

Guidelines for understanding and implementing journalistic due diligence

This document is produced within the UNESCO EU-funded project
"Building Trust in Media in Southeast Europe and Turkey – Phase 2"



unesco



Funded by the
European Union

GUIDELINES FOR DUE JOURNALISTIC DILIGENCE

The first legal text in Montenegro that explicitly refers to the notion of "journalistic due diligence" is the new Media Law 2020. Although referring to this term in Art 32 and 33, the text does not provide a clear definition of what is considered journalistic due diligence. Whether it is explicitly mentioned and or defined or not, all deontic documents that regulate professional and ethical standards of journalism refer to journalistic due diligence.

In the light of the Media Law 2020, to bring more clarity about what is considered journalistic due diligence, joint efforts have been established within the UNESCO EU-funded project "Building Trust in Media in South East Europe and Turkey - Phase 2." Notably, a working group has been established to develop the present guidelines, composed of representatives from the Council for Media Self-Regulation in Montenegro, Ranko Vujovic and Aneta Spajic, and two media ombudspersons, the ombudsman of daily Dan, Ilija Jovicevic, and ombudswoman of daily Vijesti and weekly Monitor, Paula Petricevic. The working group has collected, adapted, and formulated a set of recommended guidelines for journalists that can help journalists achieve the standard of journalistic due diligence in specific situations.



Dealing with sources

- While developing the text, especially before its publication, journalists are obliged to double-check the data, names and surnames, titles, and whether the quotations were correctly transmitted and accurately reflect what sources said and thought. Journalists should ask the question: Is something missing, and is the story biased?
- Journalists should have a fair and careful attitude toward the sources. They should not be promised that their statement (allegation) will not be checked elsewhere, nor that no other writing will be written on a specific topic.
- Journalists should always keep in mind that there are sources whose sole purpose is to harm the people or groups that journalists write about.
- When a source addresses a journalist on the condition that what they say is "not for publication," journalists should refuse to publish and listen to what such a source planned to tell them.
- Information that does not have a source should not be published and can only be used as a starting point in further research, verification, and confirmation of existing sources.
- With prior agreement with the editor, a source may be given the status of an anonymous source provided that it has previously factually confirmed its statement.
- The credibility of a source is based on its knowledge or experience related to a given area and/or the fact that it will not benefit from discovering the truth.
- Journalists must inform at least one editor about the source of the information they publish.
- If the source asks the reporter to keep their name unknown to the editor, journalists must clarify that the information thus offered cannot be published.
- Sources should not be allowed to change official statements. Instead, the rules should be followed: the statement given officially remains official.
- Journalists never accept the conditions set by the source of information regarding the publication or non-publication of some information.

- The use of one source is allowed only in exceptional situations, with the editor's approval, when the source's reliability and value of the information are especially appreciated in virtue of the principle of accuracy assumptions. Requesting a statement from the person addressed in the article should be done within a reasonable timeframe, clearly stating the reasons for the statement. It is inadmissible to do this last minute, except with the prevailing public interest at stake, or to contact persons on non-working days for texts whose publication can wait and for which the public interest is not at stake.

Performance of journalists

- Insufficient knowledge of the Code provisions cannot be an excuse for non-compliance, and this will be considered an even greater violation of the Code.
- Journalistic ethics is based on the conscience of journalists, their responsibility is complete, and they must not transfer it to the editor, with the pretext that they obeyed the editor.
- Journalists should not work for anyone except the main editorial office without the prior written approval of the editor.
- Journalists are not allowed to express their political affiliation while at work.
- Journalists should present themselves to their information source and explicitly identify the media for which they are working at the time. However, concealment of identity is an exception and must always be firmly proven by a strong public interest to be informed.
- Journalists should have a special understanding when talking to people who accidentally and unplanned become the subject of reporting, who are unfamiliar with journalistic work and therefore are not sufficiently aware of the consequences of public appearances. They should be clearly explained that their statement will be published and that they should not be surprised because of that.
- Journalists should satisfy the reasonable desire of their interlocutors to know in advance when their statements will be published and in what way.
- It is the duty of journalists to convey other people's words accurately, while direct quotations must be word for word, especially when it comes to an interview.
- Quotes are not used when retelling words.
- To avoid inconvenience due to their interlocutor's grammatically insufficient statement, journalists can paraphrase it, preserving the original information. It should be clear that a paraphrase is not the same as a quote, so sometimes, for the sake of credibility and complete accuracy, it is allowed to use simple words.
- If journalists have promised not to publish something, they should not disclose it publicly or privately or entrust it to a person who could publish it.
- Journalists should resist any attempt by the government and state officials to interfere in the work of the media under the pretext of defending national interests because the government's interests are not necessarily national, just as the public interest does not have to be the interest of the community.
- A difference of opinion is not always a sufficient basis for exercising the right of reply.
- Unlike the right of reply, publishing a correction is an obligation that journalists voluntarily impose on themselves. And when they deem it necessary, they are obliged to issue an apology.

- Journalists have the right to reveal the identity of the person who gave them false information intending to deceive them, and the identity of the person who denies the previously given statement.
- When a person named in the text, or by his position in society, is invited to state something, refuses to give his statement or comment on the occasion, it should be published truthfully.
- Professional ethics requires that the journalist be aware of all relevant provisions in international conventions, declarations, and resolutions.



Editorial processing

- Title blocks, captions, and captions below photographs and images must be justified in the text, must not conflict with its substance, and must be subject to the same ethical principles as the text.
- When shortening the text, journalists should take care of its harmony, paying particular attention not to remove those parts of it that are counterbalanced by other views expressed.
- The editor must have the consent of the journalist on all interventions in the text and photographs.
- The editor should inform journalists about the interventions made in their text.
- Everything that applies to the text's authenticity also applies to the photograph's authenticity, which should be verified the same way as the statement and any other document.

Reporting on events

- When covering an event, journalists must not leave it until it is over.
- If journalists did not attend the event they are reporting on, it must be identifiable from the text.
- Silencing facts that may significantly affect the public's view of an event is tantamount to intentionally distorting or telling lies. (Taken from the Code of Journalists of Serbia, from the section on journalistic diligence).
- Journalists should always clearly recognize what the public interest is. The public interest is not the same as the interest of the community or part of the community.
- Just as journalists need to distinguish between news and commentary clearly, they should also make a clear distinction in the text between what they have personally seen and what they have learned through their sources.

Reporting on investigations and trials

- When reporting on crime, investigations, and trials, journalists must use clear and precise terminology to avoid making gross mistakes, such as mixing reconnaissance, detention, imprisonment, grounds of suspicion, suspect, accused, etc., which often happens in practice.
- When reporting on court proceedings, a journalist will not publish anything that could directly or indirectly seriously impede the proceedings, disable them or affect their outcome. Also, it will not publish what is essentially an ongoing comment, discussion, or findings of the journalists themselves, speculations, reflections, or comments on issues that could be understood as appropriation of court jurisdiction.

- Journalists will not publish or comment on evidence gathered during the investigative work of journalists after a suspect has been arrested and convicted, that is, when the court has taken jurisdiction, and will not disclose, comment on or evaluate the alleged confession of the accused.
- Although they may engage in moderate criticism of court proceedings or judgments in the public interest, journalists must not slander a judge or accuse them of improper motives or bias. In addition, they may not raise scandals concerning the court or the judiciary in general or personal opinions about the ability or integrity of judges.
- The media will carefully avoid unfair and unnecessary criticism that insinuates that judges are guided by inappropriate interests in their work, although such criticism does not strictly fall under contempt of court.

This document is produced within the UNESCO EU-funded project
"Building Trust in Media in Southeast Europe and Turkey – Phase 2"



Funded by the
European Union