1 and 13.	10.3.2017
Transparency International Macedonia vs. Vecer.mk	Inaccurate and unfair-reporting, absence of second side of the story	The press complaint is upheld, articles 1 and 13.	9.3.2017
Transparency International Macedonia vs. Start.mk	Inaccurate and unfair-reporting, absence of second side of the story	The press complaint is upheld, articles 1 and 13.	9.3.2017
Transparency International Macedonia vs. Kurir.mk	Inaccurate and unfair-reporting, absence of second side of the story	The press complaint is upheld, articles 1 and 13.	9.3.2017
Transparency International Macedonia vs. Republika.mk	Inaccurate and unfair-reporting, absence of second side of the story	The press complaint is upheld, articles 1 and 13.	9.3.2017

Saska Cvetkovska vs. Vest	Discrimination, gender inequality and violation of personal privacy	The press complaint is upheld articles 7,8 and 11.	9.3.2017
Ilina Arsova vs. Ohrid1.com	Insult, hate speech, absence of second side	The press complaint is not upheld	9.3.2017
Maksim Dimitrievski vs. Zurnal.net	Incorrect and unfair reporting,defamation	The press complaint is upheld , articles 1, 4, 13 and 14.	9.2.2017
Angela Ilievska vs. Puls24.mk	Incorrect and unfair reporting, hate speech, discrimination,copyright, violation of privacy, bias, absence of second side, defamation and insult	The press complaint is upheld , articles 1, 7, 10, 13 and 15.	9.2.2017
The Ombudsman vs. Telma	Discrimination and insult	The press complaint is withdrawn because the media apologized	
Yahya Kemal vs. aa.com.tr	Hate speech, defamation	The press complaint is not upheld	24.1.2017
Mark Branov vs. Nova Makedonija	Incorrect reporting	The press complaint is upheld , article 1	24.1.2017
Jane Dimeski vs. TV Nova (television)	Incorrect and unfair reporting, bias, absence of second side	The press complaint is upheld , articles 1 and 13.	24.1.2017
Jane Dimeski vs. Republika.mk	Incorrect and unfair reporting, bias, absence of second side	The press complaint is upheld , articles 1 and 13.	24.1.2017
National Bank of the Republic of Macedonia vs. Maktel.mk	Incorrect headline	The press complaint is upheld , articles 1, 13 and 14.	16.1.2017
Marjan Cabukovski vs. infomax.mk	Incorrect and unfair reporting	The press complaint is upheld , article 1	16.1.2017
Jane Dimeski vs vs. TV Nova (Television)	Incorrect and unfair reporting, bias, absence of second side	The press complaint is upheld , articles 1, 13 and 16.	16.1.2017
Jane Dimeski vs. TV Nova (Television)	Incorrect and unfair reporting, bias, absence of second side	The press complaint is upheld , articles 1 and 16.	16.1.2017
Mitko Andreevski vs. Vecer	Incorrect and unfair reporting, bias, absence of second side	The press complaint is upheld , articles 1, 3 and 13	9.1.2017
Jane Dimeski vs. Centarnews.net	Incorrect and unfair reporting, bias, absence of second side	The press complaint is upheld , articles 1, 4, 13 and 14.	23.12.2016
Jane Dimeski vs. Netpress.com.mk	Incorrect and unfair reporting, bias, absence of second side	The press complaint is upheld , articles 1, 4, 13 and 14.	23.12.2016

Vanja Micevska vs. TV Nova (Television)	Privacy violation, insult	The press complaint is not upheld	20.12.2016
Mila Carovska vs. Sitel TV	Incorrect and unfair reporting, bias, absence of second side, defamation and insult	The press complaint is upheld, articles 1, 8 and 13.	20.12.2016
Police officers in the Mol vs. Press24.mk and infomax.mk	Incorrect and unfair reporting, violation of privacy, reputation and dignity	The press complaint is upheld, articles 1, 4, 7, 13 and 14.	20.12.2016
Yahya Kemal vs. fryma.org	Hate speech, discrimination	Rejected, not in the jurisdiction of the CEMEM	12.12.2016
Arijanit Xhaferi vs. Zhurnal.mk	Incorrect and unfair reporting	The press complaint is upheld, articles 1, 10 and 13.	21.11.2016
Xhelal Neziri vs. Gostivari24.com	Defamation	The press complaint is upheld, articles 1 and 4.	21.11.2016
Vanja Micevska vs. Reporter.mk	Violation of privacy	The press complaint is upheld, articles 1, 4, 7, 8 and 12.	21.11.2016
Marina Janevska vs. Dokaz.mk	Impolite speech	The press complaint is upheld, article 15.	26.10.2016
German Filkov and Sabina Fakic vs. Alfa TV	Incorrect and unfair reporting, hate speech, violation of privacy, bias, absence of second side, defamation and insult	The procedure is stopped due to non-observance of procedural deadlines	26.10.2016
Dimitar Bogov vs. 24 Vesti TV	Incorrect and unfair reporting	The press complaint is upheld, article 1	13.9.2016
Ivana Dimitrovska vs. Utrinski vesnik	Unprotected minors, violation of privacy, failing to protect children and minors	The press complaint is upheld, articles 7,8 and 9.	1.9.2016
Xhevdet Pozhari vs. zhurnal.mk	Defamation, violation of privacy, damaged honor and reputation	The press complaint is upheld, articles 1, 3 and 7.	1.9.2016
Kim Mehmeti vs. Zhurnal.mk	Defamation, violation of privacy, damaged honor and reputation	The press complaint is upheld, articles 1,3 and 7.	1.9.2016
Jugoinfo.mk vs. Strumicadenes.mk	Incorrect and unfair reporting, violated copyright	Reconciliation of the parties with mediation	13.9.2016
The State Commission for Prevention of Corruption vs. Zhurnal.mk	Incorrect information, interethnic hatred and discrediting	The press complaint is upheld, articles 1, 10, 11 and 13.	1.9.2016

Gjorgi Ugrinovski vs. Fokus	Incorrect and unfair reporting, violation of privacy, absence of second side	The press complaint is upheld , article 1.	1.9.2016
Todor Trpcevski vs.Motika.com.mk	Hate speech, discrimination, incorrect and unfair reporting, bias, gender inequality, insult	The press complaint is not upheld	1.9.2016
Arif Ademi vs.Vicoteka.mk	Hate speech, discrimination	Not upheld, not in the jurisdiction of the CMEM	4.8.2016
Vaso Magleshov vs. Telegraf.mk	Incorrect and unfair reporting	The press complaint is upheld , article 16.	18.7.2016
Coalition "Sexual and health rights of marginalized communities" vs. puls24.mk	Hate speech on the basis of sexual orientation and gender identity, insult, incorrect and unfair reporting and discrimination	The press complaint is upheld , articles 10, 11, 13 and 14.	18.7.2016
TB 21 vs. Telegraf.mk	Discrimination	The press complaint is upheld , article 16	18.7.2016
Coalition "Sexual and health rights of marginalized communities" vs. Infomax.mk	Hate speech on the basis of sexual orientation and gender identity, insult, incorrect and unfair reporting and discrimination	The press complaint is upheld , articles 10, 11, 13 and 14.	8.7.2016
Coalition "Sexual and health rights of marginalized communities vs. Zurnal.net	Hate speech on the basis of sexual orientation and gender identity, insult, incorrect and unfair reporting and discrimination	The press complaint is upheld , articles 10, 11, 13 and 14.	8.7.2016
Sasa Bogdanovic vs. Infomax.mk	Defamation, insult, incorrect and unprofessional reporting	The press complaint is upheld , articles 1 and 13.	8.7.2016
Sasa Bogdanovic vs. Zurnal.net	Defamation, insult, incorrect and unprofessional reporting	The press complaint is upheld , articles 1 and 13.	8.7.2016
Sasa Bogdanovic vs. Puls24.mk	Defamation, insult, incorrect and unprofessional reporting	The press complaint is upheld , articles 1 and 13.	8.7.2016
Elida Zylbeari vs. Zhurnal.mk	Hate speech, violation of privacy, absence of second side	The press complaint is upheld , articles 13, 15 and 16.	8.7.2016

National Bank of the Republic of Macedonia vs. Plusinfo.mk	Unprofessional and unethical reporting	The press complaint is not upheld due to non-observance of deadlines	6.6.2016
National Bank of the Republic of Macedonia vs. Alsat - M	Unprofessional and unethical reporting	The press complaint is not upheld due to non-observance of deadlines	6.6.2016
Leftist Movement Solidarity vs. Dnevnik	Incorrect and unfair reporting, hate speech, discrimination, violation of privacy	The press complaint is upheld , articles 1, 7, 10, 11, 13 and 16.	6.6.2016
Ognen Uzunovski vs. Infomax.mk	Incorrect and unprofessional reporting	The press complaint is upheld , articles 1, 7, 10 and 13.	6.6.2016
Dusica Mrgja vs. Zhurnal.net	Violation of privacy	The press complaint is upheld , articles 7, 1, 13 and 16.	6.6.2016
Dusica Mrgja vs. Puls24.mk	Violation of privacy	The press complaint is upheld , articles 7, 1, 13 and 16.	6.6.2016
Dusica Mrgja vs. Netpress.com.mk	Violation of privacy	The press complaint is upheld , articles 7, 1, 13 and 16.	6.6.2016
Dusica Mrgja vs. Sitel TV	Violation of privacy	The press complaint is upheld , articles 7,1, 13 and 16.	6.6.2016
Dusica Mrgja vs. Kurir.mk	Violation of privacy	The press complaint is upheld , articles 7,1, 13 and 16.	6.6.2016
Center for Economic Analyses vs. Fokus	Copyright	The press complaint is not upheld	6.6.2016
Transparency International vs. Zhurnal.mk	Incorrect and unfair reporting	The press complaint is upheld , articles 1 and 13	6.6.2016
Ana Simova vs.Babinlek.com	Incorrect and unfair reporting	Not upheld, not in the jurisdiction of the CMEM	10.5.2016
LGBTI Center for support, Helsinki Committee for Human Rights and Coalition "Sexual and Health Rights of Marginalized Communities" vs. Puls24.mk	Discrimination and hate speech	The press complaint is upheld , articles 1, 10, 13 and 14	11.5.2016
Nikola Jovanovski vs. Sitel TV	Violation of the Code	Rejected, there was no full information	24.4.2016
Bratoljub Surlanovic vs. Sitel TV 2	Incorrect and unfair reporting	Rejected, there was no full information	24.4.2016
Elena Arseva vs. Sitel TV	Violation of the Law on Audiovisual Services	Rejected	4.4.2016
Bratoljub Surlanovic vs. Sitel TV	Violation of the Code	Rejected, there was no full information	24.4.2016

Solidarity for Mobility vs. Sitel TV	Incorrect and unfair reporting	The press complaint is upheld , articles 1 and 13	11.4.2016
Solidarity for Mobility vs. kurir.mk	Hate speech	The press complaint is upheld , articles 1 and 13	11.4.2016
Solidarity for Mobility vs. Press24.mk	Incorrect and unfair reporting	The press complaint is upheld , articles 1 and 13	11.4.2016
Solidarity for Mobility vs. Netpress.com.mk	Incorrect and unfair reporting	The press complaint is upheld , articles 1 and 13	11.4.2016
Zoran Fidanoski vs. Kurir.mk, Denesen.mk, Netpress.com.mk and Sitel TV	Incorrect and unfair reporting , damage of reputation and honour	The press complaint is upheld , articles 1, 13 and 16	11.4.2016
Coalition "Sexual and Health Rights of Marginalized Communities vs. Kanal 5 TV	Hate speech, discrimination	The press complaint is not upheld due to non-observance of deadlines	21.3.2016
Frosina Pandurska Dramakanin vs. Think.mk	Incorrect and unfair reporting, absence of second side	Rejected, not in the jurisdiction of the CMEM	23.2.2016
MOST and Darko Aleksov vs. Kurir.mk 4	Incorrect and unfair reporting, defamation	The press complaint is upheld , articles 1,13 and 14	8.3.2016
MOST and Darko Aleksov Vs. Zhurnal.net	Incorrect and unfair reporting , defamation, violation of privacy	The press complaint is upheld , articles 1, 4, 13 and 14	8.3.2016
MOST and Darko Aleksov vs. Kurir.mk 3	Incorrect and unfair reporting , defamation, violation of privacy	The press complaint is upheld , articles 1, 4, 13 and 14	8.3.2016
MOST and Darko Aleksov vs. Puls24.mk 3	Incorrect and unfair reporting , defamation, violation of privacy	The press complaint is upheld , articles 1,13 and 14	8.3.2016
MOST and Darko Aleksov vs. Republika.mk 2	Incorrect and unfair reporting , defamation, violation of privacy	The press complaint is upheld , articles 1, 13 and 14	8.3.2016
MOST and Darko Aleksov vs. Netpress.com.mk 2	Incorrect and unfair reporting , defamation, violation of privacy	The press complaint is upheld , articles 1, 13 and 14	8.3.2016
MOST and Darko Aleksov vs. Denesen.mk	Incorrect and unfair reporting , defamation, violation of privacy	The press complaint is upheld , articles 1 and 14	8.3.2016
MOST and Darko Aleksov vs. Sitel 3	Incorrect and unfair reporting , defamation, violation of privacy	The press complaint is upheld , articles 1, 4, 13 and 14	8.3.2016
MOST and Darko Aleksov vs. Vecer 3	Incorrect and unfair reporting , defamation	The press complaint is upheld , articles 1, 13 and 14	8.3.2016
MOST and Darko Aleksov vs. Netpress.com.mk	Incorrect and unfair reporting , defamation, violation of privacy	The press complaint is upheld , articles 1 and 14	8.3.2016

MOST and Darko Aleksov vs. Puls24.mk 2	Incorrect and unfair reporting , defamation, violation of privacy	The press complaint is upheld , articles 1, 4, 13 and 14	8.3.2016
MOST and Darko Aleksov vs. Vecer 2	Incorrect and unfair reporting , defamation, violation of privacy	The press complaint is upheld articles 1, 4, 13 and 14	8.3.2016
MOST and Darko Aleksov vs. Kurir.mk 2	Incorrect and unfair reporting , defamation, violation of privacy	The press complaint is upheld , articles 1 and 14	8.3.2016
MOST and Darko Aleksov vs. Puls24.mk	Incorrect and unfair reporting , defamation	The press complaint is upheld , articles 1 and 14	8.3.2016
MOST and Darko Aleksov vs. Republika.mk	Incorrect and unfair reporting , defamation	The press complaint is upheld , articles 1 and 14	8.3.2016
MOST and Darko Aleksov vs. Sitel 2	Incorrect and unfair reporting , defamation	The press complaint is upheld , articles 1 and 14	8.3.2016
MOST and Darko Aleksov vs. Kurir.mk	Incorrect and unfair reporting	The press complaint is upheld , articles 1, 13 and 14	8.3.2016
MOST and Darko Aleksov vs. Vecer	Incorrect and unfair reporting	The press complaint is upheld , articles 1, 13 and 14	8.3.2016
MOST and Darko Aleksov vs. Alfa TV	Incorrect and unfair reporting	The press complaint is upheld , articles 1, 13 and 14	8.3.2016
MOST and Darko Aleksov vs. Sitel TV	Incorrect and unfair reporting , defamation	The press complaint is upheld , articles 1 and 14	8.3.2016
Archbishop Stefan vs. Libertas.mk	Incorrect and unfair reporting, absence of second side, mixing of facts and opinions	The press complaint is upheld , articles 1, 4 and 11	8.3.2016
Archbishop Stefan vs. Plusinfo.mk	Incorrect and unfair reporting, absence of second side, mixing of facts and opinions	The parties reconciled through mediation	8.3.2016
Artan Grubi vs. Lajmpress.com	Defamation, insult, lies, hatred, unethical reporting	The press complaint is not upheld due to non-observance of deadlines	10.2.2016
Coalition "Sexual and Health Rights of Marginalized Communities , HOPS and STAR STAR vs. Kanal 5 TV	Absence of second side, violation of personal data	The press complaint is upheld , articles 7, 10, 11 and 13	11.3.2016
Marjan Nikolovski vs. Maktel.mk	Hate speech	The press complaint is upheld , 7, 10, 11, 15 and 16	17.2.2016
LGBTI Center for support, Helsinki Committee for Human Rights and Coalition "Sexual and Health Rights of Marginalized Communities" vs. Puls24mk	Discrimination, hatred, incorrect reporting, defamation	The press complaint is upheld , articles 1, 10, 11 and 13	17.2.2016
Jane Dimeski vs. Dnevnik	Incorrect and unfair reporting, absence of second side	The press complaint is upheld , articles 1	17.2.2016

Vangel Andreski vs. Kurir.mk 2	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is not upheld	25.1.2016
Vangel Andreski vs. Kurir.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is upheld, articles 1, 4, 10 and 13	21.1.2016
Vangel Andreski vs. Vistina.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is not upheld	21.1.2016
Vangel Andreski vs. Rsm.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is not upheld	21.1.2016
Vangel Andreski vs. Netpress.com.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is not upheld	21.1.2016
Vangel Andreski vs. Denesen.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is upheld , articles 1, 4, 10 and 13	21.1.2016
Vangel Andreski vs. Infomax.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is upheld , articles 1, 4, 10 and 13	21.1.2016
Sasa Bogdanovic vs. Ifomax.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is upheld , articles 1, 4, 10 and 13	21.1.2016
Sasa Bogdanovic vs. Kurir.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is not upheld	21.1.2016

Sasa Bogdanovic vs. Kurir.mk 2	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is upheld, articles 1, 4, 10 and 13	21.1.2016
Sasa Bogdanovic vs. Press24.mk 2	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is upheld, articles 1, 4 and 13	21.1.2016
Sasa Bogdanovic vs.Press24.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is not upheld	21.1.2016
Sasa Bogdanovic vs. Republika.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is upheld, articles 1, 4 and 13	21.1.2016
Sasa Bogdanovic vs. Evesti.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is upheld, articles 1, 4 and 13	21.1.2016
Sasa Bogdanovic vs. Fox.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is upheld, articles 1, 4 and 13	21.1.2016
Sasa Bogdanovic vs. Denesen.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is upheld, articles 1, 4, 10 and 13	21.1.2016
Sasa Bogdanovic vs. Vistina.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is not upheld	21.1.2016
Public Health Center Veles vs. Plusinfo.mk	Incorrect reporting, defamation, violation of private data, absence of second side, discrimination	The press complaint is upheld, articles 1, 3 and 4	21.1.2016
Angela Ilievska vs. Netpress.com.mk, Press24.mk, Kurir.mk and Vistina.mk	Discrimination	The press complaint is upheld, articles 1, 7, 10 and 13	30.12.2015

Dragan Cvetkovski vs. Vecer	Incorrect reporting	The press complaint is not upheld	14.12.2015
Helsinki Committee for Human Rights vs. Puls24.mk	Discrimination	The press complaint is upheld, articles 9, 10, 11, 13 and 15	3.9.2015
Filip Stojanovski vs. Almakos.mk	Incorrect and unfair reporting, damage of reputation	The press complaint is upheld, articles 1	3.9.2015
Elida Zylbeari vs. Zhurnal.mk	Incorrect and unfair reporting	The press complaint is upheld, articles 1, 10, 11, 13 and 16	3.9.2015
Saska Cvetkovska vs. Republika.mk	Violation of privacy	The press complaint is upheld, articles 7 and 8	21.7.2015
Daniel Kalajdzievski vs. Plusinfo.mk	Violation of privacy	The press complaint is upheld articles 7 and 8	21.7.2015
Jane Dimeski vs. Puls24.mk	Incorrect and unfair reporting	The press complaint is upheld, articles 1, 13 and 15	21.7.2015
Jane Dimeski vs. Kurir.mk	Incorrect and unfair reporting	The press complaint is upheld, articles 1, 10, 13 and 15	21.7.2015
Vladimir Sarafov vs. Ohridsky.com	Incorrect reporting, damage of reputation, honor and dignity, endangering of safety	The press complaint is upheld, articles 1 and 13	21.7.2015
Vladimir Sarafov vs. Dokaz.mk	Incorrect reporting, damage of reputation, honor and dignity, endangering of safety	The press complaint is upheld, article 1	21.7.2015
Transparency International Macedonia vs. Dnevnik	Incorrect and unfair reporting	The press complaint is upheld, articles 1, 3 and 13	8.7.2015
Davkova and Vankovska vs. Alsat M	Incorrect and unfair reporting	The parties reconciled with a mediation	29.4.2015
Meri Jordanovska vs. Netpress.com.mk	Incorrect and unfair reporting	The press complaint is upheld, articles 1, 13 and 16	22.4.2015
Meri Jordanovska vs. Alfa TV	Incorrect and unfair reporting, absence of second side	The press complaint is upheld, articles 1, 15 and 16	22.4.2015
Meri Jordanovska vs. Sitel TV	Incorrect and unfair reporting	The press complaint is upheld, articles 1 and 16	22.4.2015
Cabinet of the President of the Republic of Macedonia vs. Vest	Incorrect and unfair reporting	The press complaint is not upheld	21.4.2015
Jane Dimeski vs. Dokaz.mk	Hate speech	The parties reconciled with a mediation	29.4.2015
Jane Dimeski vs. Press24.mk	Hate speech	The press complaint is upheld articles 10, 11 and 15	22.4.2015

Jane Dimeski vs. Centarnews.net	Hate speech	The press complaint is upheld, articles 10 and 4	22.4.2015
Lidija Bogatova vs. Maktel.mk and Narodenglas.com	Insult	The press complaint is upheld, articles 10, 15 and 16	8.4.2015
Bojan Stanisic vs. Vecer	Hate speech	The press complaint is upheld, articles 1, 10 and 13	8.4.2015
Coalition "Sexual and Health Rights of Marginalized Communities vs. Sitel 3	Hate speech	The press complaint is upheld, articles 10, 11 and 15	11.6.2015
Artan Grubi vs. Almakos.com and Lajmpress.com	Defamation,insult,lies, hatred,unethical reporting	The parties reconciled with a mediation	23.3.2015
Artan Grubi vs. Tetovasot.com	Defamation,insult,lies, hatred,unethical reporting	The procedure is stopped due to non-observance of procedural deadlines	8.7.2015
Artan Grubi vs. the TV show „Milenko Nedelkovski Show“	Defamation,insult,lies, hatred,unethical reporting	The procedure is stopped due to non-observance of procedural deadlines	8.7.2015
OSCE vs. Sitel TV	Hate speech	The press complaint is upheld, articles 10 and 11	23.3.2015
Keti Geteva vs. Maktel.mk	Hate speech	The complainant withdrew the complaint	23.3.2015
Vasko Maglesov vs. Centarnews.net	Violation of privacy	Надвор од надлежност - се однесува на ФБ	2.4.2015
Jane Dimeski vs. Kurir.mk	Hate speech	The press complaint is upheld, articles 10, 13 and 15	10.3.2015
Vladimir Vangelov vs. Kurir.mk and Puls24.mk	Discrimination	Upheld, articles 1, 10 and 13	23.2.2015
Vladimir Vangelov vs.Republika.mk, Kurir.mk and Netpress.com.mk	Incorrect and unfair reporting	Not upheld, deadlines not observed	30.1.2015
Marjan Nikolovski vs. Lokalno.mk	Hate speech, discrimination	The press complaint is not upheld	30.1.2015
Marjan Nikolovski vs. Okno.mk	Hate speech, discrimination	The press complaint is not upheld	30.1.2015
Marjan Nikolovski vs. Libertas.mk	Hate speech, discrimination	The press complaint is not upheld	30.1.2015
Marjan Nikolovski vs. Brif.mk	Hate speech, discrimination	The press complaint is not upheld	30.1.2015
Marjan Nikolovski vs. Plusinfo.mk	Hate speech, discrimination	The press complaint is not upheld	30.1.2015
Marjan Nikolovski vs. a1on.mk	Hate speech, discrimination	The press complaint is not upheld	30.1.2015
Marjan Nikolovski vs. Novatv.mk	Hate speech, discrimination	The press complaint is not upheld	30.1.2015

Association of Albanian Intellectuals vs. Kumanovskimuabeti.mk	Discrimination	The procedure is stopped due to non-observance of procedural deadlines	30.3.2015
The Ombudsman vs. Republika.mk, Press24.mk, Kurir.mk, Puls24.mk	Discrimination	The press complaint is upheld , articles 7, 9 and 10	30.1.2015
Radmila Sekerinska vs. Kurir.mk and other media	Incorrect and unfair reporting	The press complaint is upheld , articles 1, 4, 10, 13 and 15	18.12.2014
Borjan Jovanovski vs. Kanal 5 TV	Incorrect reporting, damage to professional integrity	The press complaint is upheld , articles 10, 13 and 16	18.12.2014
Branko Geroski vs. Kanal 5 TV	Defamation, insult, damage of reputation	The press complaint is upheld , articles 10, 11 and 16	18.12.2014
Borjan Jovanovski vs. Republika.mk		The adjudication is the same as in the case of Lidija Dimova vs. Republika.mk	
Lidija Dimova vs. Republika.mk	Incorrect reporting, damage of reputation, endangering of safety	The press complaint is upheld , articles 1, 10 and 13	1.12.2014
Ksenofon Ugrinovski vs. Sloboden pecat	Incorrect reporting, absence of second side	The press complaint is upheld , articles 1	1.12.2014
Ivan Mircevski vs. Proverkanafakti.mk	Defamation	Opinion – not in the jurisdiction of the CMEM, refers to a blog	29.10.2014

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