

Code of conduct on media and elections

Individual journalists and the media in general have adopted codes of conduct, or ethical and professional standards, in most countries as well as through their international organisations. Likewise, a growing number of countries have adopted codes of conduct, either voluntarily or through laws, governing the behaviour of political parties and candidates in elections. The conduct of electoral administrators is also subject to strict professional standards.

The purpose of this code of conduct is to address the areas where all three sets of ethical standards overlap. The mass media are increasingly recognised as playing a crucial role in free and democratic elections. The media are vital in conveying information to the electorate, helping the latter to make a free and informed choice. They do this in three ways in particular:

- By communicating political messages from parties and candidates;
- By relaying important voter information from election administrators;
- By subjecting the whole election process to independent scrutiny and comment.

This important role for the mass media imposes particular ethical obligations on individual journalists, editors and media proprietors, political parties and candidates and election administrators. It is recommended that a joint code of conduct be adopted by all these stakeholders to ensure that each behaves in an ethical manner and respects the rights and freedoms of the other.

The following draft code of conduct is in four parts, covering the different obligations attaching to: individual journalists, editors and owners, political parties and candidates and election management bodies.

Certain issues are not directly addressed in this code. In particular, the question of what system is adopted for direct access by political parties and the media is likely to have been addressed already at a national level in the form of laws, regulations or an agreement between the stakeholders.

Likewise, the question of how the provisions in this code are to be enforced is a matter that would have to be determined at a national level, depending on whether such a code was entirely a voluntary agreement between the different stakeholders or acquired the force of law.

Individual journalists

- The first duty of a journalist is to report accurately and without bias.
- A journalist shall report only in accordance with facts of which s/he knows the origin. A journalist shall not suppress essential information.
- A journalist shall observe professional secrecy regarding the source of information obtained in confidence.
- A journalist shall report in a balanced manner. If a candidate makes an allegation against another candidate, the journalist should seek comment from both sides wherever possible.
- A journalist shall do the utmost to correct any published information that is found to be harmfully inaccurate.
- As far as possible, a journalist shall report the views of candidates and political parties directly and in their own words, rather than as they are described by others.
- A journalist shall avoid using language or expressing sentiments that may further discrimination or violence on any grounds, including race, sex, sexual orientation, language, religion, political or other opinions, and national or social origins.
- When reporting the opinions of those who do advocate discrimination or violence, a journalist shall do the utmost to put such views in a clear context and to report the opinions of those against whom such sentiments are directed.
- A journalist shall not accept any inducement from a politician or candidate.
- A journalist shall not make any promise to a politician about the content of a news report.
- A journalist shall take care in reporting the findings of opinion polls. Any report should wherever possible include the following information:
 - who commissioned and carried out the poll and when
 - how many people were interviewed, where and how were they interviewed and what is the margin of error
 - what was the exact wording of the questions.
- A journalist shall regard the following as grave professional offences:
 - plagiarism
 - malicious misrepresentation
 - calumny, slander, libel or unfounded accusations
 - acceptance of a bribe in any form in consideration of either publication or suppression.

Media houses

- In all media, there shall be a clear separation between fact and comment. News reporting should reflect the facts as honestly perceived by journalists. Comment may reflect the editorial line of the publication.
- Publicly owned media shall not express an editorial opinion in favour of or against any party or candidate.
- Publicly owned media have a duty to be balanced and impartial in their election reporting and not to discriminate against any party in granting access to air time.
- If media houses accept paid political advertising, they shall do so on a non-discriminatory basis and at equal rates for all parties.
- News, interviews, information or current affairs programmes or articles in the public media shall not be biased in favour of or against any party or candidate.
- The media shall provide equitable and regular coverage to all political parties, their candidates and platforms.
- The media shall encourage and provide access to the voters to express their opinion and views.
- The media shall promote democratic values such as the rule of good law, accountability and good governance.
- Any candidate or party that makes a reasonable claim of having been defamed or otherwise injured by a broadcast or publication shall either be granted the opportunity to reply or be entitled to a correction or retraction by the broadcaster or publisher or by the person who made the allegedly defamatory statement. The reply or correction shall be broadcast or published as soon as possible.
- News coverage of press conferences and public statements concerning matters of political controversy (as opposed to functions of state) called or made by the head of government, government ministers, or members of parliament shall be subject to a right of reply or equal time rules. This obligation acquires even greater force when the person making the statement is also standing for office.
- Publicly owned media shall publish or broadcast voter education material.
- Voter education material shall be accurate and impartial and must effectively inform voters about the voting process, including how, when and where to vote, to register to vote and to verify proper registration; the secrecy of the ballot (and thus safety from retaliation); the importance of voting; the functions of the offices that are under contention; and similar matters.
- Voter education shall include programmes in minority languages and programmes targeted for groups that traditionally may have been excluded from the political process, such as women and people with disabilities.
- Media houses should monitor their own output to make sure that it conforms with the standards set out in this code of conduct.

Political parties

- All political parties and candidates shall respect the freedom of the media.
- Political parties and candidates shall not harass or obstruct journalists who are engaged in their professional activities.
- Incumbent political parties and candidates shall not abuse their office to gain unfair advantage in access to the media. This provision applies to all media, but is of particular relevance when publicly funded media are under direct control by the government of the day.
- Political parties and candidates shall not offer bribes or inducements to journalists or media houses to encourage them to attend campaign events or to report favourably on the party or unfavourably on other parties or candidates.
- Political parties and candidates should not misrepresent the stated positions or any other factual information about other parties and candidates.
- Political parties and candidates should avoid using language that is inflammatory or defamatory, or that threatens or incites violence against any other person or group.
- Party leaderships shall ensure that the standards of tolerance and free debate contained in this code of conduct are communicated and fully explained to campaign workers. Parties should take full responsibility for the words and actions of those campaigning on their behalf.

Electoral management bodies

- Electoral management bodies shall respect the freedom of the media including their editorial independence and right to express political preferences.
- Electoral management bodies shall respect the right to freedom of expression of parties and candidates.
- Electoral management bodies shall conduct the election in an open and transparent manner.
- Electoral management bodies shall endeavour to make sure that their activities are open to scrutiny by the media to the fullest extent possible.
- Electoral management bodies should not favour any media outlet in the distribution of either paid advertising or free information material.
- Electoral management bodies should use the mass media, among other means, to convey timely and accurate information to enable the electorate to exercise their right to vote in an informed manner.
- Electoral management bodies should only impose such restrictions on reporting – for example, at the polling station and the count – as are strictly necessary to ensure the integrity of the electoral process.

Main sources:

International Federation of Journalists Declaration of Principles on the Conduct of Journalists

National media codes of conduct/guidelines in elections: Guyana, East Timor, Tanzania, Zimbabwe, South Africa.

Commonwealth Election Broadcasting Guidelines

Council of Europe Committee of Ministers Recommendation R(99)15

ARTICLE 19 Guidelines on Election Broadcasting in Transitional Democracies

UN Special Rapporteur on Freedom of Opinion and Expression, Annual Report 1999.

International IDEA, Code of Conduct: Political Parties Campaigning in Democratic Elections.