

European Forum / Forum Européen

Brussels, International Press Center - 21 & 22 January 2020

Press Councils in the Digital Age

Les Conseils de presse à l'ère numérique

** Co-funded by the European Union*

CDJ's Code of Journalistic Ethics

Adopted by the Council of Journalistic Ethics (CDJ) on 16th October 2013

Preamble

The right to information, freedom of expression and criticism are fundamental rights and essential prerequisites for a democratic society.

Journalists have the right and duty to inform the public about matters of public interest. This should not be confused with the curiosity of the public, which does not have an absolute right to know everything. Journalists do not have an absolute right to disclose everything.

The public's right to know these matters determines both journalistic freedom and responsibility. Journalists are bound by standards that derive from the obligations of:

- disseminating verified information;
- collecting and disseminating information independently;
- acting with loyalty;
- respecting the rights of persons.

Any other person who disseminates information is encouraged to adhere to these standards.

Journalists' responsibility towards the public takes precedence over their responsibilities to special interests, public authorities and their employers.

Journalists have a social responsibility inherent in press freedom.

► Disclaimer

Some of the standards contained in this Code are supplemented, clarified or developed by guidelines presented in Part III of the document and available on the CDJ website. They are indicated by an arrow (=>).

Journalists may exceptionally bypass certain rules of this Code when the information is of overriding public interest and cannot be collected or reported in any other way. The rules to which exceptions may be made subject to any additional conditions are marked with an *.

Amendments to the Code after 2013 appear in italics with the date of approval by the CDJ in square brackets.

Part I Ethical rules

I. Inform with respect for the truth

Art. 1 Journalists shall seek and respect the truth because of the public's right to know the truth. They shall only disseminate information whose origin is known to them. They shall verify the truthfulness of the information and report it honestly. As far as possible and as far as relevant, they shall make known the sources of their information unless it is justified to protect their anonymity (see also Article 21). =>

Art. 2 Journalists shall conduct research and investigations and freely report on all facts of general interest in order to enlighten public opinion. They shall only accept restrictions on the confidentiality of

public or private affairs for duly justified reasons of general interest and provided that such restrictions do not create unjustified obstacles to freedom of information.

Art. 3 Journalists shall not distort any information and shall not eliminate any essential information presented in text, image, sound or other form. When transcribing interviews, they shall respect the meaning and spirit of the statements made.

Art. 4 Urgency does not exempt journalists from quoting (see art. 1) and/or verifying their sources, nor from carrying out a serious investigation. Journalists shall observe the utmost caution in the way they disseminate information and avoid any approximation.

Art. 5 Journalists shall clearly distinguish in the eyes of the public between facts, analyses and opinions. When expressing their own opinions, they shall make this clear.

Art. 6 Editors shall explicitly and promptly rectify any erroneous facts they have disseminated.

Art. 7 Journalists shall respect their professional ethics regardless of the medium, including the professional use of social networks, personal websites and blogs as sources of information and as media for disseminating information. =>

Art. 8 All screenwritings must serve the purpose of clarifying information.

II. Inform independently

Art. 9 Journalists shall defend in their work full freedom of investigation, information, comment, opinion, criticism, humour, satire and editorial choices (in particular the choice of their interlocutors). They shall exercise this freedom responsibly.

Art. 10 The facts are binding. Commentary, opinion, criticism, humour and satire are free, whatever the form (text, drawing, image, sound).

Art. 11 Journalists preserve their independence and refuse all pressure. They shall only accept instructions from those responsible for their editorial staff. Journalists shall refuse injunctions that are contrary to journalistic ethics, wherever they come from. They are not obliged to accept any injunction that is contrary to the editorial line of the media outlet with which they work. Journalists do not seek or accept any advantage that would jeopardize their independence.

Art. 12 Journalists shall avoid any conflict of interest. They shall not engage in any activity on behalf of third parties if this activity affects their independence.

Art. 13 Journalists shall not assist in advertising non-journalistic or communication activities. The editorial offices shall ensure that advertising messages are presented in such a way as to avoid confusion with journalistic information. The quoting of brands, companies, personalities, events, institutions, etc. shall meet journalistic criteria only. Journalists report on events sponsored by their media with the same ethics as they would on any other event. =>

Art. 14 Journalists shall not act as auxiliaries to the police or other security services. They shall only be obliged to pass on to them information that has already been made public in their media. =>

Art. 15 Journalists shall not use in their own interests or in the interests of their relatives the financial information of which they are aware before it is made available to the public. They shall refrain from any form of insider trading and market manipulation. =>

Art. 16 The decision on whether or not to publish, in whole or in part, reactions from the public, as well as the management and moderation, preferably a priori, of online forums and dialogue spaces, shall be the sole independent responsibility of the editorial staff. The editorial staff shall respect the meaning and spirit of the comments reported. =>

III. Act with Loyalty

Art. 17 Journalists shall use fair methods to collect and process information, photos, images and documents. =>

In particular, the following are considered unfair methods: committing criminal offences, concealing one's status as a journalist, deceiving the purpose of one's intervention, using a false identity, clandestine registration, paying sources of information ... [16/12/2015]¹

These methods shall not be considered unfair when all the following conditions are met:

- the information sought is of general interest and importance to society;
- the information cannot be obtained by other means;
- the risks incurred by journalists and third parties remain proportionate to the result sought;
- the methods used are authorised or, where appropriate, validated by the editor-in-chief, except in the case of unforeseeable exceptions.

Art. 18 The editorial offices are free to remunerate the authors of exclusive texts, sounds and images, provided that other media are not deprived of access to the same sources of information. =>

Art. 19 Journalists shall not engage in plagiarism. When they pass on exclusive information previously published by another medium, they shall mention the source.

Art. 20 Journalists shall demonstrate mutual understanding and loyalty among themselves, without renouncing their freedom of investigation, information, comment, criticism, satire and editorial choices, as set forth in Article 9.

Art. 21 Journalists shall keep secret the identity of informers to whom they have promised confidentiality. The same shall apply when journalists may presume that the information was given to them under the condition of anonymity or when they may fear endangering such informants. In such cases, journalists do not disclose anything that would make their source identifiable. * (see also article 1) =>

Art. 22 Where journalists broadcast serious accusations that could damage a person's reputation or honour, they shall give that person an opportunity to put forward his or her point of view before the accusations are broadcast. The impossibility of obtaining an answer does not prevent the dissemination of information, but the public must be warned of this impossibility.

Art. 23 Journalists shall not make any commitment to any interlocutor which might jeopardise their independence. However, they shall respect the methods of dissemination that they have freely accepted, such as embargoes, "off", anonymity, etc. These commitments must be clear and indisputable. =>

IV. Respect the rights of persons

Art. 24 Journalists shall take into account the rights of any person mentioned explicitly or implicitly in a piece of information. They shall weigh these rights against the general interest of the information. Image rights apply to images accessible online.

Art. 25 Journalists shall respect the privacy of individuals and shall not reveal any personal data that are not relevant to the general interest. =>

Art. 26 Journalists shall avoid intrusion into the pain of persons and the dissemination of information and images offensive to human dignity except where relevant to the public interest.

Art. 27 Journalists shall pay particular attention to the rights of persons unfamiliar with the media and persons in fragile situations such as minors or victims of violence, accidents, attacks, etc., as well as their relatives.

Art. 28 Journalists shall mention personal characteristics only if they are relevant to the public interest. When reporting on these characteristics, journalists shall avoid stereotypes, generalisations, exaggerations and stigmatisation. They shall refrain from even indirect incitement to discrimination, racism and xenophobia. [25/5/2016]² =>

¹ On 16th December 2015, The Council – CDJ – decided to remove provocation, blackmail and harassment from the list in Article 17. These practices remain criminal offences considered as unfair methods, but they are difficult to objectivise, unlike the methods which remain explicitly designated as unfair above.

² On 25th May 2016, prior to the adoption of the recommendation on information relating to foreigners or persons of foreign origin and assimilated themes, the CDJ decided to add the words "... to racism and xenophobia" at the end of article 28 of the Code of Journalistic Ethics implementing it.

Part II Definitions

Image rights

Every natural person has a right to his or her image and to the use made of it, a right which no one may, in principle, enjoy without his or her prior consent. However, in the field of information, when a person is identifiable in an image, his consent may be presumed, in particular when his image has been captured in a public place or at a public event without unjustified emphasis, as well as when the person represented makes his image public himself or when he has given his tacit but certain consent to the taking of photographs.

General interest

From the point of view of journalistic ethics, information that raises one or more issues for society as a whole or for one of its components is of general interest. Some codes use the terms public interest or societal interest. These terms all mark the difference with special interest. In any case, general interest is not to be confused with mere curiosity on the part of the public.

Journalist

For the purposes of this Code, a journalist is any person who contributes directly to the collection, editorial processing, production and/or dissemination of information, through a media outlet, intended for the public and in the interest of the public.

Media

A natural or legal person whose activity is the production and/or dissemination of journalistic information, regardless of the medium used.

Plagiarism

By plagiarism, this code refers to the textual or quasi-textual reproduction of an original work without quoting the author.

Editorial

The term editorial staff refers to those responsible and all members of the group or department responsible for the collection and processing of journalistic content within a media outlet.