ASSESSMENT OF THE PRESS AND MEDIA COUNCILS IN SOUTH EAST EUROPE & TURKEY

AS PART OF THE PROJECT "BUILDING TRUST IN MEDIA IN SOUTH EAST EUROPE & TURKEY"

2018

HTTPS://EN.UNESCO.ORG/TRUST-IN-MEDIA-SEE
The Country tables were contributed by the self-regulatory bodies included in this report: Albanian Media Council, Press Council of Bosnia and Herzegovina, Press Council of Kosovo, Media Self-Regulation Council of Montenegro, Council of Media Ethics of Macedonia, Press Council of Serbia and Press Council of Turkey. They were only slightly edited and formatted to fit in the report. They are appended in the alphabetical order by the name of the country to which they refer.

<table>
<thead>
<tr>
<th>ALBANIA</th>
<th>Population: 3,057,220 (July 2018 est., according to CIA World Factbook)¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of organisation</td>
<td>AMC - Albanian Media Council (KSHM)</td>
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<tr>
<td>Type of regulation</td>
<td>Voluntary self-regulation</td>
</tr>
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**HISTORY, FUNDING AND STAFF**

<table>
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<tr>
<th>Year founded</th>
<th>2015 (active since 2017)</th>
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**Brief history and significant milestones**

AMC is the third attempt to create a self-regulatory body in Albania, the previous 2 failed.

It was created with the push of the Council of Europe, who supported the participation of 7 Albanian journalists at the conference of the Regional Regulatory Bodies of the Balkans. In 2015, these journalists came back with the idea of creating the AMC. Kloreto Cukali was elected Chairman.

In 2017, with the help of UNESCO they managed to get funding and started operations, setting up an office and a Board of Ethics.

In 2018 the website of AMC became operational, as well as a smartphone app.

In 2018 AMC in cooperation with Media Institute completed an updated version of The Code of Ethics.

By December 2018, AMC became the major actor fighting against a draft law that tends to control the online media putting them under the regulation of the Government. This fight is still ongoing.

**Budget and funding arrangements**

<table>
<thead>
<tr>
<th>Year</th>
<th>UNESCO</th>
<th>Open Society Foundation Albania</th>
<th>Civil Rights Defenders</th>
<th>Council of Europe</th>
</tr>
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<tbody>
<tr>
<td>2017-2018</td>
<td>€20,200</td>
<td>US$1500</td>
<td></td>
<td>€27,000</td>
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<tr>
<td>2018-2019</td>
<td>€22,220</td>
<td></td>
<td></td>
<td>Expected</td>
</tr>
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**Staff**

- Chairman
- Manager
- Monitoring team (2)
- Economist (outsourced)

**PURPOSE AND COMPLAINTS-HANDLING WORK**

**Legal basis**

The complaints are treated based on the Albanian Code of Ethics for Journalists.

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¹ CIA World Factbook served as a source of information on population in each of the countries covered by this report. https://www.cia.gov/library/publications/the-world-factbook/
<table>
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<tr>
<th><strong>Primary purpose/functions</strong></th>
<th>To bring forward the idea of self-regulation in Albania and raise awareness on issues related to media professional standards.</th>
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</thead>
<tbody>
<tr>
<td><strong>Summary of complaints-handling work and process</strong></td>
<td>The AMC received 5 complaints in 2018, which was the first year when the Board of Ethics became operational and the council's website was set up. The Board gathers every month and discusses the complaints received.</td>
</tr>
<tr>
<td><strong>Who can complain and how are complaints received?</strong></td>
<td>Every citizen can complain against every media in Albania. The complaints are processed by the AMC Office, which prepares them for the Board meeting.</td>
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<tr>
<td><strong>Proactive investigations?</strong></td>
<td>Not yet.</td>
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<tr>
<td><strong>Appeal mechanism for complaints?</strong></td>
<td>AMC reaches to the media involved and requests them to comply with the decision of the Board of Ethics. After that, if any of the parties is not satisfied or refuses the decision of the Board, they can appeal to the Court.</td>
</tr>
</tbody>
</table>
| **Summary of complaints statistics** | 2018:  
• 2 not eligible;  
• 1 against television channel for broadcasting content not suitable to minors;  
• 1 against online edition of print media portraying minors in an inappropriate way;  
• 3 against “fake news”. |
| **Complainants** | 1 citizen  
2 NGO professionals |
| **Active role in defending press freedom?** | AMC is involved in a campaign against the new draft-law that suggested a drastic government regulation for the online media. If adopted, this law will severely damage the media freedom, increase self-censorship and facilitate immediate censorship of the media critical to Government. |

## Membership and Scope

| **Membership: print/broadcast/online?** | AMC initially had only individuals as members. They started with 37 journalists. Now they are in the process of changing the statute so they can have media as members. The expected outcome is that print, broadcast and online media will be members of AMC. |
| **Summary of members** | So far only journalists. But there are also some media partners that are close to the values of the AMC statute. |
| **Details of new media members?** | n.a. (see above) |
| **If voluntary membership: any significant gaps in membership and/or compliance?** | n.a. (see above) |
| **Incentives to become a member of/comply with the decisions of the Council?** | So far no, but they would like to create a consortium of ethical media and be recognized as the guarantee (certificate, seal) of media quality. “The us v. them shall be replaced by ethical v. non-ethical media.” |
| **Complaints about audio-visual material published on newspaper and magazine websites?** | In 2018 there was 1 complaint about audiovisual material. |
| **Complaints about user-generated content/readers’ comments?** | Not so far. |
### Membership of complaints committee
The complaints committee is composed of 5 individuals with distinguished professional background.

### Appointment of complaints committee
Elected by the AMC Board every year.

### System for decision-makers to recuse if complaints about their titles?
None of the Board Members is an active journalist in any media.

### Membership of Board
The actual Board comprises 7 journalists elected by the Assembly.

### Appointment of Board
According to the current statute (soon to be updated) the Board is elected by the Assembly every 2 years.

### CODE OF ETHICS

<table>
<thead>
<tr>
<th>Media should not distort or misuse statements made in a specific context.</th>
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<tr>
<td>Media should publish a clear and appropriately prominent correction when it can be demonstrated that inaccurate or misleading information has been published,</td>
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<tr>
<td>Journalists should carefully observe the Albanian 5 language rules and refrain from using foreign words when possible.</td>
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<tr>
<td>A person being interviewed must have the right to know in which medium and in what connection his statements will be used.</td>
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<tr>
<td>Rumours and reports of anonymous sources should not be published as news,</td>
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<tr>
<td>The journalists will respect the honour and reputation of the individuals</td>
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<tr>
<td>The journalist will respect the right of individuals to privacy,</td>
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<tr>
<td>“Sudden” use of cameras in public or institutions should respect the desire and sensitivity of the present persons.</td>
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<tr>
<td>Any media product that propagates war, violence, outrage or injures the feelings of the whole public or parts of it is absolutely prohibited.</td>
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<tr>
<td>Violence and brutality should not be sensationalized.</td>
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<tr>
<td>Journalists will always respect presumption of innocence and will refrain from describing someone as a criminal prior to conviction.</td>
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<tr>
<td>Journalists shall treat with caution the identification of victims and witnesses of crime.</td>
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<tr>
<td>When reporting on juvenile crime and juvenile court proceedings, the press should exercise restraint.</td>
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<tr>
<td>A journalist protects rights and dignity of children and people with mental or physical handicap.</td>
</tr>
<tr>
<td>The journalist will respect, and will make others respect the copyright in any creative area.</td>
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</table>

### Who is responsible for writing the Code? Public input?
The code was updated by a team of renowned journalists in 2018.

### Overview of available powers and sanctions
There are no sanctions, only the request to publish the AMC’s decision and make amendments to the article if necessary.

### Powers
<table>
<thead>
<tr>
<th>Are member publications of the Council required to publish a) decisions upholding complaints against them? b) decisions not upholding complaints against them?</th>
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<tbody>
<tr>
<td>a) Yes</td>
</tr>
<tr>
<td>b) No</td>
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Are there any conditions applying to the publication of decisions when they are required to be published in relation to: a) promptness - b) prominence?

No

Does the Council issue adjudications against publications that are not formal members of the regulatory system?

Yes

PUBLIC AND INDUSTRY ENGAGEMENT

Summary of training offered to journalists and/or editors

AMC will start in 2019 a series of trainings for online journalists.

Summary of public engagement work

AMC will start in 2019 a series of talks in Universities about self-regulation.

Online presence

So far they have launched the website www.kshm.al. They are planning a strategy for the social media reach in March 2019.

THE FUTURE

Summary of main challenges

• Fighting to maintain self-regulation as the only way to regulate media problems in Albania;
• Increasing the visibility and the trust of public in the Board of Ethics of AMC;
• Increasing Media Literacy;
• Preparation and approval of the New Statute;
• Conditions for sustainable functioning (funding).

BOSNIA & HERZEGOVINA

Population: 3,849,891 (July 2018 est., according to CIA World Factbook)

Name of organisation

The Press Council in Bosnia-Herzegovina
Vijeće za štampu u Bosni i Hercegovini (Bosnian)
Vijeće za tisak u Bosni i Hercegovini (Croatian)
Савјет за штампуу Босни и Херцеговини (Serbian)

Type of regulation

Voluntary self-regulation

HISTORY, FUNDING AND STAFF

Year founded

2000

Brief history and significant milestones

• The Council’s origins lie in the post-war years of the late 1990s. At that time, the Office of the High Representative (then the highest civil authority in the country) together with the international community, established a new regulatory body to licence and regulate radio and TV: The Independent Media Commission (IMC). The IMC investigated how a system of press self-regulation might best work for the country. In late 1998 and early 1999 the IMC worked with the six journalists’ associations to develop a voluntary Press Code, which…
was subsequently adopted in 1999.

- The Press Council was established in 2000, one year after the Code had been agreed. It began operations with an International Chairman from the UK Press Complaints Commission, which provided expertise and support.
- Initially, the Council operated within the Federation of BiH only, though it was instituted in a way to enable it to operate throughout the entire country at a later date. Many international organizations supported the establishment of the Council, including the OSCE, the UK Press Complaints Commission, IREX, USAID and the Open Society Institute.
- In 2005, work was undertaken to develop the Council so that it could operate in Republika Srpska as well as in the Federation of Bosnia and Herzegovina, the two autonomous entities which make up Bosnia and Herzegovina. This was completed in December 2006, and the new body was registered at the Ministry of Justice in August 2007. The Council remains one of only a small number of centralized organisations operating across both entities in Bosnia and Herzegovina.
- In late 2010, the Council expanded its remit to include online-only news portals as members.

**Budget and funding arrangements**

- The annual budget is c. €160,000.
  - Approximately €60,000 is for core funding;
  - The rest (€100,000) is for projects.
  - Funding is project based and comes from international donors.
  - Until November 2014, some media members were contributing to the costs of the Council (i.e. €45 per month), but this is not the case anymore. At the Council’s Annual Assembly in November 2014, members decided to stop paying membership fees to the Council, citing a lack of available money.
  - In practice, only approximately 5% of total income had come from membership fees.
  - In May 2015, members of the Press Council agreed that in lieu of paying a membership fee to the Press Council, each would instead donate space in their print or online editions with an equivalent annual advertising value of €2600, to advertise the work of the Press Council.
  - Sponsorship is sometimes secured from local companies, to cover travel costs for some of the members who sometimes participate in international media conferences abroad; these contributions are small-scale.

**Staff**

A full-time Executive Director and two other members of staff: one complaints officer and one economic/technical secretary who is responsible for administration. Three people are also employed on a part-time basis: a project assistant; a website administrator; and an accountant. For the realisation of certain projects, such as public campaigns, the Press Council engages external associates, media experts and young journalists – former participants of the Press Council’s School for media Ethics.

**PURPOSE AND COMPLAINTS-HANDLING WORK**

- The Council operates as a not-for-profit organisation and is registered at the Ministry of Justice BiH as a civil society organisation.
- The Council is registered officially at the Ministry of Justice in BiH. Its legal status is set out in Article 1 of its statute, which notes its foundation “in accordance with the Law on Associations and Foundations of Bosnia and Herzegovina […] with the mission of improving and protecting professional standards in print and online media in Bosnia and Herzegovina”. This registration enables the Council to operate legally at the level of BiH (i.e. across both entities & Brcko Disktrikt). In return, there are obligations on the Council to pay taxes and to operate transparently, for example by publicly disclosing the
### Primary purpose/functions

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### Who can complain and how are complaints received?

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<p>| names of Board members, and by notifying the Ministry of any changes to the statute, as well as to send to the Ministry the annual financial report. However, the day-to-day operations of the Council are independent of the workings of the Ministry, and of Government generally. |</p>
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### Appeal mechanism for complaints?
Yes – a complainant may appeal to the Council's Board of Directors for a further decision. However, in practice, this mechanism is used extremely rarely (there have only been 5 such cases in the last 18 years. Only such appeal was resolved in favour of the complainant, all others were rejected and the decisions of the Complaints Commission have been confirmed).

### Summary of complaints statistics
316 complaints were received in total in 2018: 234 about editorial content; 78 on user-generated comments on online portals; and 4 on TV contents (which are not in the remit of the Press Council).

Breakdown by the topic (as defined by provisions of the Code):
- Public interest (Article 1): 1
- Editorial Responsibility (Article 2): 19
- Incitement (Article 3): 2
- Discrimination (Article 4): 2
- Gender Equality and Respect of Individuality (Article 4a): 0
- Accuracy and Fair Reporting (Article 5): 17
- Comment, Conjecture and Fact (Article 6): 8
- Opportunity to Reply (Article 7): 35
- Misrepresentation (Article 8): 0
- Privacy (Article 9): 7
- Persons Charged with Criminal Offenses (Article 10): 0
- Protection of Witnesses (Article 10a): 0
- Protection of Children and Minors (Article 11): 2
- Advertising and Sponsorship (Article 12): 0
- Confidentiality of Sources (Article 13): 5
- Copyright and Author’s Rights (Article 14): 1
- Complaints (Article 15): 8

Breakdown by decision:
- Self-regulation (i.e. resolved between the parties): 125
- Adjudicated (52 upheld; 50 not upheld): 102
- ‘Untimely’ (and so could not be considered for this reason): 5
- Out of jurisdiction: 23
- Still in process at the end of the year: 1
- Withdrawn by complainant: 36

### Complainants
The Council requests information about complainants' gender, residence, whether or not they have complained to the Press Council before and how they learned about its work. This information is presented publicly in the complaints statistics. A distinction is made between individuals and those who are representing an institution or a civil society organisation. The vast majority of complaints are made by members of the public. Most complainants live in the Federation, but complaints are also made by people living in Republika Srpska and abroad.

### Active role in defending press freedom?
Yes, under Article 12 of the Council’s statute, the Council advocates for media freedom and freedom of information. The Council has issued many public statements about intrusions into press freedom and attacks on journalists.

### MEMBERSHIP AND SCOPE

<table>
<thead>
<tr>
<th>Membership: print/broadcast/online?</th>
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<tr>
<td>In summary: the Council’s remit covers print and online media. There are currently 9 print media, 12 online-only members, 2 news agencies and 2 Associations of journalists.</td>
</tr>
</tbody>
</table>
Broadcast regulation operates separately, and is undertaken by the Communications Regulatory Agency, a state agency.

- As set out in the statute, “Membership in the Association of the Press Council may be acquired by any legal entity, registered with the relevant authorities in the territory of Bosnia and Herzegovina, which carries out activities in the field of online journalism and the printing-press industry, if it accepts this Statute and the objectives of the Association under the conditions laid down by the Law and this Statute.” Members used to be required to pay a fee and publish the logo of the Council; as previously noted, the fee system is no longer operational.

- The Council utilises a discretionary power to exclude from membership any publication that it deems does not reach an acceptable standard of reporting. In this way, so-called ‘yellow’ titles are excluded.

- However, regardless of membership status in the Council, the Complaints Commission will consider a complaint about any title. This is because it sees one of its duties as the promotion of ethical reporting throughout the country regardless of the administrative or membership status of a particular title or publisher.

### Summary of members

25 titles in total are members, including the 12 online-only portals. New members keep joining regularly. Media members are from different parts of BiH, though mostly from the Federation. Around 80% of the total number of print media houses are official members of the Press Council.

### Details of new media members?

To be accepted as a member of the Council, an online portal must fulfil certain basic requirements: it must have an editorial staff list with clearly stated contacts, a named editor-in-chief and at least two professional journalists; it must endorse the Code of Ethics; it must accept the principles of media self-regulation; it must have been operating for a minimum of six months; it must be registered as a limited company, not an NGO or advertising agency; and it must not belong to either a political party or a marketing agency.

At present, there are 12 online-only members; several new online media are about to become members. Currently, the Press Council is supporting establishment of the Association of the professional Online media.

### If voluntary membership: any significant gaps in membership and/or compliance?

Even if some media outlets are not members, the Council will still process the complaints related to them. A small number of decisions are not published by titles; it is not obligatory for them to do so, however all decisions are publicly available on the Council’s website www.vz.ba and on its Facebook and Twitter accounts.

### Incentives to become a member of/comply with the decisions of the Council?

Not formally, though some members publish the logo of the Press Council in their pages or online as a means of distinguishing them from non-members. (As discussed below, new plans are under way so that all members will contribute space in print or online to advertise the work of the Council). The Council’s Board is of the view that membership has to be earned and is a badge of honour for media titles.

### Complaints about audio-visual material published on newspaper and magazine websites?

No – at present, this is not covered.

### Complaints about user-generated content/ readers’ comments?

Yes – see above for the global complaints figure. Complaints of this nature now represent a large section of complaints received by the Council. The Council has reminded editors that they are responsible for the journalistic and editorial content of the portal, and that he or she is obliged to remove hate speech. If he or she permits such comments to remain online, he or she becomes responsible for this content.
### Membership of Board

There are two relevant bodies: the Assembly, which undertakes governance, appointments and financial responsibilities; and the Board of Directors, which is the executive organ of the Association. There are also the roles of Executive Director and the Program Director. Full information of the responsibilities of each is provided in the statute.

**The Assembly**

Total of 36 members: all members of the Press Council, including the President of the Assembly (all of whom are senior individuals from the media, plus 9+2 members of the Complaints Commission).

**The Board of Directors**

5 members including the Chairman, all senior editors or publishing directors.

### Appointment of Board

**The Board of Directors**

- Appointed by the Assembly for a period of two years, with the possibility of re-election.
- The Board elects the Chairperson and Deputy Chairperson of the Board from the ranks of the appointed members.

### Membership of complaints committee

There are 9 members in total (+ 2 as the deputies of regular members), of which:

- 5 have a journalistic background;
- 4 are not practicing journalists. Of the current members, the professional backgrounds span law and academia. Note that members cannot be politicians or otherwise active in political life.

### Appointment of complaints committee

The Board of Directors appoints and dismisses members of the Complaints Commission. The appointed Complaints Commission elects a Chairperson and a Deputy Chairperson of the Complaints Commission.

### System for decision-makers to recuse if complaints about their titles?

Members of the Complaints Commission whose titles are under complaint do not attend meetings at which they are discussed and are not sent papers for that complaint. There is no formal register of interests.

### CODE OF ETHICS

#### Summary of content of Code of Ethics

- The Code is drawn from existing European standards of journalistic practice and includes provisions related to incitement, discrimination, fair and accurate reporting, privacy and the protection of minors. The Code also allows for complaints to be taken by one journalist or title against another in allegations of copyright infringement.
- The Code has been updated to make clear that its provisions cover online media as well as print. The last update was in 2011.

#### Who is responsible for writing the Code? Public input?

- The Code was adopted in 1999 by all of the journalists' associations in BiH. Subsequently, it was amended in 2005, 2006 and 2011, following consultation with the journalist associations and media editors.
- There is an informal mechanism for Civil Society Organisations to be consulted about changes. However, the Council notes that it will always pass on recommendations for changes based on feedback it receives.
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| **Overview of available powers and sanctions** | Like in other voluntary systems of media self-regulation, the most serious sanction is the publication of a critical adjudication. There are no powers to fine offending titles. The Press Council can also negotiate the publication of right-to-reply responses by complainants, apologies, retractions etc. |
| **Are member publications of the Council required to publish**<br>a) decisions upholding complaints against them?<br>b) decisions not upholding complaints against them? | a) Yes (though this is not explicitly covered in the statute).<br>b) No, though some titles do this anyway as a matter of course. |
| **Are there any conditions applying to the publication of decisions when they are required to be published in relation to:**<br>a) promptness<br>b) prominence? | a) No<br>b) There are no special rules regarding prominence. Many titles have dedicated sections where a sanction/apology or correction would be expected to be published, but it is difficult for the Press Council to have a formal influence over this due to the voluntary nature of self-regulation. Ultimately, the decision is left to the editor’s discretion. |
| **Does the Council issue adjudications against publications that are not formal members of the regulatory system?** | Yes. The Council has made a deliberate distinction between the membership and ethics. The first applies to media outlets that became the members of the Council in the administrative sense. The second applies to everyone. |

### PUBLIC AND INDUSTRY ENGAGEMENT

| **Summary of training offered to journalists and/or editors** | Many seminars have been run for editors and journalists over the years. Additionally, for more than 10 years the Council runs an annual School of Media Ethics for students from various universities to learn about self-regulation, ethics, and other topics. The aim is to instil new entrants into the media with a detailed understanding of the importance of ethics in professional life. Additionally, the Online School for Media Ethics have been launched at the internet platform www.mediaethics.eu |

| **Summary of public engagement work** | • Awareness-raising and educational events for citizens throughout both entities in BiH;<br>• Membership of a coalition on combatting hate speech, which draws together NGOs to promote public awareness of the issue;<br>• A weekly radio programme, ‘Your voice in the Media - Zoom’, which covers topics such as: citizens’ rights regarding media, self-regulation, journalists’ condition of work, and public opinion regarding media and hate speech. Programmes are broadcast on PBS and on local radio stations in BiH, and are available to download on a dedicated educational website and a Facebook page;<br>• Targeted campaigns around hate speech;<br>• Specific public campaigns and events, for example ‘Citizens and Journalists together fighting for the truth’ to mark World Press Freedom Day in 35 cities in BiH simultaneously;<br>• (Co)-commissioning public research, for example in the area of the extent of media freedom in the country. Additionally, the Council plays a consultancy role in providing information and advice to new and proposed media councils elsewhere in the world, and has run workshops and seminars in BiH and abroad.<br>• In coalition of three other organizations, in 2018,<br>• The Press Council worked on two important drafts of media law, the draft Law on Transparency of media ownership, and draft Law on Advertising. |

| **Online presence** | A detailed website with information in four languages (Bosnian, Croatian, Serbian and English): (www.vzs.ba); a dedicated educational web site www.mediaethics.eu, a Facebook https://www.facebook.com/VijeceZaStampuBiH & a Twitter account https://twitter.com/VZSuBiH + online radio shows. |
### Summary of main challenges

- Securing core funding to cover day-to-day administration, salaries and office costs, both from member titles and external sources
- Ensuring sufficient staffing, particularly with regard to administration
- Ensuring compliance by media with decisions of the Complaints Commission
- Managing an ever-increasing number of complaints, particularly in the realm of online comments
- Managing expectations of the Council as a whole.

### Population: 1,907,592 (July 2018 estimate, according to CIA World Factbook)

#### Name of organisation

- **The Press Council of Kosovo** (PCK; English)
- **Këshilli i Mediave të Shkruara të Kosovës** (Albanian)
- **Savet Štampe Kosova** (Serbian)

#### Type of regulation

- Voluntary self-regulation

### Brief history and significant milestones

The Press Council of Kosovo was established in September 2005 with the assistance of the Organisation for Security and Cooperation in Europe (OSCE) Mission in Kosovo. Regulation of print and broadcast media had previously been in the hands of the Temporary Media Commissioner (TMC), a role established by the United Nations (UN) Mission in Kosovo in 2000. The TMC was also responsible for broadcasting regulation, and had the power to issue fines of up to €50,000 per violation.

The Secretariat of the Press Council of Kosovo (PCK) started its regular activities in December 2005. The OSCE has continued to work closely with the PCK to provide support via technical assistance, though it no longer provided direct funding.

The first Chairman of the PCK was an international expert in media regulation. He stepped down in 2010, and that role is now held by an experienced local person.

In 2009, the Board of the PCK amended its statute to extend membership to incorporate web based media (news agencies).

### Budget and funding arrangements

- The annual budget for 2018 is c. €80,000;
  - Approximately €50,000 is for core funding;
  - The rest (€30,000) is for projects.

- Most of the PCK’s budget comes from Civil Rights Defenders, which provides money for core operating costs. For 2018, its support totals €21,000. The PCK estimates that this figure covers its basic operating costs (salaries, rent, utilities and so on) for approximately half a year only.

- Additional (usually project-specific) funding is sought from other sources. In 2018, funding was received from Civil Rights Defenders, Kosovar Civil Society Foundation, BIRN and UNESCO. Most of it was project based funding.

- As set out in Article 8 of the PCK’s statute, media titles that are members of the PCK “contribute financially to the Press Council’s budget”. The statute provides details about how the amount of the contribution is determined.
However, in practice, member contributions have not proven to be a reliable source of income: the PCK reports that only a total figure of approximately €3000 is contributed by members per year. This is a slight increase comparing to previous years. The Council reports that the following titles regularly pay membership contributions: Koha Ditore, Zeri, Kosovapress news agency, Gazeta Express and Jeta ne Kosove, Kallxo.com, and Telegraf.

- No funding is received from any Government or Assembly source. So far, the PCK has never looked for this funding, since it wishes to preserve its independence from the state. However, the fact that the PCK is mentioned in the “Civil Law on Defamation and Insult” as a body to which complaints should be filed (see below) provides the possibility to the PCK to seek funding from the Kosovan Parliament, on the basis that the PCK is providing a public service. There are no active plans to do so at present, but the option remains under consideration for the future.

<table>
<thead>
<tr>
<th>Staff</th>
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<tbody>
<tr>
<td>A full-time Executive Director and two other full-time members of staff: a complaints officer; a PR and project officer. There is also a part-time accountant. A legal officer is employed on a part-time, ad-hoc basis to provide advice about complaints when necessary.</td>
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### PURPOSE AND COMPLAINTS-HANDLING WORK

<table>
<thead>
<tr>
<th>Legal basis</th>
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<tr>
<td>• As set out in the statute, the Press Council is a not-for-profit association “according to the definition given by paragraph 2.2 of UNMIK Regulation No. 1999/22 registered as a local association” (i.e. as an NGO).</td>
</tr>
<tr>
<td>• The PCK is recognised under UNMIK Regulation 2007/13 (‘On the promulgation of the civil law on defamation and insult adopted by the Assembly of Kosovo”), as follows:</td>
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<tr>
<td>“Prior to filing a complaint under this law, an allegedly injured person shall undertake all reasonable measures to mitigate any harm caused by the expression. In particular, the complainant shall request a correction of that expression from the person who allegedly caused the harm. Such actions may include seeking a remedy from the publisher of an allegedly defamatory or insulting expression and filing a claim with any appropriate regulatory body (The Independent Media Commission) or self-regulatory body (Press Council).”</td>
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<table>
<thead>
<tr>
<th>Primary purpose/functions</th>
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<tbody>
<tr>
<td>The PCK’s main objectives are:</td>
</tr>
<tr>
<td>• To promote and enforce the Press Code of Conduct;</td>
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<tr>
<td>• To deal with complaints about breaches of the Press Code of Conduct by the print media, and to reach decisions about them;</td>
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<tr>
<td>• To decide on measures if a complaint is considered justified;</td>
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<tr>
<td>• To contribute to the creation of a free, independent, professional and unbiased media sector in Kosovo.</td>
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<table>
<thead>
<tr>
<th>Summary of complaints-handling work and process</th>
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<tr>
<td>• Complaints may be made in writing, according to the procedures of the Secretariat. Complaints must be made within one month from the date of publication of the content under complaint.</td>
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<tr>
<td>• The PCK’s complaints officer is charged with reviewing all complaints received and deciding whether or not the complaint falls within the competence of the Press Council. In cases that do, efforts are made to mediate the complaint between the parties. If a complaint cannot be resolved within one month from the start of proceedings, it is referred to the Board for a decision. Barring special overriding circumstances, a final decision is made within three months of a complaint being received.</td>
</tr>
<tr>
<td>• The complaints officer presents complaints to the Board, together with all relevant supporting materials. The Board reviews the complaints and decides upon them. The decisions are published in the website of PCK through a database which offers all necessary details regarding the complaint and the decision. <a href="http://presscouncil-ks.org/vendimet/">http://presscouncil-ks.org/vendimet/</a></td>
</tr>
<tr>
<td>Who can complain and how are complaints received?</td>
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<td>---</td>
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</tbody>
</table>
| Proactive investigations? | • There is some debate about proactive investigations. The ability to initiate investigations is not referred to explicitly in the statute, though there is a reference within the Council’s Rules of Procedure. This states that: “The Press Council investigates complaints received for violations of the Press Code of Kosovo and also prosecutes cases on its own initiative”.  
• Note that the Assembly does discuss major issues about press reporting and about which it may not have received a complaint, if it feels that a discussion is merited. However, it would be rare for such a discussion to lead to an investigation. In part, this is related to the experience of the PCK in its early years, in which a high-profile incident led to some complications for the PCK regarding its remit and powers. |
| Appeal mechanism for complaints? | No; this is not available. |
| Summary of complaints statistics | In 2018, the PCK received a total of 147 complaints. In 2017, the total was 67. Breakdown by decision:  
• Adjudicated complaints: 144 adjudicated complaints (76 upheld; 12 partly upheld; 56 not upheld)  
• Complaints not considered: 2  
• Resolved via mediation: 1 |
| Complainants | Officers, legal representatives, several ministries, common citizens. |
| Active role in defending press freedom? | • Yes, the PCK has published statements after the Assembly of Kosovo, respectively the Commission for Media, took an initiative to draft a Law on Media. Press Council of Kosovo considers this to be another form of controlling the media, taking into consideration that there are certain Laws that regulate the Media already.  
• However, the role of actively advocating for media freedom is generally undertaken by the Association of Professional Journalists of Kosovo, an industry body which tends to focus on this work. |

### MEMBERSHIP AND SCOPE

| Membership: print/ broadcast/online? | In summary: The Council’s remit covers print media: daily newspapers, magazines, online media and news agencies, blogs. Discussions are ongoing about whether and how to further expand into the realm of online-only news portals. However, the online media has increased the number since 2015 to 22, whereas newspapers operating in Kosovo are 5, out of which 4 of them are part of the Council.  
• Broadcast regulation operates separately, and is covered by the Independent Media Commission (IMC), which issues broadcast licenses and promotes ethical, technical, and professional standards. |
| Summary of members | • 32 titles in total are members of the PCK, all of whom are represented on the Assembly by an editor-in-chief or his or her deputy. The statute notes that the Press Council is “is open to all Kosovo’s print media; including those ones currently not signatories of this Statute and all future print media”. However, there are set some criteria which media titles need to fulfil in order to become members. Such criteria are: the interested title produces media content; the registration of a title is done in compliance with legal provisions; the title provides all relevant information such as the name(s) of the founder(s) and the owner(s), the names of the managerial staff (editor-in-chief and editors), |
| Summary of members | the address, telephone and email address; the title submits the copy of the business registration certificate; the title publishes the impresum; the title signs the Code of Conduct and Statute of the Press Council of Kosovo; one title represents one media even if it consists of more units.  
- A breakdown of the current membership is as follows: 4 daily newspapers (and their respective online versions), 22 online media, 3 news agencies, and 1 monthly magazine in Turkish language, and 1 Blog.  
- The Council reports that is membership comprises all national newspapers, together with the majority of the most popular online media and the majority of the most active news agencies. The Council states that a full range of political views is represented. |
| Details of new media members? | • To be accepted as a member of the Council, an online media outlet must sign a copy of the statute and the Code of Conduct to indicate that they agree to abide by them. This is the same requirement that would apply to a traditional print media outlet.  
• At present, there are 22 online-only members, as set out above. All members are treated the same, whether they are traditional or online media. |
| If voluntary membership: any significant gaps in membership and/or compliance? | • Yes – a few magazines are not part of the self-regulatory system, though the PCK reports that it has never received a complaint about either title and that it does not keep records of those titles which are not members of the Council.  
• However, as required by the statute, the Council will accept complaints brought to it about any media, regardless of whether or not they are members. In such instances, the Council will take a decision, similar to those being media members.  
• Regarding compliance, it remains extremely rare for any title, PCK member or otherwise, to actually publish a PCK ruling. However, most media members publish the press releases after the Board meeting. |
| Incentives to become a member of/comply with the decisions of the Council? | Not at the moment. The PCK is aware of the future possibility of formalising incentive mechanisms to join the Council in the context of the cases brought under defamation law. However, the PCK reports that this is not a realistic option for now, given what it describes as the absence of a proper legal framework and functioning justice system. |
| Complaints about audio-visual material published on newspaper and magazine websites? | • A small number of complaints have been received about video content posted on PCK members’ websites. These have proven problematic to deal with, because of a lack of clarity about whether or not it falls within the remit of the PCK or should instead be considered by the IMC. Further discussions are required here agree a policy position. Press Council of Kosovo will organize a roundtable with media members, media in general, and other stakeholder to discuss about such issues, and to adopt the new changes to the Code.  
• However, the general position is that the PCK should deal with everything published on the websites of PCK members, since it is “media content” and should therefore be treated in terms of a potential breach of the Code of Conduct. |
| Complaints about user-generated content/ readers’ comments? | Yes, such complaints are already being dealt with. |

**DECISION-MAKING**

| Membership of Board | The PCK’s Board is known as the Assembly of Members. Of a total of 35 members:  
- 32 members of the Kosovo print and online media, each of whom is represented by an editor-in-chief. |
- 3 independent international and/or local members who serve as Chairman and Vice-Chairman of the Assembly. One of the Vice-Chairmen is preferable to be from a non-Albanian background. Membership of the media members entails a commitment to sign the Press Code of Conduct and the statute, a signed copy of which is available on the PCK website. Both the editorial and independent members are paid to attend meetings, which are held at least once per month. Payment is as follows:
  - For the Chairman: €50 per attended meeting;
  - For the Vice-Chairmen: €40 per attended meeting;
  - For the other members: €30 per attended meeting.

### Appointment of Board

- For the media members: Appointment to the Assembly is automatic upon accepting the Press Code of Conduct and the statute. As such, every member of the Council is represented on the Assembly, which also performs the adjudicatory function.

- For the independent members: They are nominated and elected by simple majority voting by the editors-in-chief already serving as members of the Council. Election is for a two year term which may be renewed once.

### Membership of complaints committee

Same as above – the Assembly performs governance/administrative duties and the complaints adjudicatory function.

### Appointment of complaints committee

Same as above – the Assembly performs governance/administrative duties and the complaints adjudicatory function.

### System for decision-makers to recuse if complaints about their titles?

Yes. If there is a complaint about a title represented on the Press Council, he/she is not allowed to vote on it, neither she/he is present at the moment of voting. However, she/he is entitled to read the relevant paperwork associated with the case, and participate in the discussion.

### CODE OF ETHICS

#### Summary of content of Code of Ethics

- The Code draws on international standards of journalistic practice, and has been in force since 2005. Main section articles span reporting the truth, privacy, corruption and bribes, protection of children and minors, incitement and hate speech, among other topics.

- The Code of Conduct is supplemented by a series of guidelines, which are designed to provide explanations and clarification of the provisions of the PCK. The purpose of the guidelines is to enhance understanding of the Code and encourage adherence to the rules. The most recent version of the guidelines is dated 2015.

- Specific reference has been made to online journalism. In 2015, the Code was amended to include additional guidelines for online journalism. These refer to public comments posted on web based media and the websites of news agencies.

#### Who is responsible for writing the Code? Public input?

- The Code is the responsibility of the Assembly of Members, and it is empowered by the Council’s statute to make changes to it. A 75% majority vote is required for a proposed amendment to pass.

- The Code was last amended in 2015 to take account of various changes to the law (for example, to change the age limit of a minor from 16 to 18, to comply with legislation). The PCK reports that the Code is constantly under review and that changes can be made swiftly as needed.

- There is no formal mechanism for the public to be consulted about changes.

### OVERVIEW OF POWERS

- In common with other voluntary systems of media self-regulation, the most serious sanction is the publication of a critical adjudication.
Although the PCK was initially set up on the basis that it would be able to issue fines to offending publications, this did not prove workable in practice, and this provision was subsequently dropped from the statute.

- The Council’s decisions are communicated by press releases and via the website, which houses a record of all published decisions.
- As noted above, the PCK also has a role to play in mediating complaints and attempting to resolve them between the two parties. In practice, the Council estimates that this happens in approximately 10% of cases.

<table>
<thead>
<tr>
<th>Are member publications of the Council required to publish</th>
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<tbody>
<tr>
<td>a) decisions upholding complaints against them? b) decisions not upholding complaints against them?</td>
</tr>
<tr>
<td>a) Yes. b) No, though some titles do.</td>
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<tr>
<th>Are there any conditions applying to the publication of decisions when they are required to be published in relation to:</th>
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<tbody>
<tr>
<td>a) promptness - b) prominence?</td>
</tr>
<tr>
<td>The statute makes clear that the Assembly “has the power to order a print media to print its adjudications on a place indicated by the Assembly”. However, in practice, compliance has been a problem and it is rare for titles to publish rulings that do not go in their favour (though they may well publish a PCK press release about a case).</td>
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<tr>
<th>Does the Council issue adjudications against publications that are not formal members of the regulatory system?</th>
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<tr>
<td>Yes – see above for details.</td>
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</table>

**PUBLIC AND INDUSTRY ENGAGEMENT**

**Summary of training offered to journalists and/or editors**

- As elsewhere in the region, considerable efforts have been invested in this area of work over the years. For example:
  - With support from the Kosovar Civil Society Foundation and UNESCO, the Council has run a number of Media Ethics Schools for journalism students. These have proven to be very popular. The sessions cover self-regulation and use real-life case studies to discuss the Press Code. Following completion of two of the schools of journalism ethics, the PCK collated the lectures in a dedicated book on journalism ethics, which it published.
  - There are at least 4 non-formal meetings per year with journalists correspondents throughout Kosovo. The discussion covers media ethics issues, application of Code, and other relevant media issues. In the meetings Code and several publications are distributed to them.

**Summary of public engagement work**

- The PCK has organised various round-table meetings for journalists and editors in towns in Kosovo, information about which is subsequently reported in local media. This has been a deliberate strategy to help to increase public awareness;
- The PCK office includes a small library with books about media ethics. These are available to the general public, as well as to journalists and students. The publications span a range of languages;
- Meetings of the Assembly are open to media watchdogs and representatives of the Council’s partners, “unless otherwise decided by the Assembly”. Complainants do not attend meetings.

**Online presence**


**THE FUTURE**

**Summary of main challenges**

- Ensuring sufficient staffing and resources to enable the PCK to continue to carry out its core functions, as well as having the capacity to undertake proactive work if it wishes to;
### Summary of main challenges

- Increasing public awareness of services and activities, and generating more complaints;
- Adopting a policy position with regard to the potential regulation of online news portals (and managing external expectations here);
- Ensuring compliance by media in publishing critical rulings by the Council.

### MONTENEGRO

Population: 614,249 (July 2018 estimate, according to CIA World Factbook)

| Name of organisation | Media Self-Regulation Council  
| Medijski savjet za samoregulaciju (Montenegrin) |
| Type of regulation | Voluntary self-regulation |

#### History, Funding and Staff

**Year founded**

- 2012

**Brief history and significant milestones**

- Please note: the information in this table concerns the Media Self-Regulation Council, but other self-regulatory mechanisms either operate or have operated in Montenegro. For more information about the situation, please refer to the next section.
- The Media Self-Regulation Council was established in March 2012 after previous efforts at operating a self-regulatory system failed. The new organisation was intended to represent a break with the past and work to a new era of trusted journalism in Montenegro. The Council was founded by 19 media organisations spanning TV, radio, newspapers and online portals.
- According to the website of the Council, membership is open to all media in Montenegro who want to continue to develop and promote journalistic ethics and professional standards.

**Budget and funding arrangements**

- At present, the Council reports that it is not being funded at all, and staff are not being paid. The Council claims that it requires approximately €40,000 per annum to fund its operations. For the first three years of its operations, the Council received funding from the Montenegrin Government, apparently following agreement about a joint action plan agreed with European Commission. No further information is available about this, but the Council reports that it intended this to be a short-term solution to the practical difficulty of securing funding on an ongoing basis.
- Government funding was agreed on the basis of a decreasing amount (to be paid directly from the Government budget), over three years:
  - Year 1 (2012), 100% at €30,000
  - Year 2 (2013), 75% at €22,000
  - Year 3 (2014), 50% at €15,000
- Although Article 12 of the Council's statute sets out the requirement for member titles to pay a monthly contribution of €50, in practice, no contributions are made. Other than very specific support (for example, to cover the costs of a Council representative participating in an event or seminar), the Council does not receive any funding for core or project activities from an external source, including from the international donor community.
- The last three years the Council operated without any funds. This was the reason behind the suspension of work by the Complaints commission at the beginning of 2018.

**Staff**

- The Executive Secretary. He is the only executive staff member. Information about members of the Commission for Monitoring and Complaints is provided below.
### Purpose and Complaints-Handling Work

<table>
<thead>
<tr>
<th>Legal basis</th>
<th>The Council is registered as an NGO under the Montenegrin Law on NGOs (Fig. Gazette no. 39/11).</th>
</tr>
</thead>
</table>
| Primary purpose/functions | As set out in Article 7 of the statute, the Council’s main objectives are:  
  • To promote and develop media self-regulation in Montenegro;  
  • To oversee the Code of Journalists of Montenegro in order to protect the public from unethical reporting in the media.  
  
The Council carries out the following activities:  
  • Monitoring the implementation of the Code of Journalists of Montenegro in the media;  
  • Publishing monthly, semi-annual and annual reports on compliance with the Code of Journalists of Montenegro;  
  • Deciding on petitions and complaints about the work of media and violations of the Code of Journalists of Montenegro;  
  • Informing the media about specific complaints. |
| Summary of complaints-handling work and process | • Unlike the majority of other self-regulatory Press Councils, the Council was established in such a way that dealing with complaints which are brought to it by citizens is a smaller part of its work, which focuses much more on monitoring. As envisaged in the statute, the Council’s Commission for Monitoring and Complaints is required proactively to monitor and record of its own volition reports on violations of the Code of Journalists of Montenegro, on a daily basis. The Commission also monitors some TV and radio news programmes, though this work is undertaken very infrequently due to limited resources.  
  • Under Article 21 of the statute, the Council is required to liaise with publications to ensure it is taking into account the views of the editor when reaching a decision. The Council reports that cooperation from most media titles is good (if sometimes slow) when dealing with complaints, but that there is limited or no cooperation with media that are not members. (This view is contradicted by others). As such, some of the Council’s statements are sometimes drafted without substantive input from editors, as cooperation from two particular media titles (those that are not members of the Council) is currently limited.  
  • Since the daily newspapers Dan and Vijesti and the weekly news magazine Monitor have all established their own in-house Ombudsmen systems to deal with complaints, the Council says that it tells complainants that they should first submit their complaint direct to the relevant Ombudsman. If they are not satisfied with his or her response, they can then turn to the Council, which can take into account the decision of the Ombudsman.  
  • Detailed information explaining how the monitoring Commission deals with complaints is limited. The Rulebook on Complaint Proceedings has only recently been published.  
  • Note that the Council does not contact media outlets for comments when undertaking its day-to-day media monitoring work – this is only done if a formal complaint is submitted. Accordingly, decisions about whether or not there has been a violation of the Code are made without input from the media title concerned.  
  • Note that the Council reports that it only monitors those titles that sell over 4000 copies (this excludes, for example, the weekly magazine Monitor).  
  • From the beginning of 2015 Media council for self-regulation suspended its monitoring activities. In mid 2017 Council decided to deal only with complaints on media who are their members. |
| Who can complain and how are complaints received? | Anyone can complain, and the process is free. Complaints can be made online, or by post, email, telephone or fax. Anonymous complaints can be accepted, if it can be determined that the complainant has a genuine link to the content about which they wish to complain. The Council notes that one anonymous complaint has been received. |
| Proactive investigations? | See above for information about the monitoring work, which is undertaken on a proactive basis. |
| Sanctions and enforcement | The original plan when the Council was initiated was that it would be able to issue critical adjudications, which would be published by members in the event of a breach of the Code. However, the Council reports that in practice this does not happen, and that its decisions are routinely ignored. |
| Appeal mechanism for complaints? | No mechanism this is noted in the statute. |

### Summary of complaints statistics (2014)

- Complaints: 51 complaints were received in 2014, an increase of 30 on the previous year. Only a very small number (1-2 per year) of complaints are received about broadcast content. The Council reports that of these 51 complaints:
  - 20 complaints concerned potential breaches of principle I (Accuracy) of the Code;
  - 23 complaints concerned principle IV (Documentation) about right of correction and reply.
- In 2015 Council received 42 complaints and made 38 decisions.
- In 2016 we received 46 complaints and made 35 decisions.
- 23 complaints were received in 2017, and 19 decisions were made on them.
- 30 complaints were received in 2018, but no decisions were made on them.
- No other information is available in summary format. The Council claims that this is because its existing resources do not permit it.

Although mediation is mentioned as a possibility in the statute, complaints resolution work of this type happens only very rarely. The Council reported one such case in 2015 so.

### Monitoring:
The Council recorded 190 breaches of articles in Code in the print media, and an "enormous number” in comments in online media. No other information is available in summary format, for the same reason given above.

### Complainants

Detailed information about the background of complainants is not available, for the same reason given above.

### Active role in defending press freedom?

Not specifically, though the Council has occasionally offered its support to the cause of press freedom. For example, in the aftermath of the Charlie Hebdo attacks, it sent letters of support to French authorities and editors. It also protested against some proposed amendments to the media law on the basis that it said they would limit media freedom in the country, and reports that it is vocal whenever there is an attack on a journalist or media outlet. Whenever it is possible and appropriate Council is active in defending press freedom. A representative of Council is a member of Commission which is monitoring investigations of journalists attacks.

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### MEMBERSHIP AND SCOPE

**Membership: print/broadcast/online?**

- In summary: the Council's remit covers print, online media and broadcast complaints, but only those related to the members of the Council. The membership requirements are as follows:
21 media outlets in total are members of the Council. A list of the members can be seen at http://medijskisavjet.me/o-nama/osniva%C4%8Di-medijskog-savjeta/

Note that these members only represent part of the media landscape in Montenegro, which is reportedly very divided.

Details of new media members?

• At present, there are three online members: Portal ANALITIKA, Portal CAFFE DEL MONTENEGRO, and Portal RTCG.

• Until 2017, the Council also monitored online media which are not members of the Council, such as Portal Vijesti, Portal PC NEN and Portal IN4S.

If voluntary membership: any significant gaps in membership and/or compliance?

• Yes – see above.

• While the Council was processing the complaints, there used to be a widespread problem with compliance, and with influential media not accepting the remit of the Council.

Incentives to become a member of/comply with the decisions of the Council?

No.

Complaints about audio-visual material published on newspaper and magazine websites?

No.

Complaints about user-generated content/ readers' comments?

No. There are no specific rules about this, even though the Council reports that most problems lie here. The Council therefore recently adopted the Guidelines for moderation of online comments.
<table>
<thead>
<tr>
<th>System for decision-makers to recuse if complaints about their titles?</th>
<th>There is no formal written procedure to deal with potential conflicts of interest, but the Council reports that when a member of the monitoring committee is connected to the media about which the Council is considering a complaint, that person will be excluded from the decision-making process. The Council plans to address this issue in the Rulebook of Complaint Proceedings in due course.</th>
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<tbody>
<tr>
<td><strong>CODE OF ETHICS</strong></td>
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</tbody>
</table>
| Summary of content of Code of Ethics | • The Code includes detailed provisions related to newsgathering/research techniques and hate speech, as well as accurate reporting, privacy and the protection of minors and plagiarism.  
• Initially, there were no provisions relating to online journalism, nor any mention of the issue of online comments by readers. These provisions were introduced by the new (changed) Code, which includes sections on dealing with online comments and updated sections about privacy and the protection of minors. |
| Who is responsible for writing the Code? Public input? | • The review of the Code was coordinated by the Council of Europe and the office of the OSCE Representative on the Freedom of the Media. A series of workshops were held, bringing together representatives of the Media Council, editors from all main titles, as well as TV and radio stations.  
• Changes of Code have been adopted at the beginning of 2016 in a joint effort of Media Council for self-regulation and the dailies Dan and Vijesti which are not members of the Council, but have their own Ombudsmen. |
| Overview of available powers and sanctions | The statute does not set out what powers are available to the Council, and when and how they might be exercised; sanctions are not mentioned at all and they were not planned.  
The Council has no power whatsoever to sanction any media outlet, and can only work on the basis of publicly ‘naming and shaming’ media outlets through the publication of its rulings. |
| Are member publications of the Council required to publish a) decisions upholding complaints against them? b) decisions not upholding complaints against them? | a) No; there is nothing in the statute to suggest that this should be the position. The Council’s decisions are presented at press conferences, together with the monitoring reports. Ultimately, the media outlets can decide whether or not they wish to publish a decision as it relates to them as there is nothing to compel them to cooperate with publication. All decisions made by the Complaint commission are sent to all media and addresses of all relevant stakeholders and they are posted on the Council web site.  
b) No. |
| Are there any conditions applying to the publication of decisions when they are required to be published in relation to: a) promptness - b) prominence? | There are no special rules regarding prominence; this would seem not to be realistic at this stage given the position outlined above. |
| Does the Council issue adjudications against publications that are not formal members of the regulatory system? | Until 2017 the Council regularly published assessments about Dan and Vijesti in its monitoring reports. They were not adjudications as understood within the context of self-regulation. These assessments caused problems because Dan and Vijesti did not recognize the authority of the Council. Consequently, this practice of the Council has been abandoned. |
| **PUBLIC AND INDUSTRY ENGAGEMENT** |  |
| Summary of training offered to journalists and/or editors | Press conferences are held every time the Council publishes a monitoring report, and the Monitoring and Complaints Commission takes this opportunity to explain to the assembled media the reasons behind some of the more significant rulings. Some titles will publish reports about these ‘seminars’ afterwards. |
### Summary of public engagement work
- A radio advert about the work of the Council was broadcast on stations throughout the country in an effort to raise awareness of services to citizens. This was a UNESCO-supported project.
- Additionally, the Council issues public statements when there are issues around press freedom, for example, when there are attacks on media freedom or against individual journalists.

### Online presence
A website with information in two languages (Montenegrin and English):
http://medijskisavjet.me/

### Summary of main challenges
- Securing adequate, long-term funding;
- Bringing all media together ‘under the same tent’; or else establishing a practical way forward to ensure better cooperation with media;
- Increasing credibility and general perception of the Council’s work and reputation;
- Managing expectations of the Council as a whole, particularly with regard to monitoring.

### THE FUTURE

### NORTHERN MACEDONIA
**Population:** 2,118,945 **(July 2018 est., CIA World Factbook)**

<table>
<thead>
<tr>
<th>Name of organisation</th>
<th>Council of Media Ethics of Macedonia (CEMM)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Совет за етика во медиумите на македонија</strong></td>
<td>(Macedonian)</td>
</tr>
</tbody>
</table>

| Type of regulation | Voluntary self-regulation |

### HISTORY, FUNDING AND STAFF

| Year founded | 2013; operations commenced formally in 2014 |

| Brief history and significant milestones | • The formal launch of the CEMM took place in Skopje in October 2014 following many years of work to establish a new self-regulatory media council. This work was undertaken by a range of actors, including the Association of Journalists of Macedonia and the OSCE Mission to Skopje, which coordinated a working group tasked with producing an action plan to bring about improvements in the country’s media landscape. • Efforts to create the CEMM included considerable capacity-building and training work undertaken both by other media councils in the region and international experts, who provided technical assistance with various aspects of regulation and complaints-handling procedures. • In January 2015, an Executive Director was appointed to manage all day-to-day operations and to determine the strategic direction of the organisation. |

| Budget and funding arrangements | • The annual budget has been the following:
2015: 83,704 USD
2016: 103,394 USD
2017: 114,938 USD
2018: n.a.
Note: the annual amount depends on the fundraising and it varies from year to year. All of this is core funding. The donors: |

The donors:
• Institutional funding has been secured from the Royal Netherlands Embassy in Skopje for the first two years of the CEMM’s operations, which lasted until December 2016. The budget totalled €130,000 over two years, and covered operational costs including salaries, office rent and other overheads. The funding also covered the meeting attendance fees for the members of the Press Complaints Commission (i.e. the CEMM’s complaints committee; see below for more information). Additional two years of funding have been provided since August 2017 until August 2019. The total amount for these two years is €121,100. CEMEM also had a two-year institutional grant provided by the Macedonian Center for International Cooperation for the period April 2016 – March 2018, with an amount of €40,000.

• Additional support has been provided by other sources, including from UNESCO, as part of the project “Transparency, trust building and cooperation for improvement of media self-regulation” for the period August 2018 – April 2019. The total amount for this Project is €19,996. The funds are provided to organize the annual competition for best journalistic stories promoting human rights and rights of vulnerable and marginalized groups, to organize two open sessions of the Press Complaints Commission and a spring break camp on media ethics for participants from Macedonia and Albania. UNESCO previously supported the Council with an amount of Euro 23,995 in the period June 2017 – June 2018. The activities included organizing of an annual competition for best journalistic stories promoting human rights and rights of vulnerable and marginalized groups, Open day of the Council, two-day workshop with the Albanian Press Council, capacity building activity for members of the Council in Austria. The EU delegation in Skopje granted an amount of €14,968 for organizing of the Jean Monnett competition for best journalistic story, best professional and best amateur photography for 2018. The Macedonian Center for International Cooperation provided an amount of €7,000 for activities related to improvement of the internal procedures for connection among the bodies of the Council and for preparation of a plan for upgrade of the mechanisms of transparency and accountability among the different audiences and the public. Sub-grant has been provided by the Macedonian Institute for Media (with EU funds) amounting €9,990. It was aimed for publishing of the experiences from the work of the Press Complaints Commission, comparative analysis of the practices of AIPCE, conference on media ethics and self-regulation, two debates with students at universities in Macedonia.

• The OSCE continues to work closely with the CEMM, though it does not provide running costs. It supported the process of establishing of a network on addressing hate speech in the media, by organizing two dialogues (meetings) with all relevant stakeholders. It also co-financed the organizing of a regional conference of the press councils in Skopje.

• At the moment, the Council is entirely dependent on external support. Despite the statute requiring media who are members to pay an annual membership fee, at present no media outlet is making a financial contribution.

**Staff**

A full-time Executive Director, and two full-time program coordinators who provide programme/operational support to the Executive Director and the various constituent CEMM Boards.

**PURPOSE AND COMPLAINTS-HANDLING WORK**

**Legal basis**

The CEMM operates in accordance with the (2010) Law on Associations and Foundations, which determines the conditions under which NGOs in the Republic of Macedonia’s must operate. Under Article 3 of the Council’s statute, the CEMM operates as “a non-governmental, non-political and non-profit organization, which brings together its members based on the principle of free will, in order to accomplish the goals and activities determined by this Statute”. 
| Primary purpose/functions | The CEMM’s main objectives are:  
- To protect freedom of the media and the right of the public to be informed;  
- To prevent influence by the state, political parties and other centres of power over the media;  
- To protect public interests by providing an independent, effective and fair complaints-handling process;  
- To promote high standards by adopting clear and practical guidelines on the work of editors and journalists;  
- To raise public awareness about ethical standards in the media;  
- To create an environment in which media are self-critical, self-aware and are accountable to the public;  
- To facilitate public access to the media;  
- To promote the Code of Journalists of Macedonia;  
- To reduce all forms of censorship and self-censorship in journalism. |
|---|---|
| Summary of complaints-handling work and process | • Complaints are permitted within one month of publication or broadcast of the original article/programme. Complaints must be made in writing.  
• All complaints are first assessed by the Executive Offices of the CEMM to determine whether or not they fall within the organisation’s jurisdiction. The Executive Office has the discretion to attempt to resolve the complaint between the parties, and to request if appropriate that the media outlet offer a right of reply to the complainant. Complaint-handling procedures, including how to mediate between the parties, are presently under consideration by the CEMM.  
• Complaints are discussed in person by members of the Press Complaints Commission at its (weekly or bi-weekly) meetings, according to the rules of procedure. The Commission considers a dossier of information prepared about the case by the Executive Office, including information about the outcome of the potential reconciliation between the two sides, if it was initiated. Barring overriding circumstances, the Press Complaints Commission has a deadline of one month to make a decision about a complaint.  
• Anonymous complaints are not permitted; nor are complaints against individual journalists.  
• All decisions are published on the CEMM website, on its Facebook page and Twitter profile. If a media outlet is found to have breached the Code, the CEMM requests that its decision is published or broadcast. |
| Who can complain and how are complaints received? | Anyone can complain (including journalists), and the procedure is free. There is an online complaints form for this purpose. |
| Proactive investigations? | Article 33 of the CEMM’s statute states that the PCC has the competence and responsibility to “initiates its own analysis on particular important issues related to the provisions in the Code”. It also has the competence to:  
- “review the results from monitoring and research on observation of the professional standards in the media contents”, and;  
- “monitors the use of Code of Journalists and asks questions related to its violation in the media”  
A policy position about how the PCC should best interpret these provisions in the absence of a complaint being received is in the process of being formulated. |
<p>| Appeal mechanism for complaints? | No. |
| Summary of complaints statistics (2018) | Since the CEMM began operations in October 2014, it has received a total of 250 complaints. |
| Complainants | Complainants so far have included: journalists, citizens; the Ministry of Defence, the Ombudsman’s Office; Members of Parliament; |</p>
<table>
<thead>
<tr>
<th><strong>Active role in defending press freedom?</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes, Article 4 of the statute makes clear that one of the roles of the Council is to protect the freedom of the media. The CEMM issued a statement of support following the deaths of journalists at Charlie Hebdo, and also issued a statement following the allegations of widespread wiretapping in FYR Macedonia, including of journalists. Generally speaking, the Association of Journalists of Macedonia usually responds in relation to issues that are of direct interest to the journalistic community, while the CEMM responds where the situation is specifically linked to journalistic ethics.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>MEMBERSHIP AND SCOPE</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Membership: print/ broadcast/online?</strong></td>
</tr>
<tr>
<td>- In summary: the CEMM’s remit covers print, broadcast and online media. A member may be any medium that creates its own news content and is a legal entity registered in the Republic of Macedonia with the competent authorities.</td>
</tr>
<tr>
<td>- Membership is agreed on the basis of a media outlet agreeing to the terms of the statute. The Board decides whether or not to accept a new member by reviewing applications for accession.</td>
</tr>
<tr>
<td>- Note that the Agency for Audio and Audiovisual Media Services has responsibilities for broadcast licensing, pluralism and transparency and media literacy, among other responsibilities set out under the Law on Audio and Audiovisual Media Services; the CEMM’s role is to deal with questions about ethical and professional standards).</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Summary of members</strong></th>
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<tbody>
<tr>
<td>The members are as follows:</td>
</tr>
<tr>
<td>- 15 internet portals</td>
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<td>- 5 radio stations</td>
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<td>- 14 television stations</td>
</tr>
<tr>
<td>- 5 print media.</td>
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<tr>
<td>The CEMM estimates that its membership base covers around 85% of the media market in FYR Macedonia.</td>
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<table>
<thead>
<tr>
<th><strong>Details of new media members ?</strong></th>
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<tbody>
<tr>
<td>The CMEM developed a set of procedures for acceptance of Internet portals as new members.</td>
</tr>
<tr>
<td>The criteria include the following:</td>
</tr>
<tr>
<td>a) founders / owners data should be listed;</td>
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<tr>
<td>b) consent that the media would observe the Code of Journalists and the Statute of the CMEM;</td>
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<tr>
<td>c) authors of the articles stated;</td>
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<tr>
<td>d) mk-domain registered,</td>
</tr>
<tr>
<td>e) publish the adjudications of the Council and involve in the process of mediation.</td>
</tr>
<tr>
<td>This set of criteria was developed as result of the fact that there are very unprofessional Internet portals in the country whose ownership is unknown and they do not abide by the professional standards. On the other hand, most of the violations happen among this media (Internet portals).</td>
</tr>
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</table>

<table>
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<tr>
<th><strong>If voluntary membership : any significant gaps in membership and/or compliance?</strong></th>
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<tbody>
<tr>
<td>So far, media outlets that have been found by the Press Complaints Commission to have violated the Code are generally not cooperating to publish the ruling. Steps to address – including by requiring other media outlets to publish/broadcast the decision, as a means of drawing attention to the error elsewhere. On the other hand, the Council provides a maximum visibility to its adjudications, by their publishing on its website, Facebook page and Twitter profile, but also by their presentation at different occasions/events</td>
</tr>
<tr>
<td><strong>Incentives to become a member of/comply with the decisions of the Council?</strong></td>
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<td>---</td>
</tr>
<tr>
<td>Not formally, though the Council will try to encourage member titles to publish references to its work in their titles, to serve as a marker of credibility. The Council notes that this could also be achieved by involving editors, journalists and media managers in various research projects on ethical reporting.</td>
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<thead>
<tr>
<th><strong>Complaints about audio-visual material published on newspaper and magazine websites?</strong></th>
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<tbody>
<tr>
<td>Yes, it is regularly covered.</td>
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<table>
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<tr>
<th><strong>Complaints about user-generated content / readers' comments?</strong></th>
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<tbody>
<tr>
<td>No.</td>
</tr>
</tbody>
</table>

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**DEcision-Making**

**Membership of Board**

According to the statute, the CEMM is composed of the following three bodies: the Assembly; the Managing Board; and the Supervisory Board. There is also an Executive Director who heads up the Executive Office, which performs a Secretariat function to the CEMM. Full details about each are provided in the statute. The work of the Press Complaints Commission (whose role it is to adjudicate on complaints), is dealt with separately below.

The Assembly is the highest body of the Council and is composed of all its media members (see elsewhere for information about the total number of members). Its role encompasses adopting the statute, agreeing annual and financial reports, electing members of the Managing Board, and electing a chair and a vice-chair of the Assembly.

The Managing Board is an executive body of the CEMM, which organizes and coordinates the work of the Council between the sessions of the Assembly. The Managing Board implements all the activities of the CEMM, along with the programme, the financial plan and the decisions of the Assembly. There are 7 members, all of whom are media representatives (see below).

The Supervisory Board. The main duties of the Supervisory Board are: to control the application of the Statute and the other general acts of the Council; to control the financial operations of the Council; to control the use of sources and revenues by the Council; and to submit a report to the Assembly with findings and decisions at least once a year. Its duties are detailed in Article 26 of the statute. There are 5 members, 3 of whom are elected as representatives of media owners, and two as journalists (who are appointed by the Association of Journalists). There are no public members.

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**Appointment of Board**

The Assembly is composed of all the members of the CEMM. Membership of the CEMM is granted or rejected by the Managing Board.

The Board members and the deputies are elected by the Assembly of the Association for a period of four years, with the possibility of a re-election.

Four of the members of the Board are elected to represent media owners; while three are journalists who are proposed by the Association of Journalists of Macedonia. The Managing Board elects a President and a Vice President from its members.

The members of the Supervisory Board are elected by the Assembly of the Association for a period of four years, with the possibility of re-election. Three of the members of the Supervisory Board are elected as representatives of media owners, and two as journalists (who are appointed by the Association of Journalists).
### Membership of complaints committee

This is known as the Press Complaints Commission. There are 7 members in total, of which:
- 2 are representatives of media owners;
- 2 are representatives of journalists proposed by the Association of Journalists, and;
- 3 are representatives from public life who are not professionally related to journalism in the media, but instead are experts in media, ethics in journalism, media law and other related areas.

Members are elected for a term of four years, with the possibility of re-election for one further term, which already happened. Decisions are made by a simple majority. Meetings are held as needed, but at least once a month. Members of the Press Complaints Commission are paid a monthly honorarium to attend meetings. Details about the Press Complaints Commission's work can be found in the statute.

### Appointment of complaints committee

The members are appointed by the Managing Board. In turn, the members of the PCC elect a Chairperson and a Deputy Chairperson.

### System for decision-makers to recuse if complaints about their titles?

Yes – a provision exists in the rules of procedure so that members of the PCC cannot vote on issues related to which they have a conflict of interest. Conflicts of interest are declared before the start of each meeting of the PCC. There is no formal register of interests for members.

### CODE OF ETHICS

#### Summary of content of Code of Ethics

- The Code used by the CEMM has been inherited from the Association of Journalists, whose Code dates from 2001. The Code is based on the principles of the IFJ and is supplemented by a series of guidelines, which have been developed by the AJM to enhance understanding of the interpretation of editorial standards.
- A number of changes have been proposed to bring the Code up to date.

#### Who is responsible for writing the Code? Public input?

- As noted above, the Code was written and adopted by the Association of Journalists in the Republic of Macedonia.
- There is no formal mechanism for the public to be consulted about changes.

### POWERS

#### Overview of available powers and sanctions

In common with other voluntary systems of media self-regulation, the most serious sanction is the publication of a critical adjudication. There are no powers to fine offending titles. The Executive Office also has a role to play in mediating between the parties and negotiating a right to reply on behalf of a complainant.

<table>
<thead>
<tr>
<th>Are member publications of the Council required to publish a) decisions upholding complaints against them? b) decisions not upholding complaints against them?</th>
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</thead>
<tbody>
<tr>
<td>a) Yes. The statute states that members of the CEMM have the responsibility to “respect and publish the decisions of the Press Complaints Commission, particularly when the complaint refers to their media”. b) No.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Are there any conditions applying to the publication of decisions when they are required to be published in relation to: a) promptness b) prominence?</th>
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</thead>
<tbody>
<tr>
<td>a) No. b) Yes. The statute states that the CEMM will request media outlets that have a complaint upheld to publish its decision in “a space that is defined by the Council”; and further, that it will “also require from its members to publish the decision.” In both instances, publication will be free of charge. Some issues have arisen with regard to the application of this rule, with publications against which a critical ruling has been issued, not publishing it.</td>
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<table>
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<tr>
<th>Does the Council issue adjudications against publications that are not formal members of the regulatory system?</th>
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<tbody>
<tr>
<td>Yes. The PCC considers complaints against media that are not members of the CEMM. The procedure for these complaints is the same as the one for the members of the CEMM.</td>
</tr>
</tbody>
</table>
### Public and Industry Engagement

<table>
<thead>
<tr>
<th>Summary of training offered to journalists and/or editors</th>
<th>Recent profile-raising activities have included:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Undertaking media appearances to explain rulings about complaints and the role of the organisation more generally.</td>
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<tr>
<td></td>
<td>• Production of videos/publications/research findings</td>
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<td></td>
<td>• Open sessions of the Press Complaints Commission</td>
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<tr>
<td></td>
<td>• Active use of the Facebook page/Twitter and Instagram profile.</td>
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<tr>
<td></td>
<td>• Organizing of an annual competition for best journalistic stories</td>
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<table>
<thead>
<tr>
<th>Summary of public engagement work</th>
<th>Online presence</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>• A Twitter account: <a href="https://twitter.com/semm_mk">https://twitter.com/semm_mk</a></td>
</tr>
<tr>
<td></td>
<td>• A Facebook page, YouTube profile and Instagram profile.</td>
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</table>

### The Future

<table>
<thead>
<tr>
<th>Summary of main challenges</th>
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</thead>
<tbody>
<tr>
<td>• Ensuring sufficient staffing, particularly with regard to complaints-handling, legal advice and administration;</td>
</tr>
<tr>
<td>• Ensuring compliance by media with decisions of the Press Complaints Commission;</td>
</tr>
<tr>
<td>• Building the profile of the CEMM as a whole, for the public as well as decision-makers, academics, and other stakeholders;</td>
</tr>
<tr>
<td>• Establishing protocols and Memoranda of Understanding between the constituent parts of the CEMM/other parts of the media industry.</td>
</tr>
</tbody>
</table>

### Serbia

**Population:** 7,078,110 (July 2018 estimate, according to CIA)

<table>
<thead>
<tr>
<th>Name of organisation</th>
<th>Press Council Savet za štampu (Serbian)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of regulation</td>
<td>Voluntary self-regulation</td>
</tr>
</tbody>
</table>

### History, Funding and Staff

<table>
<thead>
<tr>
<th>Year founded</th>
<th>2009 (registered); began operations in 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brief history and significant milestones</td>
<td>• Efforts to establish Serbia’s first Press Council began in 2006 when Journalist’s Code of Ethics was adopted by the two main associations of journalists: The Journalists’ Association of Serbia (UNS) and the Independent Journalists’ Association of Serbia (NUNS). The Founding Act of the Press Council was signed in 2009 by representatives from these two associations together with the two publishers’ groups, Media Association and Local Press.</td>
</tr>
<tr>
<td></td>
<td>• In September 2011 Press Council started work.</td>
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<tr>
<td></td>
<td>• In February 2013, the statute was amended in two significant areas: firstly, the jurisdiction of the Council was extended to enable it to deal with complaints about online-only media; and secondly, the Council’s authority was extended so it could deal with complaints against media outlets which are not formally members of the Press Council.</td>
</tr>
</tbody>
</table>
### Budget and funding arrangements

- The annual budget is on the average €100,000 for core activities and additional 10–20% for training, media monitoring and other activities. For example, the 2016 budget was €127,000, and the 2017 budget €112,000.

- Early core funding support came from the Norwegian Ministry of Foreign Affairs and the Norwegian Embassy in Belgrade. EU Delegation in Serbia supported Council’s core activities during 2015-2017. A number of donors supported the core activities in 2017-2018 including Deutsche Welle Academie. EU Delegation in Serbia is expected to support the Council work in 2019-2021.

- Project support has been received from a number of organizations including UNESCO, Council of Europe, IREX, OSCE, The Foundation for an Open society Serbia, The Ministry of culture and information, and DW Academie.

- According to the Press Council’s Statute, it was intended to be funded with contributions from founding members and donations. The reality is that the immediate future of the Serbian self-regulatory mechanism depends on donations, as the founding members’ contributions so far have mostly been in skills, labor and logistics.

- Publishers face serious constraints and are currently not in the position to finance the work of the Press Council which would ensure regular and efficient functioning. Nevertheless, in 2014, when the Press Council did not have donor financing, Media Association and two journalists’ associations (UNS and NUNS) allocated enough money to keep the operation going for three months. Founder organizations continue to work to resolve the important issue of financial sustainability.

### Staff

- Two full-time positions: Secretary-General who is responsible for all aspects of day-to-day operations and project manager who provides operational support, secures continuous funding and implements donor-financed projects.

- There is no administrative support for the Council.

- Three part-time positions: financial assistant, website administrator and accountant.

### PURPOSE AND COMPLAINTS-HANDLING WORK

#### Legal basis

The Press Council is registered as an NGO and operates in accordance with the Serbian Law on Associations.

#### Primary purpose/functions

The Press Council’s primary functions are:

- Implementing the Code of Ethics in the printed media and in their releases on all platforms offline and online, including for news portals and news agencies;

- Implementing the Code of Ethics in online-only media

- Mediating in order to resolve disputes between media and complainants;

- Deciding on complaints about alleged breaches of the Code of Ethics;

- Educating journalists and editors to promote ethical behaviour and compliance with the Code.
<table>
<thead>
<tr>
<th>Summary of complaints-handling work and process</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Complainants are asked to send by letter or email a copy of the article in question and an outline of the complaint, together with relevant background materials and link to the online piece, if appropriate. Under the terms of the rules of procedures of the Complaints Commission, the General Secretary first determines whether the complaint is valid. If it is, she attempts to mediate between the parties.</td>
</tr>
<tr>
<td>• If mediation is not successful, the complaint is put to the Complaints Commission to discuss at one of its monthly meetings. The Commission meets once every month, and all complaints are discussed in person. Meetings are held in public, as part of an effort to promote transparency in decision-making.</td>
</tr>
<tr>
<td>• The Commission makes decisions based on a 8/11 majority vote.</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Who can complain and how are complaints received?</th>
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<tbody>
<tr>
<td>• Any individual, organization or institution who is directly affected by the content under complaint (written consent is required if a complaint is filed on behalf of someone else),</td>
</tr>
<tr>
<td>• Complaints can be received by letter, email or via a complaints form available on the website. Since complaints are discussed in public meetings, complainants are required at the outset to permit information to enter the public domain.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proactive investigations?</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Under the terms of the rules and procedures of the Complaints Commission, each Commission member has the right to initiate complaints where no official complaint has been received;</td>
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<tr>
<td>• An important aspect of Press Council work is media monitoring. Monitoring results represent the only available empiric data on violation of professional standards in Serbia. From 2015, for four consecutive years, 8 daily newspapers with national coverage have been monitored for violations of the Journalist’s Code of Ethics. The 2017 March to November monitoring of 8 daily newspapers with national coverage recorded 5292 texts in which the Code was violated. Monitoring results are shared with editors and made public at end-of-year press conference to influence media outlets, educate citizens and identify trends. Monitoring data has shown that less than 2% of identified violations of the Journalist’s Code of Ethics are reported to the Complaints Commission, that the number of violations is constantly increasing, and that one part of violations are unintentional while the other part of violations are made on purpose, mostly by tabloids.</td>
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<td>• The Press Council is making an effort to expand media monitoring to online-only media. In 2017 it developed original methodology, trained a monitoring team and executed a two-month pilot monitoring of the eight most visited online media outlets. Results showed that the Code was violated 4345 times. Prohibitive cost of online-only media monitoring has postponed this initiative.</td>
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<tr>
<th>Appeal mechanism for complaints?</th>
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<td>No.</td>
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<th>Summary of complaints statistics (2017)</th>
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<td>From January to December 2017, the Press Council received 95 complaints, which is less than in the previous year, when the Council received 126 complaints. Mediation resulted in an agreement in 11 cases, while 24 complaints were rejected for formal reasons, most often because the published content did not refer to the complainant. By the end of the year, the Commission decided on 65 complaints (including three complaints from 2016), and ruled that the Journalist’s Code of Ethics was violated in 53 cases, out of which 32 decisions were related to media that do not accept the full authority of the Press Council. These media outlets were issued public warnings. The Commission decided that the Code was not violated only in five cases during 2017. Commission members failed to agree on a decision in seven cases, which is considerably less than in 2016, when it happened as many as 19 times. Some media outlets still do not respect the obligation to publish the decisions of the Commission: in 2017 this obligation was avoided by &quot;Politika&quot; (which did not publish</td>
</tr>
</tbody>
</table>
The largest number of complaints were filed by citizens, individuals (49), then non-governmental organizations (37), four complaints were filed by the media against each other, three complaints submitted by Commission members and two by bodies or institutions.

No. The Council deliberately has not adopted a public role defending media freedom or speaking on behalf of the media industry. This work is undertaken by Press Council founders – the four journalist and publisher associations instead; the self-regulatory/complaint-handling and advocacy roles are understood to be separate and distinct.

In summary: the Council’s remit covers print and (since 2013) online-only media. Jurisdiction automatically extends to all members of the two main publisher associations (Media Association and Local Press), unless a media outlet explicitly chooses to opt out. Publications that are not members of one of these industry bodies can also request to join the Council, though it is not possible to opt out of jurisdiction by the Press Council and remain a member of a professional association. News agencies are also covered by the Council’s remit.

- Both print and online-only members must have an imprint, an editorial office with a minimum of three members and an editor-in-chief.
- Broadcast regulation in Serbia operates separately. TV and radio complaints are dealt with by the Regulatory Authority of Electronic Media, a state body with which the Council has established a working relationship.

Press Council has 251 members. Media Association with its 157 media outlets, Local Press with 51, Association of Online Media with 22, and 21 individual media outlet.

New members include provincial print media outlets like Romanian-language Libertatea from Pančevo, Kikindske novine from Kikinda, Vršačka kula from Vršac, Bačkopalanački nedeljnik from Bačka Palanka, Ibarske novosti from Kraljevo, but also online-only media like Super Info from Subotica, Pressek from Kragujevac, Storyteller from Maglic, Fake News Tragač from Novi sad, Medijski istraživački centar from Niš, UžiceMedia from Uzice and others. Most new members were recruited during training sessions or after direct contacts with staff and or Complaint Commission sessions held outside Belgrade.

Two biggest tabloids fall outside the full jurisdiction of the Press Council – Informer and Srpski telegraf while daily Alo is still formally a part of the self-regulatory system, but does not cooperate with the Council. Notably, however, the Council will still issue adjudications about articles published in these three newspapers.

Not formally, though the Ministry of Culture and Information guidelines for public funding of media content to meet public interest require government entities at local, provincial and republican level to
**Complaints about audio-visual material published on newspaper and magazine websites?**

Yes. The Commission has decided on several such cases since 2014.

**Complaints about user-generated content / readers' comments?**

Yes, though the Council notes that complainants generally submit complaints about readers’ comments in conjunction with a complaint about the content of the article to which the comment refers (i.e. rather than just about a comment itself). Most complaints concern hate speech and discrimination.

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### DECISION-MAKING

**Membership of Board**

The Council’s Managing Board has a total of 5 members, of whom:

- 3 are industry representatives
- 2 are representatives of journalists’ associations

Members represent the following associations. Note that the number of representatives for each association is fixed:

- Media Association (A publishers’ association) – 2 members
- Local Press (A publishers’ association) – 1 member
- Journalists’ Association of Serbia (UNS) – 1 member
- Independent Journalists’ Association of Serbia (NUNS) – 1 member

There is no public representation. As set out in Article 2 of the statute, the President of the Managing Board is also the President of the Council, whose role it is to call and schedule the Managing Board.

**Appointment of Board**

Presidents of the four industry associations are members of the Press Council Managing Board. Media Association Executive Board chooses its second representative to the Managing Board.

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**Membership of complaints commission**

This commission is known as the Complaints Commission. It has 11 members, of which:

- 8 are from journalist or publisher associations (see below for the breakdown)
- 3 are representatives of the public.

Members are drawn from the following organizations:

- Media Association – 3 members
- Local Press – 1 member
- Journalists’ Association of Serbia – 2 members
- Independent Association of Journalists of Serbia – 2 members
- Representatives of the public – 3 members

**Appointment of complaints commission members**

- The four founder organizations appoint their members to the Commission.
- Representatives of the public are appointed following a public competition. Suggestions may be made by members of the Press Council or NGOs, civil society organizations working in various fields. The decision is made by the Council’s Managing Board. Members of the Press Council choose their representatives for the Complaints Commission after the elections conducted in accordance with their own general acts. Each member of the Complaints Commission is appointed for a period of 4 years.
- One member of the Commission is appointed to the post of President.
System for decision-makers to recuse if complaints about their titles?

Members of the Complaints Commission who have a link to a media outlet under complaint do not consider complaints. There is no dedicated register of interests or similar document that would make clear which exact relationships these refer to, though the rule itself is set out in the rules of procedure of the appeals commission (rule no. 13).

CODE OF ETHICS

Summary of content of Code of Ethics

The Code of Ethics is an extremely detailed document, covering a broad range of topics. It is divided into the following main sections, or chapters: Truth and reporting; Independence from pressure; Prevention of corruption and conflicts of interest; Responsibility of journalists; Journalistic attention; Relationship to sources of information; Compliance policy; The use of honourable means; and Respect of copyright. Within each section fall a number of provisions, which are supplemented by more general guidelines. Full text http://www.savetzastam-purs/english/serbian-journalists-code-of-ethics/105/2015/11/03/serbian-journalists-code-of-ethics.html

Who is responsible for writing the Code? Public input?

The Code of Ethics was agreed by merging together the two Codes of the two journalist associations and agreeing a new version. It followed consultation with external stakeholders and the public. Proposals for amendments are discussed and agreed by the professional associations as and when reviews are deemed necessary. There is no formal mechanism for public input.

POWERS

Overview of available powers and sanctions

• In line with other self-regulatory media organizations, the Press Council can issue a critical adjudication (i.e. so-called 'name and shame' sanction), though cannot issue fines. It also has an important mediation role to play, which can result in the publication of an apology and so on.

• The Council has adopted an arguably pragmatic approach to the publication of its upheld adjudications, offering both a full and a shortened version, the latter of which it believes is more likely to be published by an offending media outlet.

Are member publications of the Council required to publish a) decisions upholding complaints against them? b) decisions not upholding complaints against them?

a) Yes. Rule no. 17 of the rules on the procedures of the appeals commission sets out the expectation that a critical adjudication must be published by the media outlet within five days (daily newspapers and online media) or within ten days (weekly). Media outlets are permitted to publish a commentary of up to 2000 characters to accompany the Press Council's ruling, though the text must be checked by the Council in advance of publication.

b) No, there is no obligation, although some titles choose to do so.

Are there any conditions applying to the publication of decisions when they are required to be published in relation to: a) promptness b) prominence?

There are no formal rules regarding either prominence or promptness. The Council's usual expectation would be for same-page publication as the original article. Generally speaking, the Council reports that this has worked well in practice, with the exception of content originally published on the front page.

Does the Council issue adjudications against publications that are not formal members of the regulatory system?

Yes. The Council amended its statute in 2013 so that it could issue rulings on breaches of the Code by media outlets that do not accept the jurisdiction of the Council (this was not possible under original statute). This is known as limited jurisdiction, or limited competence. These titles are not obliged to publish critical adjudications (known in this scenario as warnings, rather than adjudications in the formal sense) but the Council publishes them on its website and distributes them widely in order to publicize its decisions.

PUBLIC AND INDUSTRY ENGAGEMENT

Summary of training offered to journalists and/or editors

The Press Council in cooperation with donor organizations organizes training sessions for editors and journalists. In 2017 alone 124 journalists trained in Vrdnik, Kragujevac Novi Sad, Subotica, Belgrade and Niš.
### Summary of public engagement work

In 2017 the Complaint Commission held three sessions outside the Press Council premises - at the Faculty of Political Science in Belgrade (in April), at the UNS Press Center (in June) and at the Open University in Subotica (November).

During 2017 the Complaints Commission held regular press conferences to present the most interesting cases considered in the previous period. Video recordings and reports from sessions, panel discussions and press conferences were posted on the Press Council website, as well as on Facebook and YouTube.

The Press Council has in 2017, for the third year, monitored the compliance of eight daily newspapers with national coverage with the Journalist's Code of Ethics. This year monitoring was done in the period March - November 2017. Members of the Complaints Commission Tamara Skrozza and Petar Jeremić recorded 5292 texts in which the Code was violated during this period, which indicates a continuous increase in violation of ethical rules of the profession. The Code, like in previous years, was most often violated in Chapter IV (Responsibility of Journalists), paragraph 3 (violation of the right to presumption of innocence) and 7 (PR or marketing content presented as informative).

In October and November of 2017, a pilot project of monitoring of the eight most visited online media, which do not have printed editions, was conducted. Research was co-financed by the Ministry of Culture and Information of the Republic of Serbia. The monitoring, conducted by a four-member team of graduate students of the Faculty of Political Science, led by Assistant Professor Jelena Surčulija Milojević, showed that in only nine weeks the Code was violated as many as 4345 times, mostly due to lack of naming of information sources, violating the right to privacy by displaying the identity of victims and suspects, along with frequent violations of the presumption of innocence.

At the beginning of 2017, the Press Council began a two-year Council of Europe JUFREX project. During 2017, a lecture was held at the Faculty of Political Science for 140 students of journalism about the standards of the Council of Europe in relation to journalistic ethics and about the work of the self-regulatory body. In April and June, seminars for journalists "Freedom of Expression, Right to Privacy and Media Ethics" were held in Vrdnik and Novi Sad, where journalists from 20 Belgrade and 20 Vojvodina's media outlets were involved. Interprofessional training "Media Reporting on Judicial Proceedings" for journalists and representatives of the judiciary was held in October in Kragujevac and was attended by thirty trainees.

Within the projects funded by the Open Society Foundation and UNESCO, Complaints Commission members held a training session for minority language media professionals during November in Subotica, and in the same month training was held for 37 editors and journalists of the Adria Media Group in Belgrade.

Member of the Complaints Commission Petar Jeremić was a lecturer in Valjevo, and Stojan Marković in Kragujevac at the round tables "Application of Photography Ethics and Media Laws in Practice", within the framework of the Photography Festival "Visualizer".

In February 2017, a "Journalistic Ethics in Online Media" seminar was held where the Guidelines for the Implementation of the Code of Journalists of
Online presence
The Council's website is http://www.savetzastampu.rs/english/
There are also three social media channels, as follows:
YouTube: https://www.youtube.com/user/savetzastampu
Facebook: https://www.facebook.com/savet.za.stampu
Twitter: https://twitter.com/savet_za_stampu

Summary of main challenges
- Lack of stable funding in the long-term, given the absence of financial contributions from members;
- Compliance: media refusing to publish Press Council decisions, or only publishing a self-edited version of them; lack of meaningful cooperation from the media industry;
- Low numbers of complaints from civil society;
- Low levels of public awareness among civil society.

THE FUTURE

Summary of public engagement work
Serbia in the Online Environment were presented, and the present journalists and editors participated in the simulation of the work of the Press Council Complaints Commission pertaining to complaints against online media.

The Press Council has also developed an Android application through which citizens can file complaints. The application for mobile phones is also intended for editors and journalists who can now always have with them the texts of the of Journalist’s Code of Ethics and the Guidelines for applying the Code in the online environment. The application also contains a short test of media ethics, Android applications can be downloaded free of charge from the Internet (Play Store) and is already being used by students of journalism at universities in Belgrade, Nis and Novi Sad.

In October 2017 in Kragujevac, a round table with citizens “Tabloid monsters and citizens’ complaints against untrue reporting” took place, in which citizens were introduced to complaints about media, the responsibilities of local and online media, and how they can complain to the Press Council.

Members of the Managing Board of the Press Council met in July 2017 with the Commissioner for the Protection of Equality Brankica Janković. This is the second meeting with the Commissioner in the last two years, and the participants emphasized the importance of respecting the Journalists Code of Ethics when reporting on very sensitive issues such as gender-based violence, faced by persons with disabilities, LGBT populations and national minorities.

During 2017, the Council provided answers to 68 requests from local self-governments and government bodies about compliance with ethical standards of 837 media outlets that sought government grants. Unfortunately, the Council has no feedback on whether the commissions and to what extent, in the allocation of funds, have respected the criterion that financing is available only for media outlets that respects the ethical standards of the profession. In few cases, we were informed that the money was allocated to media outlets which were found to be in multiple violations of the Code by the Press Council.

Secretary General of the Press Council Gordana Novaković participated at the annual assembly of the Alliance of Independent Press Councils of Europe (AIPCE), held on October 12 and 13 in Budapest.

The member of the Complaints Commission Tamara Skrozza and the Secretary General participated at the regional conference in Tirana, EU-Western Balkans Media Days: Strengthening Media in the Western Balkans, November 8-9.

Tamara Skrozza, Petar Jeremić and Gordana Novaković met on November 15 with representatives of the EU expert mission with whom they discussed media freedom in Serbia and the work of the Press Council.
The first attempt at self-regulation in Turkey was the “Press Honour Council,” established on July 24, 1960 on the initiative of the Istanbul Journalists Association and the Istanbul Journalists Union. On this date, a number of newspaper owners, editors, agency managers, and press associations signed a charter that declared they would be bound and abide by the organ’s decisions. The occupational principles guide, named the “Law on Press Morals,” was prepared at the same time.

The Honour Council was in effect dissolved in 1967 and had only analysed 148 cases.

The topic of establishing a new organization of self-regulation within the media was discussed immediately after this initial failure. One of the important meetings to this end was the second Turkish Press Convention, organized by the General Directorate of Press and Information in 1975 and attended by many of Turkey’s media organizations. The “Commission on the Duty and Responsibilities of the Media” presented a report at the Convention that stated the following:

“The members of the Commission have come to the conclusion that the responsibility of the members of the press is commensurate with the power of the press to shape public opinion. The press needs to have an auto-control mechanism, keeping in mind that irresponsible broadcasts can destroy all press freedoms and respect for the press.”

The majority of the delegates at the Convention agreed during the debate over the report that there is a need for a self-regulation body. Conversely, there were differences of opinion concerning whether this self-regulation body should operate on a voluntary basis or have a corporate identity, and whether or not it would be anti-democratic to bring all occupational bodies under one umbrella.

However, the 1980 military coup took place in the meantime, and no developments were to be seen in the 1980s. In fact, Kenan Evren, who led the military coup and later served as president, in a speech he made concerning the press on November 4, 1983, mentioned the Press Honour Council and read the Press Morality Law. This was perceived as a sign that the oppressive regime would “align” the press by putting it under pressure. In response, members of the press came together and contacted the International Press Institute, and began work on forming a Press Council.

The person who perhaps played the most influential role in this was the chief columnist of the Hürriyet daily, Oktay Ekşi. Ekşi prepared a draft at a meeting held towards the end of 1985 during which self-regulation was discussed and distributed it to his close colleagues. Two more drafts were prepared based on input he received. Ekşi opened up the draft to discussion during a meeting in May 1986 attended by 28 journalists. That same year, a working group comprising nine journalists in Istanbul also came together to discuss “a press council” that would be in contact with media outlets and journalists. The working group produced the “Principles of the Press Occupation” and the “Press Council Contract” after bringing the final draft, which took into consideration criticisms and suggestions, to the attention of 294 members of the media.
During the ensuing debates, associations such as the Turkish Journalists Union, the Contemporary Journalists Association, and the Photojournalists Association called on their members to not join the Council. In response to these calls, the work group mentioned above prepared a brochure on the Press Council to clear up some of the misconceptions about the council. For example, it stressed that the “establishment of the Press Council is needed in order to be able to fight for the removal of the existing restrictions” and defended that the “council respects itself, the readers, and every newspaper and journalist who respects the journalistic profession, and that it seeks to put the rules it has adopted into writing.” Furthermore, it stressed the fact that the Press Council does not have the authority to “punish” newspapers and journalists. Journalist Yalçın Doğan noted that the Press Council aims to “protect freedom of the press, oppose all types of regulation, have a press that has freed itself from the government’s shadow, and put in place a press that is capable of solving its own problems.” From this perspective, he defended the idea that the council “will not be an institution that will mete out punishment. On the contrary, it will become a respected institution through the decisions it makes and show its weight in the face of political power and other institutions.”

Ultimately, the Press Council was officially established on February 6, 1988 after one-and-a-half years of hard work by the working group. The Press Council Contract was signed by 28 newspapers, 22 magazines, 11 news agencies, 6 broadcasters, and 6 press organs.

The “Board of Representatives,” which was later disbanded, formed the Press Council High Council. The first meeting of the High Council was held on March 12, 1988, headed by criminal law professor Dr. Faruk Erem and his deputy, journalist Oktay Ekşi. Ekşi was also assigned to the post of secretary-general until a full-time replacement was found. It should be noted that Erem had announced in May 1988 that he would like to withdraw from his post, citing health reasons, but the High Council denied his request and he served for a short while longer. However, Erem resigned later following criticism in the press concerning the Press Council being headed by someone who is not a journalist, and after he was “called to resign” because he served as a lawyer in several cases.

Following this, Oktay Ekşi took over the presidency in October 1988. He served in this capacity for over 20 years, only to resign from all of his duties at the Council in January 2011 after receiving heavy criticism for a column he wrote in which he addressed then-Prime Minister Recep Tayyip Erdoğan. The Press Council informed the public of this development, saying, “Oktay Ekşi has resigned from the Presidency of the Press Council and from his membership in the High Council in order to be fully capable of carrying out his political duties and to not cast a shadow on the independence and impartiality of the Press Council.”

The vacancy was filled by Cumhuriyet columnist Orhan Birgit. However, the new president only remained at the post for a year-and-a-half; Birgit resigned in September 2012.

The post, which had remained empty for a while, was filled by journalist, columnist, and academic Pınar Türenç after an election was held in June 2013 by the Press Council High Council. Pınar Türenç was re-elected to the post for the third time in April 2018.

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<tr>
<th>Brief history and significant milestones</th>
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<th>Budget and funding arrangements</th>
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<td>Our Press Council has very serious funding problems. In 2017, the Press Council obtained approximately 226,000 lira, and its expenditures for that year were approximately 167,000 lira. At the end of 2017, its assets totalled approximately 200,000 lira. Its projected expenses in 2018 amounted to approximately 170,000 lira. Filing an application with the Council is free of charge. Of the funding the Council obtained in 2017, approximately 185,000 lira were received from its members.</td>
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### Staff

- President (non-paid), Vice-President (non-paid), Secretary-General (paid), Service personnel (1 person – paid).
- Related to budget problems, employment of workers represents a serious problem.

From the perspective of the Council, the Secretary-General is a critical employee as he or she is the person tasked with dealing with correspondence concerning complaints, preparing dossiers, and presenting, together with his or her own views, all of this to the relevant organ. Furthermore, "[The secretary-general] is to forward the draft of the High Council's decisions to all of the members who attended the meeting as soon as possible and in written form, and if objections are raised to the text, that they be conveyed by a specific date and time. [The secretary-general] is to prepare the final text, taking into consideration the objections -- if he or she finds them reasonable -- and announce it to the public."

Contrary to the practice in previous years, the council no longer has an administrative secretary. The president and vice president are not paid, nor are any of their other expenses covered, and all of the members of the High Council cover their own expenses.

### Purpose and Complaints-Handling Work

The Press Council is not organized as an association, in the legal sense, and has no legal personality. This being the case, the "Press Council and Solidarity Association" was established as a legal entity on August 9, 1988 in order to meet the financial needs of the council. The goal here was to protect the council, as a legally bound institution, from legal pressure that could arise as a result of the Law on Associations.

The council's "sub-institution" the Press Council and Solidarity Association, being a legal entity, was able to present to the state's regulators its income, expenditures, and expenses for inspection. This organ was later transformed into a 'foundation ' (the Press Council and Solidarity Foundation), again with legal status. This foundation has a separate executive board from the Press Council High Council.

The work of the Press Council rests on three legal texts:

- **a. Press Council Contract**: This is the primary text that regulates the structure and boards of the council, and their composition, election, duties, and authorities. According to Article 2, the organs of the Press Council are the following:
  1. Press Council Board of Members (BKÜK),
  2. Press Council High Council (BKYK).

  Article 3 specifies the composition of the BKÜK, and according to Article 6, "The BKÜK's ordinary meeting takes place once a year. At this meeting, the secretary-general informs the Board of Members about the work of the Press Council." According to the same article, the BKÜK is "not to comment on the Press Council High Council's 'decisions concerning the Principles of the Press Occupation.'"
The High Council convenes twice a month; however, in the months of July and August, it only meets once. Having said that, it is also possible to hold special meetings as the need arises. Furthermore, some of the meetings take place outside of Istanbul, in the various regions of Turkey.

b. Principles of Journalism: The Principles of Journalism, the other legal text the Press Council rests on, can help determine the limits of complaints concerning publications by media organs. Work is taking place on updating and widening the scope of the principles.

c. Procedures for Evaluating the Press Council's Rules and Applications: This document is a kind of "bylaw" and arranges the details of the decision-making process concerning complaints entering the Press Council's field of work.

Examinations of Professional Ethics Violations
Since the primary task of the Press Council is to self-regulate the press, perhaps the main activity of the council is to examine violations of journalistic principles in media publications.

“Outside” Activities Focused on Protecting Freedom of the Press and Teaching Ethical Values
The Press Council has in the last few years worked hard to raise its voice on freedom of the press as a principle and on the need to protect the fundamental rights and freedoms of journalists on the individual level. When the Press Council was being established, one of its goals was set to be “to investigate attacks on newspapers and journalists, and to expose those who carry them out.”

To this end, the following efforts can be cited:
- It released many press releases critical of political, administrative, or judicial attempts to target the press or journalists.
- It visited as many arrested members of the media as the Ministry of Justice would allow. A report on their views and impressions was submitted to the media.
- It displayed an activist attitude on the topic of human rights. The Press Council organized or joined various meetings or demonstrations concerning freedom of the press. For example, the secretariat of the council took it upon itself to coordinate prolonged “Hope Watch” after the arrests of Erdem Gül and Can Dündar. The watch took place in front of the prison in Silivri where the two were held but also sought to provide moral support to all of the journalists who had been imprisoned.
- It published reports that documented the difficulties faced by the press. One part of these reports documenting the attempted attacks on and restrictions of the press during the year can be seen online.

Activities were also carried out to teach occupational principles:
- The Council carried out an educational program, as part of a project financed by the EU, to teach media ethics to students in the departments of communication of seven universities in six regions of Turkey.
- A free-of-charge program was held at the council’s headquarters in 2017 seeking to educate young journalists using a multi-disciplinary approach.
- Numerous academic or professional conferences, seminars, and the like were held to address the topic of freedom of the press.

Summary of complaints-handling work and process

According to Article 10 of the “procedures,” the BKYK is to decide on applications concerning the practices and accusations involving the following:

a. All press (media) outlets producing written, audio, and video content published/broadcast in Turkey,
b. All mass communication outlets engaged in internet broadcasting,
c. Broadcasts independent journalists,
According to Article 16 of the Press Council Contract, “The council will hold a meeting when at least 11 members are present. Decisions are made by the majority present. Each member holds one vote. Votes only reflect the views of those who cast them. Abstention is not permitted.”

According to Article 17 of the Contract, “Every detail of the BKYK’s gatherings and votes is secret, unless decided otherwise. The BKYK, if it deems it necessary or if it receives a request from the parties involved, will listen to the parties and may call upon witnesses.”

Who can complain and how are complaints received?

See above

Proactive investigations?

Exceptionally, the Press Council may act upon its own initiative in analysing publications that seem to be in violation of its Principles.

Appeal mechanism for complaints?

According to Art. 16 (2) of the “Contract”, the BKYK’s decisions are final; “however, an extraordinary appeal can be made within the first 15 days following the announcement of the decision on the grounds that a material error has been made in the initial examination or evidence provided by the complainant has not been assessed” and “the initial decision can be changed with at least a 2/3 vote of those present at the meeting.”

Summary of complaints statistics

There was a significant drop in applications following the July 15, 2016 coup attempt. A total of 146 applications were submitted in 2015, whereas this number fell to 63 in 2016, and 30 in 2017. The press being comprehensively regulated in Turkey and many violations of journalistic principles falling under various laws has opened the way for many of the applications to the Press Council to be forwarded to the courts.

In 2018 we have analysed 41 cases. 27 have ended in a finding of violation (13 warnings and 14 reprimands), 12 applications have been deemed “unfounded”. In one case a friendly settlement was reached between the parties, and one complaint procedure was discontinued.

Complainants

In recent times (2010 and later), a large number of high-level individuals have applied to the council. Among them we can count the president, ministers, members of parliament, the National Police Department, a leading sport club (Galatasaray), judges and prosecutors, various public figures (such as businessmen, artists, and models), and journalists. As explained above, the council accepts complaints concerning both media outlets that are members and those that are not. No differentiation is made between media outlets engaged in written or audio-visual broadcasting. Likewise, internet broadcasts are included; an amendment pushed through in 2002 included “websites that engage in journalism.” As noted above, some of the updates to the Journalistic Principles included specifically addressing the internet and social media. Finally, the applicant, apart from allegations of a violation of personal rights, does not need to have personally been harmed by a broadcast they file a complaint about.

Active role in defending press freedom?

YES. See above (under “primary functions”)

MEMBERSHIP AND SCOPE

Membership: print/broadcast/online?

Open to all
<table>
<thead>
<tr>
<th>Summary of members</th>
<th>5 national newspapers, 6 national TV channels, 6 professional press organizations, Turkish Union of Bar Associations, Bar Associations of Istanbul, Ankara and Izmir. There also around 2000 individual members.</th>
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<tbody>
<tr>
<td>Details of new media members?</td>
<td>Some internet portals have recently joined in.</td>
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</tbody>
</table>
| If voluntary membership: any significant gaps in membership and/or compliance? | Until relatively recently, the Press Council included almost all of the leading media outlets, including the official state channel TRT and the official state news agency Anadolu Ajansı. However, media outlets known for being close to the government ended their membership in the second half of the 2000s. Furthermore, independent of this, other outlets also withdrew from the Council for various reasons. On the other hand, a group of outlets known for being close to the Gülenist movement first withdrew, then decided to become members again; eventually they were shut down by the state following the July 15, 2016 attempted coup. Furthermore, a number of new media outlets have become members of the council in recent years.

**Incentives to become a member of/comply with the decisions of the Council?**

- Not at the moment.

**Complaints about audio-visual material published on newspaper and magazine websites?**

- According to Article 19 of the Contract, “The decisions of the BKYK are to be sent to all press organs and media outlets that are members of the Press Council. Media outlets publishing decisions concerning themselves is to be considered complying with the pledge they made to abide by Journalistic Principles.” But, in practice, these decisions are not published. However, all of the decisions are published on the website of the Press Council.

**Complaints about user-generated content/readers’ comments?**

- Not admissible.

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**DECISION-MAKING**

**Membership of Board**

- According to Art. 7 of the Contract, the Press Council High Council (BKYK) is composed as follows:
  - A- The Press Council Board of Members comprises 26 elected members, 12 of whom are members of the press, and 14 of whom are not journalists,
  - B- One journalist to represent owners, or their delegates, of media outlets with a circulation of over 100,000 on average per day,
  - C- One journalist to represent owners, or their delegates, of agencies that produce written, audio, or video material to media outlets with at least five newspapers with a circulation of over 100,000 on average daily or at least two audio or video outlets authorized to broadcast nationally for a reasonable price,
  - D- An owner, general manager, or representative of an online newspaper with a minimum number of views deemed acceptable by the Press Council High Council and an audio and/or video outlet authorized to broadcast nationally,
  - E- The President of the Press Council Solidarity and Improvement Foundation,
  - F- The Presidents of the three Journalists Associations with the most members from among the outlets that have agreed to the Principles of the Press Occupation and the Press Council Contract, or a representative selected by the Executive Board,
  - G- The President of the Journalists Union with the highest membership figures, or a representative selected by the Executive Board.

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1 For example, NTV and TV8.
2 The Sözcü newspaper is one example from 2018.
3 http://basinkonseyi.org.tr/category/haber-panosu/basin-konseyi-kararlari/
<table>
<thead>
<tr>
<th>Appointment of Board</th>
<th>See above. In addition: According to Article 8 of the Contract, members of the High Council “elect through a secret vote a president and vice president from among themselves. The President represents the Press Council. In the event that the President is absent, the Vice President assumes his role, and if the Vice President is absent, then the Secretary-General represents the council.”</th>
</tr>
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<tbody>
<tr>
<td>Membership of complaints commission</td>
<td>The duties of the BKYK are listed in Article 11, with the most important being that it must investigate when necessary all complaints concerning breaches of journalistic principles. Unlike the many examples in Europe, the council does not have an independent organ to address claims of violations. It can be said that all of the duties and authorities of the council have been given to the High Council.</td>
</tr>
<tr>
<td>Appointment of complaints committee</td>
<td>See above. In addition: According to Article 10 of the Contract, elected members of the High Council (BKYK) are to serve a three-year term and are eligible for re-election thereupon.</td>
</tr>
<tr>
<td>System for decision-makers to recuse if complaints about their titles?</td>
<td>YES: The representative of a media outlet that is the subject of an application cannot vote on the matter.</td>
</tr>
<tr>
<td>CODE OF ETHICS</td>
<td>The integral text is as follows (the translation provided by BK): We, as journalists, Regarding freedom of communication as a cornerstone of living in a humane way, and of having a transparent administration and democratic system in our country; Promising on our own free will that we will object at any time and in any place to the legislative's or any other institution's and person's restrictions to the freedom of communication; Regarding freedom of communication as a means to the people's right to learn the truth; Taking into account that the basic function of journalism is to find out about the truth and represent it to the public opinion without any corruption and exaggeration; Emphasising the Press Council's resolve not to permit any external interference upon its own functioning; Declare before the public that we regard complying with the Press Professional Principles, including the above, as a requirement of the basic beliefs</td>
</tr>
<tr>
<td>Summary of content of Code of Ethics</td>
<td>The President or representative of an association or union representing media employers (if there are associations representing owners of written, audio, or video outlets, then each is to be counted as a separate category) specified by the Press Council High Council, A representative from the Union of Turkish Bar Associations and representatives assigned by the Executive Boards of the three bars with the highest membership figures, According to the (B), (C), and (D) clauses of this article, press organs belonging to the same media group only have the right to send one representative to the BKYK. (…) Members of the High Council from outside of the media world include former politicians (Parliament Chair, Minister, MP, etc.), academics (rectors and deans included), jurists, and businessmen.</td>
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</table>
we have mentioned.

1. In the publications no one shall be reproached or denigrated on account of his race, sex, age, health, physical handicap, social level and religious beliefs.

2. Publications restricting the freedom of thought, conscience and expression, publications unsettling or offending the sense of public decency, religious feelings, or the basic foundations of the family are prohibited.

3. Journalism is a public duty which cannot be used for unethical personal purposes and interests.

4. Expressions that transgress the limits of criticism by insulting, degrading, or slandering persons and institutions are prohibited.

5. Except in cases where public interests so require, the private lives of persons cannot be the subject of publications.

6. News which can be enquired within the limits of journalistic possibilities cannot be published without being first enquired or without being certain about their veracity.

7. Information provided on the condition that it remains a secret cannot be published unless public interest seriously so requires.

8. Until a press organ has finished its distribution process, a product that is the result of that organ's special/private effort cannot be presented by another press organ to the public as its own product. Journalists shall show diligence in indicating the origin of special products obtained from (news) agencies.

9. No one shall be declared “guilty” unless his guilt is determined through a judicial decision.

10. Conduct which is regarded as criminal by law shall not be attributed to anyone unless there exist reasonable grounds leading to the belief that such conduct has in fact occurred.

11. A journalist shall protect the privacy of his sources. Cases in which the source intends to deceive the public for personal, political, economic and similar reasons are not within this scope.

12. A journalist shall refrain from performing his duty through methods and a line of conduct which brings into disrepute the title he bears.

13. Journalists shall refrain from publications that incite to violence and despotism, or offend humanistic values.

14. Publications which qualify as announcement and advertisement shall be so indicated without leaving room to any doubt.

15. The time restriction imposed for the publication date shall be respected.

16. Press organs shall respect the right to respond and to refute originating from untruthful/incorrect publications.

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<tr>
<th>Who is responsible for writing the Code ? Public input ?</th>
<th>The BKYK.</th>
</tr>
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</table>

### Powers

In the event that a compromise is not reached between the complainant and the party being complained about, a “complaint unfounded,” “warning” or “condemnation” decision may be made concerning members of the press and/or press organs (Article 18 of the Contract).

In this regard, it can be said that the Press Council’s decisions only carry the weight of exposure, with the aim of “causing embarrassment through exposure” serving as a sanction measure. The understanding that the most appropriate sanction is “moral” in nature when professional ethics are violated, a view internalized by the Press Council since its very inception, has never changed.

<p>| Overview of available powers and sanctions | In the event that a compromise is not reached between the complainant and the party being complained about, a “complaint unfounded,” “warning” or “condemnation” decision may be made concerning members of the press and/or press organs (Article 18 of the Contract). In this regard, it can be said that the Press Council’s decisions only carry the weight of exposure, with the aim of “causing embarrassment through exposure” serving as a sanction measure. The understanding that the most appropriate sanction is “moral” in nature when professional ethics are violated, a view internalized by the Press Council since its very inception, has never changed. |</p>
<table>
<thead>
<tr>
<th>Are member publications of the Council required to publish</th>
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<tbody>
<tr>
<td>a) decisions upholding complaints against them?</td>
</tr>
<tr>
<td>b) decisions not upholding complaints against them?</td>
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</table>
| According to Article 19 of the Contract, “The decisions of the BKYK are to be sent to all press organs and media outlets that are members of the Press Council. Media outlets publishing decisions concerning themselves is to be considered complying with the pledge they made to abide by Journalistic Principles.” Therefore, a decision concerning a particular member organ has to be published by that organ alone. As stated above, in practice, this obligation is neglected.

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<tr>
<th>Are there any conditions applying to the publication of decisions when they are required to be published in relation to:</th>
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<tr>
<td>a) promptness b) prominence ?</td>
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<tr>
<td>No.</td>
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<tr>
<th>Does the Council issue adjudications against publications that are not formal members of the regulatory system?</th>
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<tr>
<td>Yes.</td>
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</table>

**PUBLIC AND INDUSTRY ENGAGEMENT**

<table>
<thead>
<tr>
<th>Summary of training offered to journalists and/or editors</th>
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<tbody>
<tr>
<td>See under “primary purposes/functions”</td>
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</table>

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<tr>
<th>Summary of public engagement work</th>
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</thead>
<tbody>
<tr>
<td>See under “primary purposes/functions”</td>
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</table>

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<tr>
<th>Online presence</th>
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<tbody>
<tr>
<td><a href="http://www.basinkonseyi.org.tr">www.basinkonseyi.org.tr</a> The website is only available in Turkish language</td>
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</table>

**THE FUTURE**

<table>
<thead>
<tr>
<th>Summary of main challenges</th>
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<tbody>
<tr>
<td>1. Problems Related to the Political Situation</td>
</tr>
<tr>
<td>As noted above, the media outlets known to be close to the government are no longer members of the council. This means the end of the possibility to represent the media as a whole.</td>
</tr>
<tr>
<td>At the same time, although it is possible to have individual meetings with various people from government circles, there is no continuous and sustained dialogue channel present with the government. And this reduces the possibility of handling issues through dialogue.</td>
</tr>
<tr>
<td>As mentioned previously, the political situation in Turkey has significantly reduced the number of applications to the council concerning violations of professional ethics.</td>
</tr>
<tr>
<td>2. Financial Difficulties</td>
</tr>
<tr>
<td>As explained above, the council in Turkey has very serious funding problems. Apart from the problems already mentioned, financial difficulties have made it quite difficult to publish and distribute. Furthermore, the lack of personnel makes it impossible to translate research into foreign languages and distribute it.</td>
</tr>
<tr>
<td>3. Outlets that Regularly Violate Media Ethics</td>
</tr>
<tr>
<td>A notable problem seen in Eastern Europe that is especially acute in Turkey is how to approach media outlets that deliberately and systematically violate journalistic principles.</td>
</tr>
<tr>
<td>The view that the efforts of some media outlets operating in Turkey to ensure compliance with journalistic principles has come to naught was raised at a meeting jointly organized by the P24 Independent Journalists Platform, the European Commission, and UNESCO in Turkey.</td>
</tr>
<tr>
<td>One topic often discussed at professional meetings is local media outlets, especially in Anatolia, whose sole goal is to put pressure on local authorities</td>
</tr>
<tr>
<td>Summary of main challenges</td>
</tr>
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<td>----------------------------</td>
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<td>in order to benefit personally. It is not possible to apply the idea of self-regulation to this kind of structure under the present conditions.</td>
</tr>
</tbody>
</table>

4. Internet and Social Media

One current debate concerns the regulation of social media. Turkish Press Council is working on a renovation of its Press Professional Principles with a view to adapting it to new circumstances, including the “new media”. Further see no.5 below.

According to our practice, the current regulations are sufficient to cover a news article a journalist shares through his or her social media accounts. In fact, we have an example of this; two journalists who had shared information via their Twitter accounts were found in violation of professional ethics on account of the content.

5. Journalistic Principles adapting to New Developments

I have already stated that the Press Council is working on updating the Journalistic Principles. Some of the main issues are as follows:

• Many internet portals in Turkey simply copy-paste the work of others in large part or in full. Sometimes the source is listed, but sometimes not even this is done.

• Another problem is the way news concerning health is presented. Some news are presented in an exaggerated and sensational fashion just to attract more attention.

• Another ethical violation frequently seen on the internet is using graphics that are entirely unrelated to the content of the news article but only serve to draw in curious readers. In particular, pictures of the human body should not be used to simply increase circulation numbers, ratings, or views.

• There should also be a provision to prevent the use of false, exaggerated, or sensational headlines (especially on social media) that do not reflect the content of the news article and only serve to rouse reader curiosity. The only goal of clickbait is to entice readers through dishonest means and direct them to specific content with commercial concerns in mind.

• One important issue is the way crimes such as sexual assault, sexual abuse, sexual harassment, and the like are reported on. News articles on crimes against sexual inviolability should not include information such as the name, photograph, educational level, and the likes that would make it easier to expose the victim. Furthermore, the same principle must apply for all crimes committed against or by children. Likewise, when reporting on crimes against sexual inviolability, sensationalism or exaggeration and victim blaming should not be resorted to. Furthermore, eroticizing sexual crimes by turning them into “stories” is unacceptable. Also, bringing up the identity of the victim or their personal life or demeanour to explain the crime shifts the focus from the perpetrator to the victim and is a grave error.

• Media outlets should also publish corrections to articles that are later discovered to contain false information. There is no regulation requiring this, but in practice articles that contain mistakes or turn out to be false are removed without any explanation.

• Another painful problem in our country is the way legal news are presented. In legal cases of political importance especially, some media outlets convey information in a way that would sway public opinion and that is intentionally biased. The course of judicial cases should be presented objectively.

Conclusion

The Press Council has been the target of various criticism since the first years of its establishment. Although the reasons and scope may differ,
the criticisms it receives today mostly come from circles close to the government. Today, segments close to the government criticize the Press Council for being an “opponent.” There can be nothing more natural than the Press Council being in a continuous state of struggle with the government in the face of the most important threats facing freedom of the press emanating from the three main power of the state (legislative-executive-judicial).

However, it should be noted that there are shortfalls on the topic of the applicant profile “coming down to the level of the public.” The Press Council has a limited source of funds, making it more difficult for the council to promote itself nationwide. The council needs to show some effort on these topics.

An important challenge for the Press Council is to include internet portals in its system. Online platforms have become the most common way to inform the public in light of the difficulties and pressure Turkey’s conventional media faces. The Council must find an effective way to reach these platforms (and it has begun work on this already).

Another recommendation for the Press Council is that it should have an arm comprising technocrats and researchers. Undoubtedly, when the number of its employees increases, such an effort will enable the council to partially fulfil its role as a centre of knowledge that sets standards in professional practice.

As a concluding note, self-regulation within the media can only work in a society with democratic values, freedom of speech, and freedom of the press. As long as the governments and society at large in Turkey do not fully internalize these principles, any attempts at self-regulation will always face great difficulties.