

Cairo Institute for
Human Rights Studies



CIHRS

**The Need
for a Professional
Code of Ethics for
Media Coverage of
Public Elections**



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A general observation, in addition to monitoring report published by competent organizations, including Cairo Institute for Human Rights Studies (CIHRS), revealed that the Egyptian mass media, either broadcast, visual or printed media, have repeatedly covered public elections in a manner that usually lacked many of the professional traditions. The media was sometimes biased either for or against specific candidates in accordance with the attitude of the tool used for communication, whether a journal, broadcast station, or TV channel, and whether government controlled, partisan or private, vis-à-vis the party the candidate belongs to or the candidate himself.

This abandonment of the professional tradition includes several forms of practice, including the fact that government-controlled newspapers relentlessly ignore the provision of Article (55) of the Law No 96 of 1966 on the organization of the press, which stipulates that they are independent from the Executive Power and from all political parties, and that they are panels of debate between all political opinions and trends, and active forces within society. Editors of such newspapers drew up their editing policies on the basis that they are mouthpieces of the majority party, which urges them not only to be biased in favor of government candidates, but also sometimes to launch smearing campaigns against their competitors.

Some of the unprofessional practices in this respect are that TV channels and broadcast stations owned by the TV and Broadcast Union; are equally biased in favor of ruling party candidates, sometimes directly and indirectly at others.

During recent years, positive developments occurred in the Egyptian media system, including the launching of several private satellite channels, private newspapers, the expansion of the margin of freedom and autonomy of media coverage of some phenomena. This state of affairs was positively reflected but in a relative manner on media coverage of presidential and parliamentary elections having taken place in 2005. Furthermore, a special law was proclaimed to regulate the presidential elections which included some checks of a professional nature on material that could be either broadcast or published by the media regarding the elections.

However, this does not deny the fact that Egyptian journalists working in newspapers, or audio and visual media, still fall short of professional traditions regarding the coverage of general elections, for reasons relegated partly to the legislative framework governing the electoral process, the legislative framework governing the press itself, as well as the customary practices in this respect which gained the power of law. Moreover, journalists lack accumulated experience on professional traditions governing the coverage of election campaigns, but also some influential media such as TV, broadcast and Internet are almost devoid of any professional code of ethics from the ground up.

Even though the Egyptian press has known the first binding professional ethics regulation in 1946 a few years after the proclamation of the Law on the Establishment of the Journalists' Syndicate, and since then has experienced five regulations or professional codes of honor, the last of which was proclaimed in 1996 and is still in force to date. However, these codes are characterized by generality and were not developed enough to incorporate thematic codes related to the ethics of publication in different fields of specialization, such as the ethics of publishing news, crimes, dealing with sources of information or informants, advertisements, trials, and last but not least coverage of election campaigns.

If it is inevitable to admit that journalists' commitment with the ethics of the profession in full requires the removal of legal and customary obstacles hindering freedom of the press. It also requires the elimination of customary and legal situations that allow intervention with the integrity of electoral process. Nevertheless, the presence of these situations is not a pretext for journalists to shirk the commitment with traditions and ethics of their profession, and their elimination is not a pre-condition for such commitment.

In this context comes the attempt to draft a thematic professional code of ethics on the moral values of media coverage of general elections.

This draft is based on relevant provisions in the Universal Declaration of Human Rights and the International Covenant of Civil and Political Rights, and on the implementation of general professional rules included in the press code of honor regarding elections, as well as provisions of laws regulating the elections and the press, professional traditions in force in democratic countries, and monitoring the mistakes that the Egyptian press fell into while covering general elections.

Obviously any discussion of the draft among stakeholders, including academics program planners, news and press divisions in satellite and broadcast channels, in addition to the Journalists' Syndicate, will ultimately enhance the debate with further details. Thus, the draft would be a model thematic press code of honor that would contribute to entrenching professional traditions and to the press fulfilling its mission of promoting democratic values.

Then, the matter will require an endeavor to reach some form of voluntary commitment with the code, whether by the Journalists' and the broadcasters' Syndicates adoption thereof, or it being endorsed by some –or all – TV and broadcast stations, and newspaper as the basis of professional traditions followed in coverage of the general elections.

This project might require organizing training courses for journalists working in this field in order to stimulate their enthusiasm for the commitment with the content of the code.

Professional Code of Ethics for Media Coverage of General Elections

First: General Principles

- (1)** Media personnel believe that media coverage of electoral campaigns aim at corroborating all the rights enshrined in the Universal Declaration of Human Rights, the International Covenant for Civil and Political Rights; particularly provisions of direct relevance to general elections, including the first paragraph of article XXI of the Charter, which guarantees the right of every individual to participate in the management of public affairs of his/her country, either directly or through freely elected representatives; and the third paragraph of the same article, which provides that the will of the people is the source of government authority, and that the people will express this will in periodic and impartial elections, performed on secret ballot basis, on an equal footing for all, or according to any similar procedure ensuring freedom of voting .. This meaning is also stipulated in the first paragraph of Article 25 of the International Covenant for Civil and Political Rights, which recognizes the right of every citizen in the conduct of public affairs, either directly or through freely chosen representatives, and the second paragraph of the same article, which guarantees to every citizen to vote and be elected in genuine periodic elections on the basis of equal suffrage and that the elections shall be held by secret ballot, guaranteeing the free expression of the will of the electors.
- (2)** Media personnel believe that their role in the media coverage of election campaigns is not merely a commitment to provisions of Article 19 of the Universal Declaration of Human Rights, regarding the right of everyone to receive and impart information and ideas through any media, as an imperative right and duty; to raise public opinion awareness and interest through general elections, as a right and duty ; to stimulate citizens to participate in elections, through voting and nomination and; to believe that they are the public opinion vehicle to monitor the integrity and transparency of the electoral process.
- (3)** Media personnel cling tight, in media coverage of the general elections, to all the rights guaranteed by the public law, the Press Law, the Law on the Exercise of Political Rights, and the Presidential Election Law, the Press Code of Honor, and – as well – they abide by all the duties imposed on them by these laws and conventions, according to details provided for in this Declaration.
- (4)** Mass media shall make a clear distinction between advertising and editing on the one hand, and news and opinion on the other, with respect to coverage of election campaigns. They may not publish electoral advertising material under the guise of an editorial, even if not directly related to the elections. Owners of the newspapers and media may not receive, directly or indirectly, any financial

support from political parties and figures engaging in election campaigns, during the entire period between the nomination and the announcement of final results of elections, including the publication of commercials for economic ventures or companies in which candidates are shareholders.

- (5)** Newspapers of all kinds shall be committed, when releasing the results of public opinion polls on voter attitudes vis-à-vis candidates, to highlight more clearly in their headlines and in the body of their reports, the size of the sample having participated in the poll and the authority having conducted it, and the date of the poll. They shall not publish or broadcast these findings in such a way as to suggest that it was administered to the overall electorate called upon to cast their ballots; and the entity preparing the survey or the questionnaire should be an independent, specialized, and non-partisan legal person.
- (6)** National newspapers, private and independent mass media shall, in their published material on the election contest, be committed to absolute neutrality between all parties and candidates competing in these elections, provide them equal opportunities, including personal information and platforms, and shall not make any distinction between candidates in terms of photographs, headlines or any means of highlighting, or in the prices of advertisement. They may not - outside this scope- administer any interviews with one of the candidates, either immediately prior to or during the election campaign, even if the elections were not the subject of such interviews.
- (7)** Partisan newspapers shall be exempted from commitment to the text of the previous article. In the event any independent information medium decides to take sides with any of the candidates or parties, it must clearly indicate such whenever required. Neither national newspapers, nor TV channels and radio stations owned by the Radio and Television Union, shall enjoy this exemption. They shall abide by provisions of Article 55 of the Law on Regulation of the Press, and as such, shall preserve their impartiality and independence from the Executive Estate and from all the political parties, and shall be committed to neutrality among all contenders.
- (8)** In case the independent information medium decides to take sides with any of the contending nominees or parties, it shall be under an obligation to clearly refer to such whenever necessary. In the event it publishes free advertisements, platforms, or editorial material in support of this candidacy, it shall be under an obligation to refer to itself as the supporting entity.
- (9)** Impartiality of any information medium to any of the candidates or parties running in the elections does not give this medium the right to launch smearing campaigns against, or to distort, slander, defame, or politically undermine any of the contenders. In all cases, all mass media shall undertake to preserve the rights established in the professional codes of conduct and public law in dealing with their contenders and antagonists, in terms of protection against slander, safeguarding the right to privacy, and focusing the disputes within an objective political context.

- (10) All mass media shall refrain from publishing or broadcasting any electoral paid advertisements in favor of any candidates 48 hours prior to the scheduled date for the elections. They shall also abstain from administering any opinion polls or publishing results thereof regarding the electors' position vis-à-vis the candidates. This provision shall not include all material related to elections, which fall beyond the scope of electoral paid advertisements for candidates.

Second: Rights

- (1) Any journalist/reporter assigned to cover the general elections shall have the right to obtain copies of all the laws, resolutions, instructions, data, and reports about the electoral process and its development from the entity governing the electoral process as soon as they are proclaimed, since the beginning of nomination and until the announcement of the results. The competent administrative authority or the media which employs the journalist shall, as appropriate, provide him/her with the necessary material to facilitate the performance of his/her task in the requisite professional competence and in a timely manner; without discrimination between a newspaper and another.
- (2) The employing authority shall provide the journalist/reporter with solid evidence and documents required for the performance of his/her task, and to obtain the required authorizations from the authorities concerned, for the journalist/reporter and his/her assistant staff including photographers and others. The employing authority shall provide the journalist with a uniform easily recognizable from a distance, so that he/she may not be subject to any constraints or injury during the performance of his/her professional duty. The employing authority shall coordinate with the competent administrative bodies to ensure the security of the journalist/reporter. Information authorities shall act in concert to obtain administrative decisions from the competent authority which regulates the work of journalists/reporters so that they will not be subjected to any arbitrary interference with the performance of their mission.
- (3) Any journalist/reporter shall be entitled to attend press conferences convened by the candidates, to enter into electoral headquarters of all the candidates and the outer zone of the electoral committees of either general or subsidiary elections, and to enter the committee during the voting process. He/she shall have the right to attend the counting of the votes with the representatives of candidates. However, no more than three journalists/reporters shall be present simultaneously within the subsidiary election committee during the voting process, in addition to the sufficient number of assistance.
- (4) The employer shall provide the journalist/reporter with the means of communication and transportation that would enable him/her to follow-up to elections and to timely send reports to the medium he/she is employed with.

- (5) Journalists and media officers shall adhere to their right provided for in Article 12 of the Law on the Regulation of the Press No. 96 for the year 1996, which stipulates that anyone having insulted or abused a journalist because of his/her work shall be liable to the penalties prescribed for insulting or abusing a civil servant, in accordance with articles 133, 136 or 173/1 of the Penal Code as the case may be. The medium shall report any insult or affront of this kind as soon as it occurs.

Third: Duties

- (1) Any journalist running for elections may not exercise the duties of his/her profession as of the beginning of the nomination process until the announcement of the results of the elections. Anyone working in the audio or visual press may not exercise his/her functions during that period, even if the material he/she writes or presents is not directly related to the electoral process. This shall not forfeit other rights he/she possesses as a candidate, and he/she should be treated on an equal footing with other candidates without any prejudices.
- (2) Any journalist/reporter may not cover the elections in the constituency where his/her native origin is located, or where his/her name is registered in the electoral rosters.
- (3) Any journalist/reporter covering the elections may not work in the media team of any party or candidate running in the elections, with the exception of journalists/reporters working for partisan newspapers.
- (4) Any journalist/reporter may not work to attract electoral paid advertisements, either directly or indirectly.
- (5) Any journalist/reporter covering the elections shall be committed to professionalism in drafting and editing reports on the electoral process, in terms of accuracy and documentation of information, the reference of words and deeds to well-known sources whenever available and possible. He/she shall also be committed to refrain from publishing incomplete or abridged news or reports, or deliberately conceal aspects of the truth or facts from the readers.
- (6) Any journalist/reporter shall be committed to disclose all forms of deviance from the laws regulating the electoral process, in such a way as to affect the integrity thereof or inaccurately express the will of the voters, including:
- A. Poor organization of the electoral process, in terms of lack of logistical preparedness to guarantee their smoothness; including: inaccurate electoral rosters, delaying the opening of election committees, spoiling of the phosphoric ink, or the absence of glass boxes, etc...
 - B. The use of in kind or financial bribes to buy votes out.

- C.** The use of slogans and rumors of a religious or sectarian nature in electoral campaigns, either in a declared or undeclared manner, in order either to attract or vend off voters.
- D.** Exposure of the private life of any of the candidates, except what is related to the public post of the candidate; or liable and slander.
- E.** The use of government facilities, or the resources of administrative bodies or municipalities, in advertising for any of the candidates, or facilitation of the transfer of his/her supporters.
- F.** The distribution of government services through one of the candidates.
- G.** Hindering voters', candidates, their delegates, and election monitors from civil society organizations access to the polls, and preventing them from entering therein.
- H.** Voters casting their ballots in public.
- I.** Expelling representatives of candidates from voting or counting committees, or placing fabricated obstacles to prevent them from fulfilling their mission.
- J.** The use of any form of physical or verbal violence against the supporters of rival candidates, candidates, their delegates, or election monitors from civil society organizations.
- K.** Excessively spending on electoral campaigns in such a way as to suggest that money is used to influence the will of the voters, or that it involves manifest violations of resolutions and laws governing expenditure on electoral advertisements.