

RESOLUTION 1003 (1993)^[1]

on the ethics of journalism

The Assembly affirms the following ethical principles for journalism and believes that they should be applied by the profession throughout Europe.

News and opinions

1. In addition to the legal rights and obligations set forth in the relevant legal norms, the media have an ethical responsibility towards citizens and society which must be underlined at the present time, when information and communication play a very important role in the formation of citizens' personal attitudes and the development of society and democratic life.
2. The journalist's profession comprises rights and obligations, freedoms and responsibilities.
3. The basic principle of any ethical consideration of journalism is that a clear distinction must be drawn between news and opinions, making it impossible to confuse them. News is information about facts and data, while opinions convey thoughts, ideas, beliefs or value judgments on the part of media companies, publishers or journalists.
4. News broadcasting should be based on truthfulness, ensured by the appropriate means of verification and proof, and impartiality in presentation, description and narration. Rumour must not be confused with news. News headlines and summaries must reflect as closely as possible the substance of the facts and data presented.
5. Expression of opinions may entail thoughts or comments on general ideas or remarks on news relating to actual events. Although opinions are necessarily subjective and therefore cannot and should not be made subject to the criterion of truthfulness, we must ensure that opinions are expressed honestly and ethically.
6. Opinions taking the form of comments on events or actions relating to individuals or institutions should not attempt to deny or conceal the reality of the facts or data.

The right to information as a fundamental human right - Publishers, proprietors and journalists

7. The media's work is one of "mediation", providing an information service, and the rights which they own in connection with freedom of information depends on its addressees, that is the citizens.
8. Information is a fundamental right which has been highlighted by the case-law of the European Commission and Court of Human Rights relating to Article 10 of the European Convention on Human Rights and recognised under Article 9 of the European Convention on Transfrontier Television, as well as in all democratic constitutions. The owner of the right is the citizen, who also has the related right to demand that the information supplied by journalists be conveyed truthfully, in the case of news, and honestly, in the case of opinions, without outside interference by either the public authorities or the private sector.
9. The public authorities must not consider that they own information. The representativeness of such authorities provides the legal basis for efforts to guarantee and extend pluralism in the media and to ensure that the necessary conditions are created for exercising freedom of expression and the right to information and precluding censorship. Moreover, the Committee of Ministers is aware of this fact, as demonstrated by its Declaration on the Freedom of Expression and Information adopted on 29 April 1982.
10. When dealing with journalism it must be borne in mind that it relies on the media, which are part of a corporate structure within which a distinction must be made between publishers, proprietors and journalists. To that end, in addition to safeguarding the freedom of the media, freedom within the media must also be protected and internal pressures guarded against.
11. News organisations must consider themselves as special socio-economic agencies whose entrepreneurial objectives have to be limited by the conditions for providing access to a fundamental right.
12. News organisations must show transparency in matters of media ownership and management, enabling citizens to ascertain clearly the identity of proprietors and the extent of their economic interest in the media.
13. Inside the news organisation, publishers and journalists must co-exist, bearing in mind that the legitimate respect for publishers' and owners' ideological orientations is limited by the absolute requirements on truthful news reporting and ethical opinions. This is essential if we are to respect the citizens' fundamental right to information.

14. These requirements are such that we must reinforce the safeguards of the journalist's freedom of expression, for they must in the last instance operate as the ultimate sources of information. In this connection we must legally expand and clarify the nature of the conscience clause and professional secrecy *vis-à-vis* confidential sources, harmonising national provisions on this matter so that they can be implemented in the wider context of democratic Europe.
15. Neither publishers and proprietors nor journalists should consider that they own the news. News organisations must treat information not as a commodity but as a fundamental right of the citizen. To that end, the media should exploit neither the quality nor the substance of the news or opinions for purposes of boosting readership or audience figures in order to increase advertising revenue.
16. If we are to ensure that information is treated ethically, its target audience must be considered as individuals and not as a mass.

The function of journalism and its ethical activity

17. Information and communication as conveyed by journalism through the media, with powerful support from the new technologies, has decisive importance for the development of the individual and society. It is indispensable for democratic life, since if democracy is to develop fully it must guarantee citizens participation in public affairs. Suffice it to say that such participation would be impossible if the citizens were not in receipt of the information on public affairs which they need and which must be provided by the media.
18. The importance of information, especially radio and television news, for culture and education was highlighted in Assembly [Recommendation 1067](#). Its effects on public opinion are obvious.
19. It would be wrong to infer from the importance of this role that the media actually represent public opinion or that they should replace the specific functions of the public authorities or institutions of an educational or cultural character such as schools.
20. This would amount to transforming the media and journalism into authorities or counter-authorities ("mediocracy"), even though they would not be representative of the citizens or subject to the same democratic controls as the public authorities, and would not possess the specialist knowledge of the corresponding cultural or educational institutions.

21. Therefore journalism should not alter truthful, impartial information or honest opinions, or exploit them for media purposes, in an attempt to create or shape public opinion, since its legitimacy rests on effective respect for the citizen's fundamental right to information as part of respect for democratic values. To that end, legitimate investigative journalism is limited by the veracity and honesty of information and opinions and is incompatible with journalistic campaigns conducted on the basis of previously adopted positions and special interests.
22. In journalism, information and opinions must respect the presumption of innocence, in particular in cases which are still *sub judice*, and must refrain from making judgments.
23. The right of individuals to privacy must be respected. Persons holding office in public life are entitled to protection for their privacy except in those cases where their private life may have an effect on their public life. The fact that a person holds a public post does not deprive him of the right to respect for his privacy.
24. The attempt to strike a balance between the right to respect for private life, enshrined in Article 8 of the European Convention on Human Rights, and the freedom of expression set forth in Article 10, is well documented in the recent case-law of the European Commission and Court of Human Rights.
25. In the journalist's profession the end does not justify the means; therefore information must be obtained by legal and ethical means.
26. At the request of the persons concerned, the news media must correct, automatically and speedily, and with all relevant information provided, any news item or opinion conveyed by them which is false or erroneous. National legislation should provide for appropriate sanctions and, where applicable, compensation.
27. In order to harmonise the application and exercise of this right in the member states of the Council of Europe, we must implement Resolution (74) 26 on the right of reply – Position of the individual in relation to the press, adopted by the Committee of Ministers on 2 July 1974, and also the relevant provisions of the European Convention on Transfrontier Television.
28. In order to ensure high-quality work and independence on the part of journalists, they must be guaranteed decent pay and proper working conditions and facilities.

29. In the relations which the journalist must maintain in the course of his duties with the public authorities or the various economic sectors, care should be taken to avoid any kind of connivance liable to affect the independence and impartiality of journalism.
30. In journalism, controversial or sensational items must not be confused with subjects on which it is important to provide information. The journalist must not exploit his duties for the principal purpose of acquiring prestige or personal influence.
31. In view of the complexity of the process of providing information, which is increasingly based on the use of new technologies, speed and conciseness, journalists must be required to have appropriate professional training.

Rules governing editorial staff

32. Within the newspaper business, publishers, proprietors and journalists must live side by side. To that end, rules must be drawn up for editorial staff in order to regulate professional relations between the journalists and the publishers and proprietors within the media, separately from the normal requirements of labour relations. Such rules might provide for the setting up of editorial boards.

Situations of conflict and cases of special protection

33. In society, situations of tension and conflict sometimes arise under the pressure of factors such as terrorism, discrimination against minorities, xenophobia or war. In such circumstances the media have a moral obligation to defend democratic values: respect for human dignity, solving problems by peaceful, tolerant means, and consequently to oppose violence and the language of hatred and confrontation and to reject all discrimination based on culture, sex or religion.
34. No-one should remain neutral *vis-à-vis* the defence of democratic values. To that end the media must play a major role in preventing tension and must encourage mutual understanding, tolerance and trust between the various communities in regions where conflict prevails, as the Secretary General of the Council of Europe has set out to do with her confidence-building measures in the former Yugoslavia.
35. Having regard to the very specific influence of the media, notably television, on the attitudes of children and young people, care must be taken not to broadcast programmes, messages or images glorifying violence, exploiting sex and consumerism or using deliberately unsuitable language.

Ethics and self-regulation in journalism

36. Having regard to the requisite conditions and basic principles enumerated above, the media must undertake to submit to firm ethical principles guaranteeing freedom of expression and the fundamental right of citizens to receive truthful information and honest opinions.
37. In order to supervise the implementation of these principles, self-regulatory bodies or mechanisms must be set up comprising publishers, journalists, media users' associations, experts from the academic world and judges; they will be responsible for issuing resolutions on respect for ethical precepts in journalism, with prior commitment on the part of the media to publish the relevant resolutions. This will help the citizen, who has the right to information, to pass either positive or negative judgment on the journalist's work and credibility.
38. The self-regulatory bodies or mechanisms, the media users' associations and the relevant university departments could publish each year the research done *a posteriori* on the truthfulness of the information broadcast by the media, comparing the news with the actual facts. This would serve as a barometer of credibility which citizens could use as a guide to the ethical standard achieved by each medium or each section of the media, or even each individual journalist. The relevant corrective mechanisms might simultaneously help improve the manner in which the profession of media journalism is pursued.

[1] *Assembly debate* on 1 July 1993 (42nd Sitting) (see Doc.6854, report of the Committee on Culture and Education, Rapporteur: Mr Núñez Encabo).

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