

PRACTICAL GUIDE

TIPS FOR CONFLICT REPORTING



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PREFACE

The conflict reporting is a specialized field in journalism and mass communications, which is yet to be developed in the third world countries, like Pakistan. Despite its significance, this subject has not been properly included in the curriculum of the mass communications and media studies in these countries.

This Guide is an effort to provide some tips for the working journalists on the concepts and techniques of the conflict reporting.

It has been developed by the Intermedia, a not-for-profit organization, working on media development issues, under one of its projects on the conflict reporting.

This project was based on the ‘Pak-Afghan Journalists Fellowship’ programme, of the Intermedia, which was launched in collaboration with British High Commission (BHC), under the Project “Joint Training and Study Visit for Afghan and Pakistani Journalists to Improve Reporting on Conflict Issues. This was a two-country project covering Pakistan and Afghanistan. The main purpose of the project was to improve the capacity of journalists from Pakistan and Afghanistan to report on conflict and post-conflict issues through training and exposure to a successful, high profile case study of conflict resolution.”

This Guide has seven chapters and five annexes. The major themes and subjects covered in this Guide include: the definition of the conflict; understanding violence; conflict and war; information challenges and role of media; investigative journalism; conflict sensitive journalism; international standards, codes and key elements and humanitarian laws.

The Annexes include the following information and documents: International Principles of Professional Ethics in Journalism; Reference Documents on Professional Ethics; International Federation of Journalists’ Declaration of Principles on the Conduct of Journalists; Charter of the safety of the Journalists working in War Zones or Dangerous Areas; and Basic Documents Recognizing the Principles of Press Freedom.

We hope this Practical Guide will help the media persons and other readers to orient themselves in the concept and techniques of the conflict reporting and also will inspire those in the profession to improve their skills and take ever more effective measures to promote a culture of the balanced conflict reporting in Pakistan.

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INTRODUCTION

This Practical Guide: Tips for Conflict Reporting Journalists is based mainly on the experience of journalists and other media persons working in this field. In addition to that international standards, ethics, and documents related to this subject have also been consulted and used in the preparation of this guide and also incorporates advice from experts, who have taken part in various activities in the conflict reporting field during war and peace. This Guide has seven chapters and five annexes.

Chapter 1: What is Conflict: Focuses upon the Definitions and Basic Ideas and Concepts of the conflict.

Chapter 2: Understanding Violence, Conflict and War, covers Understanding Violence; Nature, Causes and Types of Conflict; Conflict Resolution, Violence and Armed Conflict, Levels of Conflict; Characteristics of Intractable Conflicts and Theories and Models of Conflict.

Chapter 3: Information Challenges and Role of Media, deals with Challenges for Media; Conflict Analysis for Media; Role of Media in Conflict; The Contribution of Journalists to Conflict Transformation including the Rights of Journalists and Code of Conduct and Ethical reporting on Conflicts.

Chapter 4: Investigative Journalism, describes the Definitions and Concepts of Investigative Journalism, Role of Investigative Journalist, Investigative Report, Contribution of Investigative Journalism, Investigative Process, Means of Investigation, a Comparison of Investigative Journalism and Analytical Reporting. It also includes Professional References and Sources for Reporters.

Chapter 5: Conflict Sensitive Journalism, is based upon the topics like Concept of Conflict Sensitive Journalism, Dimensions of a conflict and its Coverage, Interests of Conflicting Parties, How to Probe? Tips for Conflict Sensitive Journalism, Good Journalism is Conflict Sensitive Journalism, Objectivity versus Subjectivity and Ways to be more Objective, Characteristics of a Good Journalist and Safety Precautions for the journalists working in the war and conflict situations.

Chapter 6: International Standards, Codes and Key Elements, highlights various aspects related to international standards for reporting, including Why International Standards and Codes? Core International Standards, the Key Elements of International Standards, such as, Impartiality;

Accuracy; Fairness; Honesty and Decency; Protecting Sources and Things to watch for. It also includes a list of Additional Readings & References.

Chapter 7: Humanitarian Laws, is based upon Introduction to Humanitarian Laws: Definitions, States and Humanitarian Law, Evolution of Humanitarian Law, International Treaties; Rights at Stake; a comparison of Humanitarian Law and human Rights, Fundamental Principles of Humanitarian Law, Types of Armed Conflicts, International and Regional Instruments of Protection; Advocacy, Education and Training Materials and other Resources and Reporting of Humanitarian Issues.

The Annexes include the following:

1. International Principles of Professional Ethics in Journalism;
2. Reference Documents on Professional Ethics;
3. International Federation of Journalists' Declaration of Principles on the Conduct of Journalists;
4. Charter of the safety of the Journalists working in War Zones or Dangerous Areas;
5. Basic Documents Recognizing the Principles of Press Freedom; and

Chapter 1

What is Conflict?

1.1. Definitions of Conflict

Compact Oxford English Dictionary defines conflict:

“As a serious disagreement or argument or a prolonged armed struggle or an incompatibility between opinions, principles. Conflicts take place at various levels in society. These could be among individual, within a family, among families or groups that come together for various common interests”.

Summary of the some of the selected web-based definitions of conflict:

- An open clash between two opposing groups (or individuals);
- Opposition between two simultaneous but incompatible feelings;
- Battle: a hostile meeting of opposing military forces in the course of a war;
- A state of opposition between persons or ideas or interests;
- Go against, as of rules and laws;
- Dispute: a disagreement or argument about something important;
- Conflict is a state of discord caused by the actual or perceived opposition of needs; values and interests. A conflict can be internal (within oneself) or external (between two or more individuals).
- A clash or disagreement, often violent, between two opposing groups or individuals; An incompatibility of two things that cannot be simultaneously fulfilled; To be at odds (with); to disagree or be incompatible;
- A struggle between opposing forces. An internal conflict occurs within the mind of the character, who is torn between opposing feelings or goals. An external conflict exists when a character struggles against an outside force.
- Is a state of opposition, disagreement or incompatibility between two or more people or groups of people, which is sometimes characterized by physical violence. ...□

1.2 Basic Ideas and Concepts about Conflict

- The idea of conflict:
 - It is basic to our understanding and appreciation of our exchange with reality--of human action.

- It denotes the clash of power against power in the striving of all things to become manifest.
 - It can also be seen simply as a distinct category of social behavior--as two parties trying to get something they both cannot have.
 - It may be apprehended as a potentiality or a situation, as a structure or a manifestation, as an event or a process.
- The concept of conflict:
 - It is multidimensional.
 - It envelops a family of forms.
 - Conflict is a balancing of vectors of powers, of capabilities to produce effects. It is a clash of powers. But note, Conflict is not a balance, equilibrium, of powers. It is not a stable resultant. Conflict is the pushing and pulling, the giving and taking, the process of finding the balance between powers.
 - Most fundamentally, conflict is correlative to power. Power, simply, is the capability to produce effects; conflict is the process of powers meeting and balancing. To understand what powers become succeed requires comprehending their conflicts; to understand conflict involves untangling the powers involved.
 - According to Heraclitus the Conflict is universal.
 - Our learning about ourselves, others, and reality, our growth and development, and our increasing ability to create our own heaven or hell, comes through conflict.
 - The desire to eradicate conflict, the hope for harmony and universal cooperation, is the wish for a frozen, unchanging world with all relationships fixed in their patterns--with all in balance.

Chapter 2

Understanding Violence, Conflict and War

2.1 Understanding Violence

Explicit violence can easily be described and reported by journalists but implicit violence that exists in societies, is rarely reported and written on. The coverage of these kinds of violence is also important, because these kinds of violence have the potential to turn into explicit violence unless effort is made to curtail them in earlier stages. Two types of such violence are:

A. Cultural violence arises out of a perception of one social group about the other. It takes many forms, such as:

- Hate speech
- Xenophobia
- Myths and legends of war heroes
- Religious justifications
- Gender discrimination

B. Structural violence is harm, which is built into the laws and traditional behavior of a group or society. It can include:

- Institutionalized racism or sexism
- Colonialism
- Extreme exploitation
- Poverty
- Corruption and nepotism
- Structural segregation

2.2 Nature, Causes and Types of Conflicts

There can be a wide array of reasons that can trigger a difference, such as:

- *Inter-Groups' Conflicts*: Identity; Ethnicity; Race; Gender; and Resources.
- *Conflicts related to the Rights and Justice*: Power Inequities; Civil and Political Rights; Human Rights; and Economic Inequities.
- *Family-based Conflicts*: Parental; Marital; Intra-Sibling; Child Custody; and Domestic Abuse.
- *Cultural Conflicts*: Religious; Values; Sectarian; and Moral.
- *Conflicts among Political Parties*: Issues; Programs; and Manifestoes.
- *Conflicts on the Public Policy*: Environment; Policies and Laws; and Government Actions.

But a Common Cause among all types of conflicts is that they always breed on differences and competing goals, taking various forms and extremes.

2.3 Conflict Resolution, Violence and Armed Conflict

- Some differences and conflicts can be resolved through a dialogue and peaceful means, while the ones that remain unsettled can brew, escalate and give rise to violence or armed means.
- An armed conflict takes place between various actors or groups of actors in a society when ways to resolve the differences or strike a compromise fail. However, all differences do not lead to an armed conflict but all armed conflicts are necessarily built on differences of various natures – moral, political, cultural, economic and religious.
- Conflict remains a legitimate part of social and political life. Society is always on guard to ensure that conflicts within its fold do not turn violent.
- In the absence of conflict resolution mechanisms that can reconcile competing interests in a society, differences and disputes spiral into intransigence on part of actors having competing interests, leading to violence of various degrees such as civil strife, civil war, etc.
- All conflicts, whether internal or international, are resolvable. Some are resolved quickly which can be classified as tractable conflicts, while the others take time, at times decades, which are called intractable conflicts.

2.4 Conflicts: Some Key Concepts

- All conflicts breed on differences
- Conflicts can be destructive
- Conflicts can be constructive
- Conflicts can be among groups within a society
- Conflicts can be among states
- All conflicts can be resolved

2.5 Levels of Conflict

- As a balancing of powers, conflict embodies the levels of *potentiality*, *dispositions and powers*, or *manifestations*.
- **Potentiality** is what may become; it is the space of possibilities, as the space of a blackboard is the realm of all the two-dimensional figures and forms that may be drawn on it. Conflict, as potentiality is then the space of possible conflicts: the realm of potential opposing vectors of power.
- A second level is that of **dispositions and powers**: of potentialities transformed into tendencies toward specificity and their strength to be so manifest. At this level we can discriminate between two facets of conflict: a *conflict-structure* of those dispositions opposing each other within the conflict space; and the *conflict-situation* consisting of opposing powers, and their indeterminate balancing.
- The final level of reality is of **manifestations**. This is the level of manifest conflict, of conflict behavior, where the opposition of powers is specific. This process has three facets: opposing attempts to produce effects, that is, opposing powers; the balancing of these powers; and the actual balance of powers.

2.6 Characteristics of Intractable Conflicts

An understanding of the conflicts, is a prerequisite for actors in society who are interested in peace-building i.e. media, civil society and political parties. Comprehension of the phenomenon, appreciation of its causes and consideration of its complexity is necessary to analyze, comment or even report on it in a manner that yield positive dividends by raising demands for peace-building.

The understanding of the common characteristics of conflicts, as listed bellow, helps in conflict resolution:

1. Multiple Actors
2. Prolonged Duration
3. Complex Issues
4. Perceptions
5. Social-Psychological Factors
6. Geopolitics
7. Resolution

2.7 Three Models of Conflict Theory

1. Marxist Theory

For Marxist theory, power is the capacity to affect the life situations of people. Power is a key feature of the structuring relations of society. Accordingly, dominant power is largely in the hands of those who own and control the means of life. Capitalism structures an irresolvable conflict between the two fundamental classes, the working class and the capitalist class. Governments have power, but typically they are “instruments of the ruling class.” and such governments will act coercively if necessary to secure the stability of capitalist society.

According to this theory, in the classless society, there will not be class conflict and power will be democratically shared.

2. Parsonian Conflict Theory (Dahrendorf).

Dahrendorf writes that he is concerned “exclusively with relations of authority. For these alone (sic) are parts of social structure and therefore permit the systematic derivation of group conflicts...”. Moreover, “where there are authority relations, the super ordinate element is socially expected to control by orders, and commands, warning and prohibitions, the behavior of the subordinate element” . That is, his concern is exclusively with legitimated compliance relations. He holds that there is both consensus and conflict in all “authority” relations so that individuals have both mutual interests and (opposing? potentially opposing? always opposing?) latent interests.

In contrast to Marxism, which holds that capitalists have dominant power, for Dahrendorf, society is comprised of a host of “imperatively coordinated associations” (associations in which members are subject to “imperative control” or authority). None of the “associations” dominate. Accordingly, societies are comprised of “a plurality of competing dominant (and conversely, subjected) aggregates”.

It is not denied that persons or groups have power, but “group conflicts” “are not the product of structurally fortuitous relations of power but come forth wherever authority is exercised”. Indeed, in contrast to both Marx and Weber, Dahrendorf endeavors “to detach the category of conflict groups ...from economic determinants” . Finally, since authority relations are necessarily present in all societies, conflict is inevitable.

3. Elite Conflict Theory (C. Wright Mills)

Power for Mills “has to do with whatever decisions men make about the arrangements under which they live...”. It is important to see that unlike Dahrendorf, Mills is not talking only about “authority” (“legitimately power”) or compliance: getting people to do what is commanded.

As with Pareto, Mosca, and Aron, Mills distinguishes elites and masses. For Mills, elites have power by virtue of their location in three linked key institutions (structures) in society: political, dominated by the executive power of the Federal Government, the economic, dominated by a few hundred corporations, and military. Mills rejects both the class struggle picture of the Marxists and the pluralist picture, shared by Dahrendorf and much political theory, which hold that the American system of power is “a moving balance of many competing interests”. Finally, while “democracy” requires “a society of publics,” the US has become basically “a mass society” in which elite’s have the capacity to manage and manipulate “public opinion” and “the consent of men.”

Chapter 3

Information Challenges and Role of Media

3.1 Information Challenges for Media

All societies desire to ward off conflicts and violence. The conflict resolution mechanisms enable the conflicting parties to communicate. This communication often leads to amicable resolution of disputes and pre-empts. Such mechanisms may include:

- A tribal chief;
- A village elder;
- Judicial courts;
- Meditation committees;
- Jirgas;
- Panchayats;
- Out-of-court mediation done usually by lawyers; and
- International tribunals or courts.

The enabling communication between conflicting parties and fairness remains central to the effectiveness of these dispute mediation mechanisms. Thus, peaceful resolution of a dispute requires the two conflicting parties to first talk. This is where the role of media becomes critical in the contemporary conflicts. In fact, no other segment of society including civil society can play as critical a role vis-à-vis conflicts as media does.

Media plays a critical role during:

- **Pre-conflict phase:** In this situation, the media publicizes the competing interests of conflicting parties, which may lead to a conflict situation, with a view to striking common grounds for a negotiated settlement of differences and thus raise demands for peace.
- **The conflict period:** at this stage, the media brings to fore its human, economic, social and political impacts and thus reinforces the need for peace; and
- **The post-conflict situations:** In this situation, the media keeps an eye on the enforcement of peace agreements that have been put in place by competing parties and ensures that they are being implemented judiciously.

The media can perform its role of peace agent only when it follows the doctrine of responsibility, accuracy and neutrality in covering various aspects of a conflict. In the absence of objective reporting, media can also lead to escalation of conflicts and at times become a source of violence in society. In this information age, a single wrong message by media can create prompt response, which can be both negative and positive, depending on the way the message has been framed.

While the media work in societies where freedom of information as well as expression have yet to be fully institutionalized, work of media becomes challenging during a conflict situation, particularly when state itself is a party to a conflict. In the absence of transparency and determined information dissemination mechanisms, what gets compromised is the objectivity of media, as relies on bit and pieces of information that are thrown its way by interests groups, including the state itself.

- **Challenges for Media:** Some of the challenges, which, compromise the ability of media to report accurately and impartially include:
 1. Authentic information versus un-authentic information
 2. Personal safety and threats during reporting
 3. Lack of training and appropriate capacity for conflict reporting

3.2 Conflict Analysis for Media

Journalists can overcome many of these challenges when they are able to analyze a conflict and look through what is being presented by the conflicting parties. Once they are able to understand the implicit and explicit causes and actors involved in a conflict, they make positive contribution to raising demands for peace. A conflict analysis is required to try to find objective reasons for a conflict, which also become common grounds between conflicting parties to move towards taking steps to reduce hostilities and negotiate a peaceful settlement of disputes.

A conflict analysis has three main elements:

- **Factors of Conflict**

Conflicts are rooted in multi-dimensional causes and factors and their complex interaction and overlap of various conflict issues. There can never be one single factor that leads to a violent conflict. These cause and factors could be structural or proximate:

- **Structural Causes:** Security; Political; Governance; Economic; Social; and Religious.
- **Proximate Causes:** Security; Political; Governance; Economic; Social; and Religious.

- **Actors of Conflict**

The ability to identify all explicit and implicit actors to a conflict is also important for a conflict reporter. Actors to a conflict can be individuals, groups and institutions engaged in, as well as being affected by conflict. The identification of actors of a conflict can help in understand the following:

- Stated interests of actors involved (Stated Interests);
- Hidden agendas of actors involved (Hidden Agendas);
- Relationships of various other actors and their perceptions of such interrelationships (Connects with / Contradicts with);
- Resources the conflict actors have at present in order to realize their agenda and they still require to realize their agenda (Resources They have); and
- Actors who are interested in peace through negotiations (Resources They need).

- **Capacities for Peace**

The purpose of identifying capacities for peace among various actors is simply to sift the “spoilers” or “interest groups” who have a stake in perpetuating a conflict.

Such an analysis could be conducted by simply documenting the information; you have and get additional information and interviews to see whether your analysis has been

thorough and objective. The idea is to determine objective reasons that can be recognized by the actors involved in the conflict as common grounds for peace.

3.3 Role of Media in Conflict

It is important for media to understand what conscious and unconscious role it plays in its routine work reducing or at times aggravating conflicts. In the process, the media perform the following roles that can eventually lead to peace making.

- Bridging Communication Gap
- Educating the audience
- Confidence-building
- Correcting misperceptions
- Making them human
- Identifying underlying interests
- Emotional outlet
- Framing the conflict
- Face-saving and consensus building
- Solution-building
- Encouraging a balance of power

3.4 The Contribution of Journalists to Conflict Transformation

3.4.1 Rights of Journalists and Code of Conduct

In countries facing a violent conflict and in post-war countries journalists are often victims of human rights violations. Journalist therefore needs to know about their rights and means of protection, and the safety of journalists must also be addressed by international organizations.

On the other hand journalists often support hatred propaganda and war journalism, which ignores balanced, independent reporting. They are part of corruption in media and do not stick to an ethical code of conduct for journalists.

A conflict reporter must:

1. Be familiar with the rights of journalists;
2. Know whom to address when journalist's human rights are violated;
3. Know about the means, how to ensure the safety of journalists;
4. Be familiar with important "Codes of Conduct for Journalists".

3.4.2 Ethical Reporting on Conflicts

War journalism often reduces the number of parties to two, so any one who is not a friend is considered automatically an enemy. It requires clear winners and losers. It also ignores or conceals peace initiatives from the other side or third parties, particularly any option for a non-violent outcome which does not give total victory to its own side.

Ethical reporting of conflicts does not only question the possibility of “objectivity” of journalism, but underlines the positive role; journalists can play in order to prevent violent conflicts and to promote peaceful settlements and reconciliation. Ethical journalism also contributes to the empowerment of civil society.

A conflict reporter must:

1. Know about the different self-images of journalists and the different approaches in covering conflicts (war journalism versus ethical reporting of conflicts);
2. Be aware of the importance of building an alternative framework for the process of social change;
3. Be aware of what journalists and mediators can have in common;
4. Know what a journalist would try to do in order to prevent violent conflicts and to promote peaceful settlements;
5. Understand the importance of media for cultural exchange;
6. Be familiar with guidelines and means for inter-ethnic reporting in conflict situations.

Chapter 4

Investigative Journalism

4.1 Definition and Concept of Investigative Journalism

In *The Reporter's Handbook: An Investigator's Guide to Documents and Techniques*, Steve Weinberg defined investigative journalism as:

Reporting, through one's own initiative and work product, matters of importance to readers, viewers or listeners. In many cases, the subjects of the reporting wish the matters under scrutiny to remain undisclosed. There are currently university departments for teaching investigative journalism. Conferences are conducted presenting peer reviewed research into investigative journalism.

Through **Investigative journalism** reporters deeply investigate a topic of interest, sometimes involving crime, political corruption, or some other scandal, but also looking into systemic problems in government, business and other sectors.

4.2 Investigative Journalist and Investigative Journalism

De Burgh (2000) states that:

"An investigative journalist is a man or woman whose profession it is to discover the truth and to identify lapses from it in whatever media may be available. The act of doing this generally is called investigative journalism and is distinct from apparently similar work done by police, lawyers, auditors and regulatory bodies in that it is not limited as to target, not legally founded and closely connected to publicity".

4.3 Investigative Report

An investigative journalist may spend a considerable period researching and preparing a report, sometimes months or years, whereas a typical daily or weekly news reporter writes items concerning immediately available news. Most investigative journalism is done by newspapers, wire services and freelance journalists. An investigative journalist's final report may take the form of an exposé.

4.4 Contribution of Investigative Journalism

There is no more important contribution that we can make to society than strong, publicly-spirited investigative journalism.

– Tony Burman, editor-in-chief of CBC News

4.5 The Investigation Process

The investigation will often require an extensive number of interviews and travel; other instances might call for the reporter to make use of activities such as surveillance techniques, analysis of

documents, investigations of the performance of any kind of equipment involved in an accident, patent medicine, scientific analysis, social and legal issues, and the like.

Investigative journalism requires the scrutiny of details, fact-finding, and physical effort. An investigative journalist must have an analytical and incisive mind with strong self-motivation to carry on when all doors are closed, when facts are being covered up or falsified and so on.

4.6 Means of Investigation

Some of the means reporters can use for their fact-finding:

- studying neglected sources, such as archives, phone records, address books, tax records and license records
- talking to neighbors
- Interviews with the relevant stakeholders
- using various subscription research sources
- anonymous sources (for example whistleblowers)
- going undercover

4.7 Investigative Journalism versus Analytical Reporting

Investigative journalism can be contrasted with analytical reporting. According to De Burgh (2000) analytical journalism takes the data available and reconfigures it, helping us to ask questions about the situation or statement or see it in a different way, whereas investigative journalists go further and also want to know whether the situation presented to us is the reality.

4.8 Professional References and Sources for Reporters

References

- *Investigative Journalism: Context and Practice*, Hugo de Burgh (Ed), Routledge, London and New York, 2000.

Further reading

Investigative Reporting: A Study in Technique (Journalism Media Manual), by David Spark, (paperback) 1999.

Tell Me No Lies: Investigative Journalism That Changed the World, John Pilger, ed.

External links

- [Stinkyjournalism.org: Holding the Media News Accountable and Fact Checking Investigations](http://Stinkyjournalism.org)
- [Checkyourfacts.org: Fact Checking and Reporting Media Errors](http://Checkyourfacts.org)
- What is investigative Journalism

Chapter 5

Conflict Sensitive Journalism

5.1 Concept of Conflict Sensitive Journalism

Conflict when turn violent causes destruction and bring tremendous human and social catastrophe. Reporting on conflict is not as simple as reporting on other day-to-day happenings. Describing on what is happening is just not enough for conflict sensitive journalism. Irresponsible reporting can exacerbate conflicts, causing destruction that can be avoided.

5.2 Dimensions of a Conflict and its Coverage

Conflict is multi-dimensional. Its coverage must be multi-dimensional as well. Reporting a violent incident is not sufficient, as conflicts keep on brewing even when the conflicting parties are not resorting to hostilities against each other. A violent incident leaves a trail of ordeal for people who are affected by it. It causes material damage, whose economic impact is usually determined much later than the incident. It has psychological impact on larger population. It transforms opinions and perceptions of conflicting parties about each other. It may also lead to change in strategy by the parties at conflict. And there may be just many more dimensions that can be covered. The objective, however, is search for information beyond what has been fed to media by conflicting parties and beyond bare facts. Conflict reporting is not convenient reporting.

5.3 Interests of Conflicting Parties

Media persons know that the conflicting parties have interest in what is reported. They try to influence media to paint a certain view of conflict only to reinforce their positions. In the process, only the information that suits the interest on one conflicting party comes to fore, while the rest of it lies buried. Information that is kept from public view must be dug out.

For example, militant groups in tribal areas claim that their ideology is popular among tribal areas, but is it really popular? Only enquiries from common people could determine whether it is. Similarly, the government of Pakistan claims that the security operation in tribal areas is only targeting elements who are challenging the writ of the state. It also propagates a certain number of militants have been killed on a certain day. But is it really the case?

There may just be many more dimensions to the ongoing conflict in tribal areas. The media seems to project that the root cause of this conflict is poverty and deprivation in tribal areas, which provides breeding ground for extremism and radicalization of people. However, the resources that are being consumed in this conflict are huge. For example, the cost of recruitment of foot soldiers, provision of arms and ammunitions and expenses incurred on transportation and combat are some areas that make one think that this may just not be a poor people's war rather some other interests are using the poor people to fight it for them. Who are these interests? Drug trade? Arms dealers? Some geo-political power games great powers?

5.4 How to Probe?

Ask questions. More questions you have, more answers you would get. More answers lead to more information on multi-dimensional aspects of a conflict. Information that is fed to journalists by parties at conflict suits their interests and not the interest of an independent media. Deeper

probing with as many people related to conflict directly or indirectly leads to information that is important and essential to untie the knots that keep settlement of conflict a distant possibility.

Therefore, a conflict sensitive journalist applies conflict analysis and searches for new voices and new ideas about the conflict. He or she reports on who is trying to resolve the conflict, looks closely at all sides, and reports on how other conflicts were resolved. A conflict sensitive journalist takes no sides, but is engaged in the search for solutions. Conflict sensitive journalists choose their words carefully and try to be as objective as possible.

5.5. Tips for Conflict Sensitive Journalism

In countries where journalism education is sparse and most journalists learn the tricks of the trade on job, journalism sensitive to conflict gets compromised. The provocative wording; use of adjectives; narrow view of conflict and partial reporting; become commonplace without journalists being conscious that they are contributing to the perpetuation of a conflict. Here are some tips and guidelines for conflict sensitive journalism.

- Report Conflict as Multi-Dimensional phenomenon
- Find Common Grounds
- Recognize Divisive Propaganda
- Cover Both Sides of Conflict
- Subjective Interpretations Compromise Objectivity
- Conflict Vocabulary Should Not Be Used Imprecisely
- Being Judgmental is being Detrimental
- Opinions Are Not Facts
- All Conflicts are Resolvable
- Images Speak More Than Words

5.6 Good Journalism is Conflict Sensitive Journalism

There is no hard and fast rule to make your work accurate, impartial and responsible. A reader the way he would like to will still perceive it. A good journalist is only trying to minimize the chances of his word being interpreted differently by different people by being objective. This objectivity becomes more important in conflict situations, as irresponsible, inaccurate and partial; reporting can provoke public anger and cause violence.

5.7 Objectivity versus Subjectivity

The terms “objectivity” and “subjectivity,” in their modern usage, generally relate to a perceiving subject (normally a person) and a perceived or unperceived object. The object is something that presumably exists independent of the subject’s perception of it. In other words, the object would “be there,” as it is, even if no subject perceived it. Hence, objectivity is typically associated with ideas such as reality, truth and reliability.

5.8 Ways to Be More Objective

This objectivity can be achieved by following the accuracy-impartiality- responsibility framework for good journalism, based on the international standards and key elements of the conflict reporting, which have been discussed in detail in Chapter 6.

- **Accuracy:**

- Good journalism is not just about getting the news first, but getting it right at the same time.
- Getting it first, but wrong is not a scoop, but an embarrassment.
- Getting the correct information is most important of all.
- Everything which is reported must be described accurately — the spellings of names, the facts as they happened, and the real meaning of what was said.
- Before they report it, good journalists seek the evidence and accurate facts.
- More sources to a story only make it better and authentic.
- Named sources are always better than unnamed sources.
- Sources identified with their institutional affiliation are better than unidentifiable sources.
- Sourcing in story is a key to its authenticity.
- The sources can be of many types:
 - Named sources
 - Officials Statements
 - Academics, experts
 - Foreign sources
 - Religious, cultural or professional organizations
 - Street sources
 - Other media

- **Impartiality (Balance):**

- Almost every code of good journalism puts importance on impartiality, on not taking sides.
- A good journalist will seek to produce a report, which is balanced.
- To be balanced is include both sides.
- Balance is as important in every story as accuracy.
- People will not talk to a journalist who only reports one side of the story.
- Impartiality also means that the professional journalist is not an active leader in any political group or movement.
- Impartial journalism is an important defense for reporters in a time of conflict.

- **Responsibility:**

- Journalists have obligations to the people they report about, and to the society to whom they report the news.
- Journalists have a responsibility to protect their sources.
- Many people will not tell journalists important news if they fear they will be revealed.
- Good journalists use only honest methods to obtain the news, which means they do not break the law.
- The basic standards of the reliable journalism must be used for producing reports, which the people can trust.
- All reliable reporting should be accurate, impartial and responsible.

- It applies to every aspect of the job — assigning stories, editing copy or sound bites, writing headlines, directing, producing, or managing newsrooms.
- Good reporters should ask themselves: does my work meet the test of reliable journalism? Does my report have accuracy, impartiality and responsibility in it?

5.9 Characteristics of a Good Journalist

- Curious: Ask more questions and probe deeper
- News Sense: Recognize newsworthiness of information
- Persevere: Determined to get information against all odds
- Objective: Write to inform, not persuade
- Skeptic: Don't accept all information at its face value
- People's Person: Mingle easily with people
- Rigorous: Takes journalism seriously

5.10 Safety Precautions

A conflict reporter must be aware of the safety concerns and must take precautions. Some basics of safety tips include:

- ▶ No story is good enough to risk death or serious injury.
- ▶ Plan your escape routes in advance if you planning violent demonstrations.
- ▶ Weigh up the risk and decide if the story is worth it
- ▶ Learn first aid, especially how to stop bleeding.
- ▶ Never carry a weapon or travel with a journalist carrying a weapon.
- ▶ Always identify yourself clearly if challenged. Never describe yourself as anything other than a reporter.
- ▶ Always wear civilian clothes unless accredited as an official war correspondent and required to wear special dress. Never wear military or paramilitary clothing.
- ▶ Be acutely aware of signs that you are moving into a changing situation, possibly another faction's sphere of influence.
- ▶ If working on both sides of the front line, never give information to one side about military operations on the other.
- ▶ Don't carry maps with markings that could suggest you might be spying.
- ▶ If caught in a situation where people are threatening, try to stay relaxed and act in a friendly manner. Carry cigarettes or other small luxuries you can hand out to people.
- ▶ Wear a bracelet or tag indicating your blood group in case you are wounded.
- ▶ Wear shoes that you can run in when covering potentially dangerous situations.
- ▶ Where are the locals, why have things gone quiet.
- ▶ Be frightened, it's normal, but don't panic.
- ▶ Insurance – If working in a danger zone, check that your employer has you adequately insured.

Chapter 6

International Standards, Codes and Key elements

6.1 Why International Standards and Codes?

- Journalism is as diverse as the world **it** covers. Yet amid this diversity, Journalist organizations around the world have sought to codify professional ethics.
- Most agree that accuracy; impartiality and fairness are the foundation stones of good journalism, principles that also go to the core of IWPR training.
- Of course, there are differences, but quite often they are of tone, stress and degree.

6.2 Core International Standards

Warnings against incitement and discrimination feature high in the Bosnian Journalists_ Press Code.

Impartiality and accuracy are at the top of the BBC Producers_ guidelines.

The Canon of Journalism of the Japanese Association of Newspaper Publishers and Editors pledges newspapers to _continued effort towards an affluent and peaceful future.

The Association of Journalists of Kyrgyzstan has an unequivocal start to their Code of Ethics: The journalist's duty is to serve the truth. The role of mass media is to look for the truth.

All the codes find **it** easy to agree on what journalists should avoid:

- Libel and slander (defamation)
- Plagiarism (passing off others_ material as one's own)
- Accepting bribes
- Making the story up (fabrication and pure invention)

6.3 The Key Elements of International Standards

Nearly every code of ethics agrees on at least three fundamental factors in the practice of journalism: impartiality, accuracy and fairness. These can be considered universal standards.

Ethical guidelines also stress honesty and decency in newsgathering. Many codes also cover protection of sources as an essential component of newsgathering.

6.3.1. Impartiality

- Most journalists' codes of conduct and rules highlight "impartiality" or "independence" in reporting. But this concept can be difficult to define.
- Impartiality means reporting should not support one political party, region, and people or ethnic group over another.

- The core principle is that the reporter should not directly express his or her own comments, opinions or political preferences.
- Balanced journalism provides clear distinction between what is fact and what is opinion.
- In case of getting some financial backing from any group, like political parties, pressure groups or powerful businesses with political interests, the newspapers should at least publish details of its sources of finance, so readers can make their **own** judgments about its impartiality.
- Responsible publications make clear distinctions between news reporting and editorial opinion.
- Political impartiality can be difficult to maintain for many reasons. It is an especially difficult position to maintain during times of conflict when societies become highly polarized.
- Impartiality is also hard to maintain for more mundane reasons. The remarks of a state president will invariably be taken to be more newsworthy than a peasant's, even **if** the national leader is spouting patent propaganda while the villager may be raising neglected concerns that go to the heart of government policy.

6.3.2 Accuracy

- Every journalists code stresses the need for accuracy.
- The urge to get **it** right is always strong and takes priority over speed.
- There are no prizes for being fast and wrong.
- Writing for a journalist is the skill of presenting information clearly, concisely and effectively, based on hard facts, so the reporter must know how and where to find reliable information?
- Good observation, good listening, and sound background reading and, above all, talking to the right people, are main sources to find reliable information.
- A journalistic axiom is that the best reporters are only as good as their personal contacts. So you must learn how to cultivate them and how to evaluate the information offered.
- A critical challenge for conflict reporters is that how to reconcile conflicting accounts of the same event.
- Many journalistic organizations insist on the “two source rule” that means that every fact must be confirmed by two independent sources before **it** can be taken as reliable.
- Journalists need to take extensive notes or tape record interviews when possible to be sure the report is as precise as possible. Dedication to this recognized principle is what

maintains journalists' integrity and credibility even if it is just getting names down correctly.

- Accuracy requires meticulous attention to detail, as one small, superficial error undermines the reliability of a whole report. This means checking and double-checking facts whenever possible, even generally accepted information.
- Getting the story straight may mean calling sources back to make sure what they said is portrayed correctly, especially if another source is disputing it. This is called fact checking. Sometimes it may mean delaying the report to avoid mistakes if there is any doubt. Getting it wrong can affect future credibility and at worse can cause serious damage, including a legal challenge.
- Accuracy is not just about facts; it is also about the proper context of the report.
- A journalist should always be conscious of his or her own perspective and strive to be impartial when reporting.
- Above all, a journalist should rely on facts, and testing the facts for reliability.
- The method of getting and reporting the facts must remain objective or, to avoid a complex concept, at least strive to be objective.

6.3.3 Fairness

- To be fair to the people you interview means being fair both in how you gather the information and in how you present **it**.
- Interviewees have the right to know what an article or programme will be about: what kind of contribution they are expected to make; whether a broadcast interview will be live or recorded, and how **it** might be edited. Subjects have a right to know **if** they are being filmed, and **if** so, how that film will be used.
- Investigative inquiries might require some variation of this, but fairness to the parties and the story remains the guideline.
- The International Federation of Journalists says, "The journalist shall only use fair methods to obtain news, photographs and documents". This means identifying oneself as a journalist under normal circumstances, and never using threats or displays of force to get information.
- Fairness in presentation means allowing someone you are criticizing the chance to respond to those comments within the same story someone may be unhappy about an article you write about him, but he should never be surprised because the reporter should always have discussed the critical points with him before publication.

6.3.4 Honesty and Decency

- The way journalists do their **jobs** and present the results - their standards of ethics and practice - is vital to keeping public trust. Given the complexities and occasional moral dilemmas faced in the practice of journalism, **it** is also helpful on an individual level to have a sense of one's own boundaries, guidelines and personal ethics.
- As well as accuracy and fairness, most codes stress honesty; transparency and common sense in newsgathering. They balance the pressures to ferret out information at all costs with a concept of decency.
- Journalists should avoid undue intrusion where people have suffered trauma and shock and should respect a person's right to privacy. Children and victims of sexual crimes must be treated with care, and legislation in many countries requires that they not be named or photographed.
- Business journalists should avoid reporting on a company in which they have a financial interest, and **if** they do must declare that interest, such as **if** they own stock.
- One other key ethical point is never **to** plagiarize. Each new piece of journalism naturally builds on previous stories already published. But do cite sources of information.
- When facing an ethical dilemma, always ask:
 - Is there another way **to** get the same information?
 - Can you explain in good conscience your decisions to those affected?
 - If a similar situation occurs, would you handle **it** in the same way?
 - How would you feel **if** you were the subject, rather than the reporter, of the story?
 - Have you done everything you can to be accurate and fair?
 - Have you tried to find all the significant aspects of a story?
 - Are the decisions free from outside and especially personal influences?

6.3.5 Protecting Sources

- Journalists' codes of ethics generally emphasize the protection of sources, sometimes in apparent defiance of law. Some refer to a "moral obligation" not to reveal sources.
- IWPR considers protection of sources a journalist's fundamental right. But **it** is hard to make the case that such confidentiality has been universally accepted as an international standard.

- In a pragmatic sense, a journalist who promises to keep a source anonymous but then subsequently reveals the name will find **it** very hard to be trusted by sources in future.
- Often the question is framed in legal terms. If a journalist receives confidential information from an anonymous source, the government may wish to take legal action against the source, arguing that the leak breached confidentiality laws.

6.3.6 Things to watch for:

- Present all sides of a story.
- Where an accusation is made against someone, make sure that **it** is presented in a fair context. That means including balancing information or other important factors, particularly a fair right to reply to any accusations.
- Be transparent about the journalistic process.
- Avoid conflicts of interest or situations that might create such conflicts.
- Avoid financial conflicts or any appearance that personal gain (other than salaries) is a motive for the report. Similarly, do not pay for information except in extreme circumstances, which should be cleared with your editor.
- Journalists have to ask difficult questions. A journalist is serving the public's right to know, so has a responsibility to probe. But that does not mean being rude or discourteous. BBC editorial guidelines say be "searching, sharp, skeptical, informed and to the **point**" but not "discourteously or emotionally attached to one side of an argument".
- People should know how their words or images are going to be used. Be clear about ground rules for interviews and ask permission to take photographs or video. This can be especially important when reporting a conflict when sometimes, however unwelcome it may be, and the military can set the rules. Whatever your own opinion, above all, respect your sources.
- Use unnamed sources with extreme care. If the name is withheld, provide the closest possible description to indicate the credibility of the source. In all cases be transparent, especially with your editor, who may require you to try to convince a source to - come on the record - before enabling you to publish especially sensitive information.

If your **information is** too good to be **true**, maybe it is. Use common sense and always ask yourself:

- Have you obtained your information in a reliable and ethical way?
- Have you done everything you can to be accurate and to corroborate your facts?

- Are your decisions free from unfair influence or bias?
- Have you provided balance and context, in particular the right of reply and fair comment to anyone criticized in your article?
- Is there no other way to get the information, especially in the case of an unnamed source? Are your sources reliable and have you spoken to all sides of the story?
- Is the information reasonable and does it make sense?
- Most of all, can you stand by your story?

6.4 Additional Readings & References

Many web sites contain references to international journalism codes. For example see:

www.uta.fi/ethicnet

www.presswise.org.uk

www.ifj.org

See also the Project for Excellence in Journalism:

www.journalism.org

For a listing and links to several major individual codes, see:

www.asne.org/index.cfm?id387

Plus: www.poynter.org/column.asp?id32&aid16997

For *The New York Times*:

www.nytc.com/pdf/NYT_EthicalJournalism_O429O4.pdf

For the Associated Press: www.apme.com/index.shthil

For Reuters: **about.reuters.com/aboutus/** **editorial**

Reference:

Chapter 2:

***Reporting for change: A handbook for local journalists in crisis areas*, Institute of War & Peace Reporting, London**

www.iwpr.net

Chapter 7

Humanitarian Laws

7.1 Introduction to Humanitarian Law

7.1.1 Definition

International humanitarian law is the law of armed conflict or law of war and their effects. The goal of international humanitarian law is to limit the effects of war on people and property and to protect particularly vulnerable persons.

7.1.2 States and Humanitarian Law

States have always been limited in the ways in which they conduct armed conflicts, from the adherence to national laws and bilateral treaties, to the observance of time-honored customary rules. However, throughout history these limitations on warfare varied greatly among conflicts and were ultimately dependant on time, place and the countries involved. Not until the 19th century was there a successfully effort to create a set of internationally recognized laws governing the conduct and treatment of persons in warfare.

7.1.3 Evolution of Humanitarian Law

- In the mid-1850s, Henri Dunant - founder of the International Red Cross - helped champion the first universally applicable codification of international humanitarian law: the Geneva Convention of 1864.
- From these roots, international humanitarian law evolved over the course of a century and a half.
- The Hague Conventions of 1899 and 1904 limited the means by which belligerent states could conduct warfare.

7.1.4 International Treaties

Many of the international treaties on armed conflict were made in response to the many new methods of warfare. World War I (1914-1918) witnessed the first large-scale use of poison, aerial bombardments and capture of prisoners of war. World War II (1939-1945) saw civilians and military personnel killed in equal numbers.

7.1.5 Charter of the United Nations and other Conventions

The Charter of the United Nations (1945) stipulates that the threat or use of force against other states is unlawful, except in the case of self-defense.

Following World War II, the Geneva Conventions of 1949, as well as its two Additional Protocols of 1977, further limited the means of warfare and provided protections to non-combatants civilians, and prisoners of war.

In the aftermath of the atrocities of the Holocaust, the Genocide Convention of 1948 outlawed acts that were carried out with the intention of destroying a particular group.

In addition to these conventions, international humanitarian law has been developed and refined through several statutes and precedents laid down by international tribunals set up to try war criminals, as well as advisory opinions the International Court of Justice.

7.2 Rights at Stake

Humanitarian law is the branch of public international law that comprises the rules, which, in times of armed conflict, seek to

- (i) protect persons who are not or are no longer taking part in the hostilities,
- (ii) Restrict the methods and means of warfare employed, and
- (iii) Resolve matters of humanitarian concern resulting from war.

7.3 Humanitarian Law and Human Rights

The term "humanitarian" is often used in everyday language in a very broad sense, and can be confused with the term "human rights." Although both are concerned with the protection of the individual, the two bodies of law apply to different circumstances and possess slightly different objectives. The main distinction between the two bodies of law is that humanitarian law applies to situations of armed conflict, while human rights protect the individual in times of both war and peace. Humanitarian law aims to limit the suffering caused by war by regulating the way in which military operations are conducted.

7.4 Fundamental Principles of Humanitarian Law

International humanitarian law aims to limit the suffering caused by war by forcing parties engaged in a conflict to:

- engage in limited methods and means of warfare;
- differentiate between civilian population and combatants, and work to spare civilian population and property;
- abstain from harming or killing an adversary who surrenders or who can no longer take part in the fighting;
- abstain from physically or mentally torturing or performing cruel punishments on adversaries.

7.5 Types of armed conflict

International armed conflicts are conflicts between states. The four 1949 Geneva Conventions and Protocol I deal extensively with the humanitarian issues raised by such conflicts. The whole body

of law on prisoners of war, their status and their treatment is geared to wars between States (Third Convention). The Fourth Convention states *inter alia* the rights and duties of an occupying power, i.e. a state whose armed forces control part or all of the territory of another state. Protocol I deals exclusively with international armed conflicts.

Under Protocol I of 8 June 1977, *wars of national liberation* must also be treated as conflicts of an international character. A war of national liberation is a conflict in which a people is fighting against a colonial power, in the exercise of its right of self-determination. Whereas the concept of the right of self-determination is today well accepted by the international community, the conclusions to be drawn from that right for the purposes of humanitarian law and, in particular, its application to specific conflict situations are still somewhat controversial.

The majority of today's armed conflicts take place within the territory of a state:

- They are conflicts of a non-international character.
- A common feature of many such internal armed conflicts is the intervention of armed forces of another state, supporting the government or the insurgents.

The substantive rules of humanitarian law governing *non-international armed conflicts* are much simpler than their counterparts governing international conflicts. They are derived from one main source, namely article 3 common to the four Geneva Conventions of 1949, which obliges the parties to an internal conflict to respect some basic principles of humanitarian behaviour already mentioned above. Article 3 is binding not only on governments but also on insurgents, without, however, conferring any special status upon them.

Additional Protocol II of 1977 supplements Article 3 common to the Geneva Conventions with a number of more specific provisions. This is a welcome contribution to the strengthening of humanitarian protection in situations of internal armed conflict. Protocol II has, however, a narrower scope of application than common Article 3. It applies only if the insurgent party controls part of the national territory.

7.6 International and Regional Instruments for Protection

International legal instruments take the form of a *treaty* (also called agreement, convention, and protocol), which may be binding, on the contracting states. When negotiations are completed, the text of a treaty is established as authentic and definitive and is "signed" to that effect by the representatives of states. There are various means by which a state expresses its consent to be bound by a treaty. The most common are ratification or accession. A new treaty is "ratified" by those states who have negotiated the instrument. A state, which has not participated in the negotiations, may, at a later stage, "accede" to the treaty. The treaty *enters into force* when a pre-determined number of states have ratified or acceded to the treaty.

When a state ratifies or accedes to a treaty, that state may make *reservations* to one or more articles of the treaty, unless reservations are prohibited by the treaty. Reservations may normally be withdrawn at any time. In some countries, international treaties take precedence over national law; in others, a specific law may be required to give an international treaty, although ratified or acceded to, the force of a national law. Practically all states that have ratified or acceded to an

international treaty must issue decrees, amend existing laws or introduce new legislation in order for the treaty to be fully effective on the national territory.

Many international treaties have a mechanism to monitor the implementation of the treaty.

Many provisions of the four Geneva Conventions, the two Protocols, and the Hague Conventions of 1899 and 1907 are broadly accepted as restating customary international humanitarian law applicable to all countries. Humanitarian law applies specifically to armed conflict situations, which would ordinarily qualify as "public emergencies". (Weissbrodt)

Unlike human rights treaties, which often have a monitoring body to which individuals and states can submit complaints, humanitarian law relies much more on informal procedures.

The Geneva Conventions and the Additional Protocols require the States party to adopt a number of measures in order to assure compliance with these treaties. Some of these measures have to be taken in peacetime, others in the course of an armed conflict. In this short overview, only three such obligations will be mentioned, as examples:

- Instructions to and training of the armed forces: the complex set of obligations arising out of the Conventions and the Protocols must be translated into a language which is clearly understandable to those who have to comply with the rules, in particular the members of armed forces, according to their ranks and their functions. Good manuals on humanitarian law play a decisive part in effectively spreading knowledge of that law among military personnel. Rules which are not understood by or remain unknown to those who have to respect them will not have much effect.
- Domestic legislation on implementation: Many provisions of the Geneva Conventions and of their Additional Protocols imperatively require each State Party to enact laws and issue other regulations to guarantee full implementation of its international obligations. This holds particularly true for the obligation to make grave breaches of international humanitarian law (commonly called "war crimes") crimes under domestic law. In the same way, misuse of the Red Cross or the Red Crescent distinctive emblem must be prosecuted under domestic law.
- Prosecution of persons who have committed grave breaches of international humanitarian law: Such persons must be prosecuted by any State party under whose authority they find themselves. That State may, however, extradite the suspect to another State Party which is willing to prosecute him. Individuals accused of violating humanitarian law may also be tried by an international criminal court. The United Nations Security Council has established two such courts: the Tribunals for the former Yugoslavia and for Rwanda. On 17 July 1998, a Diplomatic Conference convened by the United Nations in Rome adopted the Statute of the International Criminal Court.

[Geneva Convention relative to the Protection of Civilian Persons in Time of War](#) (1949) (article 44, 70)

This treaty protects refugees during war. Refugees cannot be treated as "enemy aliens".

[Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts \(Protocol I\)](#) (1977) (article 73)

"Persons who, before the beginning of hostilities, were considered as stateless persons or refugees ... shall be protected persons..., in all circumstances and without any adverse distinction."

7.7 Advocacy, Educational and Training Materials

For advocates

[Code of Conduct for Conflict Transformation Work](#) (International Alert)

This short guide is designed to act as an ethical framework for transformation work and outlines the necessary principles for reaching constructive resolution to conflict. Major topics discussed in this guide include human rights in the context of conflict transformation work, impartiality, and establishing peaceful partnerships. This guide is appropriate for use in the grassroots, academic, research, religious or military sectors.

[Victims' Guide to the International Criminal Court](#) (Reporters sans frontières)

This guide explains the new International Criminal Court (ICC), what its jurisdiction is and how to bring a case before it, how victims should address a complaint, as well as describing the challenges and obstacles it faces. The guide includes chapters on: crimes that fall within the jurisdiction of the Court (crimes of aggression, crime of genocide, crimes against humanity and war crimes); crimes that particularly target women and children; the participation of victims in trials; the protection and safety of victims and witnesses; and reparations.

For armed forces

[Code of Conduct of the Armed and Security Forces of Mali](#) (Ministry of Defense of the Republic of Mali)

A practical manual for soldiers and military officers with main stipulations in international human rights law, the Constitution of Mali and international humanitarian law relating to the role of the military.

For humanitarian workers

[IASC Training Modules on Internally Displaced Persons](#) (Norwegian Refugee Council/Office of the UN High Commissioner for Human Rights)

Comprehensive training package on internally displaced persons. This online training program consists of several modules which, used alone or together, discuss the protection and assistance of internally displaced persons guaranteed by international law. The following modules are currently available on-line: A Definition of Internally Displaced Persons; Legal Origins and International Obligations; Protection from Displacement; Return, Resettlement, and Reintegration; and Recipients as Resources: Community Based Programming.

[United Nations Blue Book](#) (by Martin Knotzer, Roland Ulbert and Harald Wurth)

This handbook incorporates basic principles of criminal justice, human rights and humanitarian law for UN civilian peacekeeping missions. It provides a compact overview of relevant international standards and norms for field monitors in criminal justice.

For journalists

[Human Rights Reporting for Journalists](#) (Institute for War and Peace Reporting)

This module provides background and resources for journalists covering human rights issues and matters concerning international humanitarian law. It also provides practical guidelines for journalists investigating human rights abuses. The module is divided into four parts: history, current frameworks, practical tips for journalists and online resources.

[Practical Guide for Journalists](#) (Reporters sans frontières)

This handbook is intended to provide practical guidelines for journalists conducting investigations into violations of freedom of expression and freedom of the press. It includes chapters on the basic documents on the principle of press freedom, reference documents on professional ethics, guidelines for journalists who investigate human rights violations, procedures for protecting journalists; guidelines for writing reports on investigations; and relations with International Committee of the Red Cross and non-governmental organizations defending human rights and press freedom.

[Reporting Human Rights and Humanitarian Stories: a Journalist's Handbook](#) (by Jo-An Velin)

This handbook aims to support journalists who report stories with human rights or humanitarian components. It includes chapters on international human rights law and international humanitarian law; topical chapters (disasters and war; migrants and refugees; minorities and indigenous/tribal peoples; women and children); country profiles with basic statistical data and a thesaurus.

For educators

[Guidelines for Military Manuals and Instructions on the Protection of the Environment in Times of Armed Conflict](#) (ICRC)

These guidelines are a summary of the existing applicable international rules which must be known and respected by members of the armed forces.

7.8 Key Terms of Humanitarian Law

Crimes against humanity - a crime against humanity consists of acts of persecution or any large scale atrocities against a body of people, as being the criminal offence above all others

Collateral damage - unintentional damage or incidental damage affecting facilities, equipment or personnel, occurring as a result of military actions directed against targeted enemy forces or facilities. Such damage can occur to friendly, neutral, and even enemy forces

Crimes against peace - refers to the act of military invasion as a war crime, specifically referring to starting or waging war against the integrity, independence, or sovereignty of a territory or state, or else a military violation of relevant international treaties, agreements or legally binding assurances

Genocide - the mass killing of a group of people any of the following acts committed with intent to destroy, in whole or in part, a national ethnic, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately

inflicting on the group conditions of life, calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; and forcibly transferring children of the group to another group

Internal armed conflicts - an internal armed conflict as a conflict "not of an international character" and taking place within the territory of a High Contracting State

Non-combatants - a military and legal term describing civilians not engaged in combat. It also includes persons, such as medical personnel and chaplains (who are regular soldiers but are protected because of their function). It is also distinguished from unprotected persons: people who are fighting but are not members of a regular armed force and who therefore do not enjoy the full protections of the Geneva Conventions.

War crimes - crimes committed during a war in violation of international conventions intended to protect civilian populations and prisoners of war. These crimes are "subject to statutes of limitations", and thus cannot be pursued more than twenty years after having been perpetrated.

"The Parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives"

[Protocol Additional to the Geneva Conventions of 12 August 1949 \(Protocol I\), Article 48](#)

7.9 Historical Dates related to Humanitarian Issues

1959 - Henri Dunant witnesses the casualties of the War of Italian Unification

1863 - A five-member committee, including Henri Dunant, founds the International Committee for Relief to the Wounded, soon to be named the International Red Cross/Red Crescent

1864 - Adoption of the Geneva Convention on the condition of the wounded in armies in the field

1899 - Adoption of The Hague Convention on laws of war on land and on maritime warfare

1914-1918 - Almost 9 million soldiers die on the battlefields of World War I

1925 - Geneva Protocol prohibits use of poisonous gasses and of bacteriological methods of warfare

1929 - Geneva Conventions include rules for treatment of prisoners of war

Source: Stephanie Carnes: *Humanitarian Law*; Human Rights Education Associates (HREA), 2002.

Annexes

Annex 1: International Principles of Professional Ethics in Journalism

Preamble

International and regional organizations of professional journalists, representing altogether 400,000 working journalists in all parts of the world, have held since 1978 consultative meetings under the auspices of UNESCO. [1]

The second consultative meeting (Mexico City, 1980) expressed its support for the UNESCO Declaration on Fundamental Principles concerning the Contribution of the Mass Media to strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racialism, Apartheid, and Incitement to War.

Moreover, the meeting adopted the "Mexico Declaration" with a set of principles which represent common grounds of existing national and regional codes of journalistic ethics as well as relevant provisions contained in various international instruments of a legal nature.

The fourth consultative meeting (Prague and Paris, 1983) noted the lasting value of the UNESCO Declaration in which it is stated inter alia that "the exercise of freedom of opinion, expression and information, recognized as an integral part of human rights and fundamental freedoms, is a vital factor in the strengthening of peace and international understanding." Furthermore, the meeting recognized the important role which information and communication play in the contemporary world, both in national and international spheres, with a growing social responsibility being placed upon the mass media and journalists.

On this basis the following principles of professional ethics in journalism were prepared as an international common ground and as a source of inspiration for national and regional codes of ethics. This set of principles is intended to be promoted autonomously by each professional organization through ways and means most adequate to its members.

Principle I: People's right to true information

People and individuals have the right to acquire an objective picture of reality by means of accurate and comprehensive information as well as to express themselves freely through the various media of culture and communication.

Principle II: The journalist's dedication to objective reality

The foremost task of the journalist is to serve the people's right to true and authentic information through an honest dedication to objective reality whereby facts are reported conscientiously in their proper context, pointing out their essential connections and without causing distortions, with due deployment of the creative capacity of the journalist, so that the public is provided with adequate material to facilitate the formation of an accurate and comprehensive picture of the world in which the origin, nature and essence of events, processes and state of affairs are understood as objectively as possible.

Principle III: The journalist's social responsibility

Information in journalism is understood as a social good and not as a commodity, which means that the journalist shares responsibility for the information transmitted and is thus accountable not only to those controlling the media but ultimately to the public at large, including various social interests. The journalist's social responsibility requires that he or she will act under all circumstances in conformity with a personal ethical consciousness.

Principle IV: The journalist's professional integrity

The social role of the journalist demands that the profession maintain high standards of integrity, including the journalist's right to refrain from working against his or her conviction or from disclosing sources of information as well as the right to participate in the decision-making of the medium in which he or she is employed. The integrity of the profession does not permit the journalist to accept any form of bribe or the promotion of any private interest contrary to the general welfare. Likewise, it belongs to professional ethics to respect intellectual property and, in particular, to refrain from plagiarism.

Principle V: Public access and participation

The nature of the profession demands that the journalist promote access by the public to information and participation of the public in the media, including the right of correction or rectification and the right of reply.

Principle VI: Respect for privacy and human dignity

An integral part of the professional standards of the journalists is respect for the right of the individual to privacy and human dignity, in conformity with provisions of international and national law concerning protection of the rights and the reputation of others, prohibiting libel, calumny, slander and defamation.

Principle VII: Respect for public interest

The professional standards of the journalist prescribe due respect for the national community, its democratic institutions and public morals.

Principle VIII: Respect for universal values and diversity of cultures

A true journalist stands for the universal values of humanism, above all peace, democracy, human rights, social progress and national liberation, while respecting the distinctive character, value and dignity of each culture, as well as the right of each people freely to choose and develop its political, social, economic and cultural systems. Thus the journalist participates actively in social transformation towards democratic betterment of society and contributes through dialogue to a climate of confidence in international relations conducive to peace and justice everywhere, to détente, disarmament and national development. It belongs to the ethics of the profession that the journalist be aware of relevant provisions contained in international conventions, declarations and resolutions.

Principle IX: Elimination of war and other great evils confronting humanity

The ethical commitment to the universal values of humanism calls for the journalist to abstain from any justification for, or incitement to, wars of aggression and the arms race, especially in nuclear weapons, and all other forms of violence, hatred or discrimination, especially racialism and apartheid, oppression by tyrannic regimes, colonialism and neocolonialism, as well as other great evils which afflict humanity, such as poverty, malnutrition and diseases. By so doing, the journalist can help eliminate ignorance and misunderstanding among peoples, make nationals of a country sensitive to the needs and desires of others, ensure respect for the rights and dignity of all nations, all peoples and all individuals without distinction of race, sex, language, nationality, religion or philosophical conviction.

Principle X: Promotion of a new world information and communication order

The journalist operates in the contemporary world within the framework of a movement towards new international relations in general and a new information order in particular. The new order,

understood as an integral part of the New International Economic Order, is aimed at the decolonization and democratization of information and communication, both nationally and internationally, on the basis of peaceful coexistence among peoples and with full respect for their cultural identity. The journalist has a special obligation to promote the process of democratization of international relations in the field of information, in particular by safeguarding and fostering peaceful and friendly relations among states and peoples.

[1] The following organizations participated: International Organization of Journalists (IOJ), International Federation of Journalists (IFJ), International Catholic Union of the Press (UCIP), Latin American Federation of Journalists (FELAP), Latin American Federation of Press Workers (FELATRAP), Federation of Arab Journalists (FAJ), Union of African Journalists (UAJ), and Confederation of Asean Journalists (CAJ). The IFJ did not attend the conclusive meeting of this process in Paris, 20 November 1983, which issued the document.

Source:

Issued by the Consultative Club of International and Regional Organizations of Journalists in Paris in November 1983.

http://ethicnet.uta.fi/codes_by_country

Annex 2

Reference Documents on Professional Ethics

This Annex gives some extracts from reference documents on professional ethics drawn up by journalists' organizations. They outline the major principles of the profession of journalist as they should be applied whatever the circumstances, and in particular during the investigation of infringements of press freedom. The Declaration of Rights and Obligations of Journalists (known as the Munich Charter, Document 1) is accepted as authoritative. The extracts from the Rules and Practices in force in the regional daily press in France (Document 2) shows how those principles may be put into practice. Three extracts from the American, British and Japanese charters provide further examples.

Document 1

Declaration of Rights and Obligations of Journalists (the "Munich Charter")

This declaration was drawn up and approved in Munich on 24 and 25 November 1971. It was later adopted by the International Federation of Journalists (IFJ) and by most journalists' unions in Europe.

Preamble

The right to information, to freedom of expression and criticism is one of the fundamental rights of man. All rights and duties of a journalist originate from this right of the public to be informed on events and opinions. The journalists' responsibility towards the public excels any other responsibility, particularly towards employers and public authorities. The mission of information necessarily includes restrictions, which journalists spontaneously impose on themselves. This is the object of the declaration of duties formulated below. A journalist, however, can respect these duties while exercising his profession only if conditions of independence and professional dignity effectively exist. This is the object of the following declaration of rights.

Declaration of duties

The essential obligations of a journalist engaged in gathering, editing and commenting news are:

1. To respect truth whatever be the consequences to himself, because of the right of the public to know the truth.
2. To defend freedom of information, comment and criticism.
3. To report only on facts of which he knows the origin; not to suppress essential information nor alter texts and documents.
4. Not to use unfair methods to obtain news, photographs or documents.
5. To restrict himself to the respect of privacy.
6. To rectify any published information which is found to be inaccurate.
7. To observe professional secrecy and not to divulge the source of information obtained in confidence.

8. To regard as grave professional offences the following: plagiarism, calumny, slander, libel and unfounded accusations, the acceptance of bribes in any form in consideration of either publication or suppression of news.

9. Never to confuse the profession of journalist with that of advertisements salesman or propagandist and to refuse any direct or indirect orders from advertisers.

10. To resist every pressure and to accept editorial orders only from the responsible persons of the editorial staff.

Every journalist worthy of that name deems it his duty faithfully to observe the principles stated above. Within the general law of each country, the journalist recognizes, in professional matters, the jurisdiction of his colleagues only; he excludes every kind of interference by governments or others.

Declaration of rights

1. Journalists claim free access to all information sources, and the right to freely enquire on all events conditioning public life. Therefore, secrecy of public or private affairs may be opposed only to journalists in exceptional cases and for clearly expressed motives.

2. The journalist has the right to refuse subordination to anything contrary to the general policy of the information organ to which he collaborates such as it has been laid down in writing and incorporated in his contract of employment, as well as any subordination not clearly implicated by this general policy.

3. A journalist cannot be compelled to perform a professional act or to express an opinion contrary to his convictions or his conscience.

4. The editorial staff has obligatorily to be informed on all-important decisions, which may influence the life of the enterprise. It should at least be consulted before a definitive decision on all matters related to the composition of the editorial staff, e.g. recruitment, dismissals, mutations and promotion of journalists, is taken.

5. Taking into account his functions and responsibilities, the journalist is entitled not only to the advantages resulting from collective agreements but also to an individual contract of employment, ensuring the material and moral security of his work as well as a wage system corresponding to his social condition and guaranteeing his economic independence.

Document 2

Extract from Rules and Practices in force in the regional daily press in France

The free exchange of thoughts and opinions is one of the most cherished human rights. It means everyone can say what they want and write or publish anything, except when the law says this freedom is being abused (Article 11 of the Declaration of the Rights of Man and the Citizen of 26 August 1789).

Everyone has a right to express themselves freely. This includes the right to hold an opinion and to receive or convey news or ideas without interference by the authorities and regardless of national frontiers (Article 10 of the European Convention for the Protection of Human Rights and

Fundamental Freedoms).

Professional rules and practices

A newspaper keeps in close contact with its readers and is aware of its responsibilities to them. It sees to it that in reporting events, a «fact» is distinguished from a “comment”.

1. Sobriety and attention to detail. Only proven and accurate stories should be published. A newspaper’s credibility turns on its ability to print proven and accurate news. The printing of information that has been checked is the mark of a newspaper’s sobriety, meticulousness and good faith. Rumours should not be encouraged. A newspaper does everything it can to discourage the spreading of a rumour, even if other media have already carried it.

4. Respect for the individual. A newspaper should inform without inciting discrimination, racism or violence. It abides strictly by the laws which ban incitement to discrimination, hatred or violence against a person or persons “on account of their origins or their belonging or not to a specific ethnic group, nation, race or religion”. Discrimination is defined as arousing in the reader feelings of separateness based on suspicion, hostility or distaste. Hatred means transforming hostility towards someone into a desire to harm them because of their membership or not of an ethnic group or nation. Violence includes both psychological and physical violence. Apart from these clear provocations, a newspaper avoids all material or labelling which arouses or risks arousing such feelings.

7. Avoidance of libel. A paper ensures that the honour and reputation of a person is respected. It sticks to four guiding principles:

-Legitimacy of purpose. A newspaper ensures that the facts are always presented with the general reader in mind, based on the public’s right to be informed. Priority is given to the event itself rather than the people involved in it.

-Absence of personal animosity. A newspaper avoids printing deliberately controversial articles about people, which are inspired by personal differences with them.

-Moderation in language. A newspaper ensures that articles contain no language, which is shocking or hurtful towards people.

-Reliability of investigation. The quest for news is based on the idea of listening to all sides of the story, which is at the heart of any honest investigation.

8. Be open to all points of view. The main parties in a story are sought out, with the aim of obtaining their opinion and handling the information in a fair manner. When a party refuses to cooperate, the newspaper tells the reader.

9. Respect for presumed innocence. Under Article 9 of the Declaration of the Rights of Man and the Citizen of 26 August 1789, which has legal standing under the French Constitution, a person is presumed innocent until found guilty, which means by a court of law. If public interest justifies printing information about the person, respect for their presumed innocence means taking great care in choosing which details to pass on to the reader and paying special attention to the way they are presented.

10. Ensure the accuracy of news, and caution and fairness in its presentation. The principles of accuracy, caution, fairness and attention to detail expounded above apply especially to human-interest stories.

Document 3

Extract from the professional ethics of the North American Society of Editors Independence

Systematic bias in comments, which diverge knowingly from the truth, is an insult to the spirit of American journalism. (...) In presenting current affairs, it is a subversive attack on a basic principle of news.

Fairness - A newspaper should not take it upon itself to attack a person's reputation or honour without giving him or her the opportunity to put forward a defence. This opportunity should be offered whenever a serious accusation is made outside the usual channels of justice. (...) A newspaper does not have the right to enter the private domain or to interfere with a person's personal feelings without the guarantee that this is in the public interest, and not merely to satisfy readers' curiosity.

Decency- A newspaper is bound to be accused of hypocrisy if, while professing the highest moral intentions, it offers its readers the spiciest news, those that are most liable to incite readers to crime or debauchery and whose publication is unlikely to serve the common good. If they do not have the necessary authority to ensure these recommendations are respected, the journalists represented here can only hope that such subservience to base instincts will meet with widespread disapproval or give way to pressure from the majority of journalists who condemn it.

Document 4

Extract from the Code of Conduct and Working Practices of Britain's National Union of Journalists

Article 5 of the Working Practices - A member shall not exploit the labour of another journalist by plagiarism or the unauthorized use of his/her works for any purpose.

Article 12 of the Working Practices - A member shall treat other journalists with consideration.

Article 5 of the Code of Conduct - A journalist shall obtain information, photographs and illustrations only by straightforward means. The use of other means can be justified only by overriding considerations of the public interest. The journalist is entitled to exercise a personal conscientious objection to the use of such means.

Article 6 of the Code of Conduct - Subject to the justification by overriding considerations of the public interest, a journalist shall do nothing, which entails intrusion into private grief and distress.

Document 5

Extract from the Nihon Shimbun Kyokai journalists' charter

Article 1 - The most important rule about news is to report facts accurately and faithfully.

Article 2 - Journalists should never let their personal opinions interfere when they are reporting facts.

Article 3 - When handling a news story, journalists should never forget the danger that it may be used for propaganda, and should be particularly vigilant in that respect.

Article 4 - In making criticism, journalists should restrict themselves to comments that they would be willing to make in person.

Article 5 - A biased comment that knowingly distorts the truth harms the spirit and dignity of the journalist's profession.

Source:

UNESCO & Reporters sans Frontiers: *Practical Guide for Journalists – Chapter 2, pp. 15 to 21; 1998.*

Annex 3:

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

This international Declaration is proclaimed as a standard of professional conduct for journalists engaged in gathering, transmitting, disseminating and commenting on news and information in describing events.

1. Respect for truth and for the right of the public to truth is the first duty of the journalist.
2. In pursuance of this duty, the journalist shall at all times defend the principles of freedom in the honest collection and publication of news, and of the right of fair comment and criticism.
3. The journalist shall report only in accordance with facts of which he/ she knows the origin. The journalist shall not suppress essential information or falsify documents.
4. The journalist shall use only fair methods to obtain news, photographs and documents.
5. The journalist shall do the utmost to rectify any published information, which is found to be harmfully inaccurate.
6. The journalist shall observe professional secrecy regarding the source of information obtained in confidence.
7. The journalist shall be aware of the danger of discrimination being furthered by the media, and shall do the utmost to avoid facilitating such discrimination based on, among other things, race, sex, sexual orientation, language, religion, political or other opinions, and national or social origins.
8. The journalist shall regard as grave professional offences the following:
 - Plagiarism;
 - Malicious misrepresentation;
 - Calumny, slander, libel, unfounded accusations;
 - The acceptance of a bribe in any form in consideration of either publication or suppression.
9. Journalists worthy of the name shall deem it their duty to observe faithfully the principles stated above. Within the general law of each country the journalist shall recognize in professional matters the jurisdiction of colleagues only, to the exclusion of every kind of interference by governments or others.

Source:

Adopted by the Second World Congress of the International Federation of Journalists at Bordeaux in April 1954 and amended by the 18th IFJ World Congress in Helsingör in June 1986.

http://ethicnet.uta.fi/international/declaration_of_principles_on_the_conduct_of_journalists

Annex 4

Charter for the Safety of Journalists Working in War Zones or Dangerous Areas

The safety of journalists working on dangerous assignments is not always guaranteed, even if international law provides adequate protection on paper, because warring parties these days are showing less and less respect for that law. News-gatherers cannot get assurances from belligerents that they will be fully protected.

Because of the risks they run to keep the public informed, media workers, journalists and their assistants (whether permanent staff or freelance) working in war zones or dangerous areas are entitled to basic protection, compensation and guarantees from their employers, though protection must never be taken to mean supervision by local military and governmental authorities. Media management also have their own responsibility to make every effort to prevent and reduce the risks involved.

The following eight principles shall apply:

Principle 1 - Commitment

The media, public authorities and journalists themselves shall systematically seek ways to assess and reduce the risks in war zones or dangerous areas by consulting each other and exchanging all useful information. Risks to be taken by staff or freelance journalists, their assistants, local employees and support personnel require adequate preparation, information, insurance and equipment.

Principle 2 - Free will

Covering wars involves an acceptance by media workers of the risks attached and also a personal commitment, which means they go on a strictly voluntary basis. Because of the risks, they should have the right to refuse such assignments without explanation and without their being any finding unprofessional conduct. In the field, the assignment can be terminated at the request of the reporter or the editors after each side has consulted the other and taken into account their mutual responsibilities. Editors should beware of exerting any kind of pressure on special correspondents to take additional risks.

Principle 3 - Experience

War reporting requires special skills and experience, so editors should choose staff or freelancers who are mature and used to crisis situations. Journalists covering a war for the first time should not be sent there alone, but be accompanied by a more experienced reporter. Teamwork in the field should be encouraged. Editors should systematically debrief staff when they return so as to learn from their experiences.

Principle 4 - Preparation

Regular training in how to cope in war zones or dangerous areas will help reduce the risk to journalists. Editors should inform staff and freelancers of any special training offered by nationally or internationally qualified bodies and give them access to it. All journalists called upon to work in a hostile environment should have first-aid training. Every accredited journalism school should familiarise its students with these issues.

Principle 5 - Equipment

Editors should provide special correspondents working in dangerous areas with reliable safety equipment (bullet-proof jackets, helmets and, if possible, armoured vehicles), communication

equipment (locator beacons) and survival and first-aid kits.

Principle 6 - Insurance

Journalists and their assistants working in war zones or dangerous areas should have insurance to cover illness, repatriation, disability and loss of life. Media management should take all necessary steps to provide this before sending or employing personnel on dangerous assignments. They should strictly comply with all applicable professional conventions and agreements.

Principle 7 - Psychological counseling

Media management should ensure that journalists and their assistants who so desire have access to psychological counseling after returning from dangerous areas or reporting on shocking events.

Principle 8 - Legal protection

Journalists on dangerous assignments are considered civilians under Article 79 of Additional Protocol I of the Geneva Conventions, provided they do not do anything or behave in any way that might compromise this status, such as directly helping a war, bearing arms or spying. Any deliberate attack on a journalist that causes death or serious physical injury is a major breach of this Protocol and deemed a war crime.

Source:

Reporters Without Borders, March 2002.

© Reporters Without Borders - 47, rue Vivienne, 75002 Paris – France

Web : www.rsf.org

Annex 5

Basic Documents Recognizing the Principle of Press Freedom

The principle of press freedom is recognized by international law. Anyone investigating infringements of press freedom must first of all be familiar with the laws in force that define the inalienable right to provide information. In addition to general definitions (Documents 1 and 2) and regional texts (Documents 3, 4 and 5) the investigator should take account of the relevant aspects of national legislation: general principles concerning rights and customs as well as constitutions, laws and decrees.

The principle of the right to seek, receive and impart information is laid down in Article 19 of the Universal Declaration of Human Rights adopted by the United Nations General Assembly on 10 December 1948 (Document 1). This right is restated in the International Covenant on Civil and Political Rights of 16 December 1966, which has been signed or ratified by more than 140 states (Document 2), and in several regional conventions and charters. These include Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950 (Document 3), Article 13 of the Inter-American Convention on Human Rights of 22 November 1969 (Document 4) and Article 9 of the African Charter of Human and Peoples' Rights of 12 July 1981 (Document 5). Extracts are given below.

Document 1

Universal Declaration of Human Rights

Adopted 10 December 1948

Article 19 - Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Document 2

International Covenant on Civil and Political Rights

Adopted 16 December 1966, entered into force 23 March 1976

Article 19 -1. Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- (a) For respect of the rights or reputations of others;
- (b) For the protection of national security or of public order, or of public health or morals.

The countries that have signed or ratified the International Covenant on Civil and Political Rights are: Afghanistan, Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia-Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cote d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador,

Equatorial Guinea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kirghizia, Kuwait, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Macedonia, Madagascar, Malawi, Mali, Malta, Mauritius, Mexico, Moldova, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Korea, Norway, Palestine, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Russia, Rwanda, Saint Vincent and the Grenadines, San Marino, Sao Tome e Principe, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, South Korea, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syria, Tajikistan, Tanzania, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Kingdom, United States, Uruguay, Uzbekistan, Venezuela, Vietnam, Yemen, Zambia, Zimbabwe.

Document 3

European Convention for the Protection of Human Rights and Fundamental Freedoms

Adopted 4 November 1950, entered into force 3 September 1953

Article 10 -1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

The countries that have signed or ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms are: Albania, Andorra, Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Macedonia, Malta, Moldova, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom, Ukraine.

Document 4

Inter-American Convention on Human Rights

Adopted 22 November 1969, entered into force 18 July 1978

Article 13 - Freedom of Thought and Expression -1. Everyone has the right to freedom of thought and expression. This right includes freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one's choice.

2. The exercise of the right provided for in the foregoing paragraph shall not be subject to prior censorship but shall be subject to subsequent imposition of liability, which shall be expressly established by law to the extent necessary in order to ensure:

- (a) respect for the rights or reputations of others; or
- (b) the protection of national security, public order, or public health or morals.

3. The right of expression may not be restricted by indirect methods or means, such as the abuse of government or private controls over newsprint, radio broadcasting frequencies, or equipment used

in the dissemination of information, or by any other means tending to impede the communication and circulation of ideas and opinions.

4. Notwithstanding the provisions of paragraph 2 above, public entertainments may be subject by law to prior censorship for the sole purpose of regulating access to them for the moral protection of childhood and adolescence.

5. Any propaganda for war and any advocacy of national, racial, or religious hatred that constitute incitements to lawless violence or to any similar illegal action against any person or group of persons on any grounds including those of race, colour, religion, language, or national origin shall be considered as offences punishable by law.

The countries that have signed or ratified the Inter-American Convention on Human Rights are: Argentina, Barbados, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname, United States, Uruguay, Venezuela.

Document 5

African Charter of Human and Peoples' Rights

Adopted 12 July 1981, entered into force 21 October 1986

Article 9 - Every individual shall have the right to receive information. Every individual shall have the right to express and disseminate his opinions within the law.

The countries that have signed or ratified the African Charter of Human and Peoples' Rights are: Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Cote d'Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome e Principe, Senegal, Seychelles, Sierra Leone, Somalia, Sudan, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe.

Source:

United Nations

[United Nations Info Quest \(UN-I-QUE\)](#),