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The relevance, authority and impact of EU media councils and how to improve these where necessary

Transparency

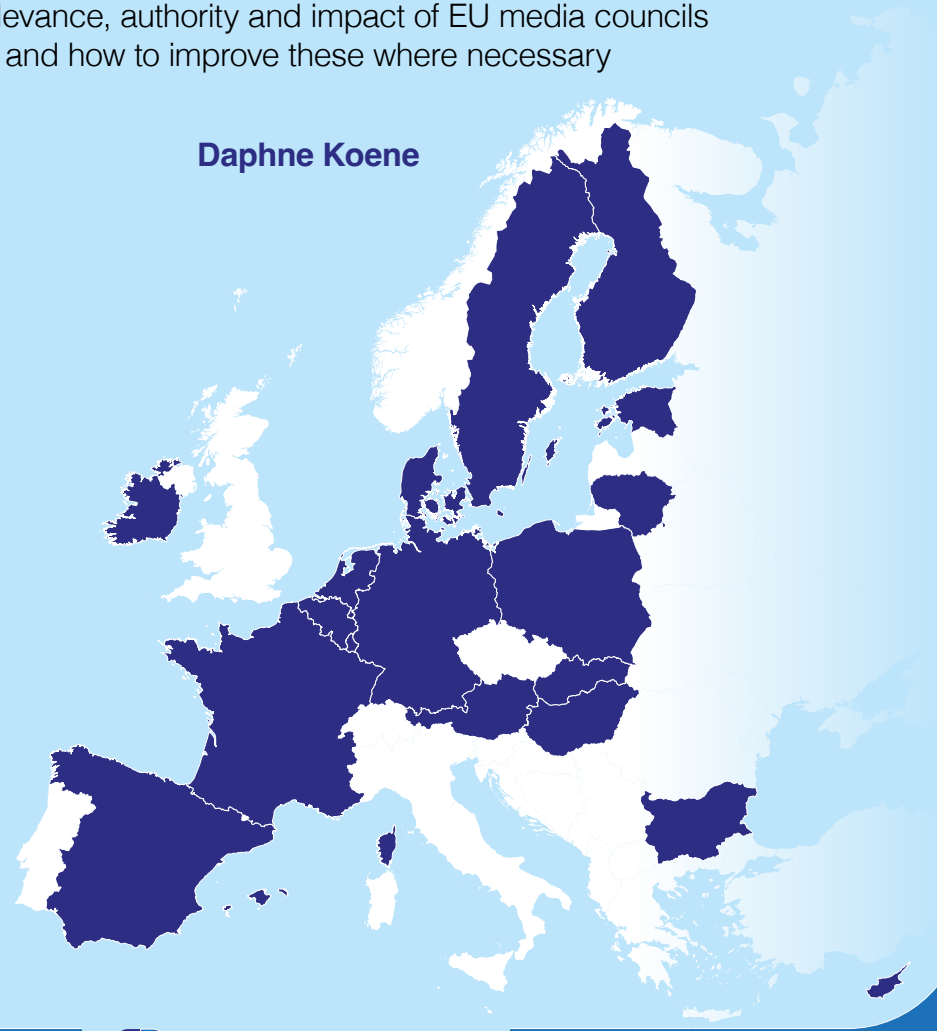
Representation

Awareness

Commitment

Knowledge

Daphne Koene



Raad voor de Journalistiek

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Get on TRACK

The relevance, authority and impact of EU media councils and how to improve this where necessary

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Preface

During my 25-year career with the Netherlands Council for Journalism, my conviction has grown that the Council plays an indispensable role in strengthening the self-regulatory capacity of journalistic media. It thus not only promotes professional standards but also makes a vital contribution to public accountability in journalism.
Throughout those years I have also found that criticism of the Council is perennial and comes and goes in waves. Criticism is welcome provided it is based on accurate facts and valid arguments. It encourages self-reflection and improvement.

25 years ago, the criticism was mainly focused on the Council's composition; back then it was regularly portrayed as a club of old, white, pipe-smoking men whose ranks included former politicians. The Council was too introspective and played little or no part in the public debate.

Several decades have passed since then and the Council has evolved in various ways. It has been transformed into a second-line body – complainants must first contact the editor-in-chief – chaired by a leading journalist who serves as a figurehead and a liaison for the outside world. The full Council is an inclusive body made up of journalists, experts and public members.

Following a number of other measures taken to scale back the legal content of the Council's regulations, a new provision was added last year requiring complainants to agree not to refer the same case both to the Council and to the courts. But undoubtedly there is more to do. The EU project entitled 'Media Councils in a Digital Age' provided an opportunity to analyse the strengths and weaknesses of EU councils and assess how existing councils could strengthen their position and how new councils could get off to a good start.

First and foremost, I would like to express my gratitude to the European Commission for this opportunity, to the project coordinators at Blanquerna - Universitat Ramon Llull in Barcelona for their support and to the other participants in the consortium for their collegiality.
I would also like to thank the board of our Foundation for the trust they have placed in me, my external advisers for their feedback and my colleagues in the secretariat, who took over part of my work for two years, for all their help.
And, of course, many thanks go to all the contacts who provided me with the necessary information both orally and in writing. Without their collaboration this report would not have been possible.

Daphne Koene
Secretary of the Netherlands Council for Journalism
Amsterdam, May 2025

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1. Executive summary

The rise of digital technologies has dramatically changed the media landscape. Whereas the provision of information was once dominated by traditional media, there is now a multitude of digital and social channels. There has been an increase in disinformation, fake news and societal polarisation, while at the same time trust in journalism is declining, journalists are being threatened and press freedom is under pressure. Since journalists have a crucial watchdog function in democratic societies, the role of free, independent journalism is very important.

In this context, **Media Councils (MCs)** play a crucial role: they help ensure quality journalism through **self-regulation**, without government interference. In doing so, they make an important contribution to the preservation of press freedom and the strengthening of democratic values.

Purpose of the report

This report examines **the relevance, authority and impact of MCs in EU Member States and how these can be strengthened where necessary**. Based on input from 144 experts and stakeholders in 18 European countries, the report begins by identifying general strengths and weaknesses of MCs. Subsequently, five universal criteria were formulated as a basis for strengthening the legitimacy and effectiveness of MCs. The report thus aims to contribute to self-reflection and improvement of existing MCs and to provide guidance on the establishment of new MCs.

Benefits of Media Councils

The study shows that MCs are widely recognised as a valuable instrument for self-regulation. They ensure that journalism assumes responsibility within a framework drawn up by the sector itself and accounts to the public through complaints procedures. In addition, MCs highlight the distinction between reliable journalism and other forms of information dissemination. A well-functioning MC improves the quality of journalism and the ethical debate in the sector, thereby fostering trust in the media.

Challenges and criticisms

At the same time, it is clear that MCs in many countries face significant challenges. They are not sufficiently visible, which means the general public is largely unaware of their existence, and they are not proactive enough. There is also a frequent debate on the extent to which the MC members are representative and have adequate expertise. Furthermore, because MCs generally cannot impose binding sanctions, they are often regarded as 'toothless tigers'. There are also increasing questions about the way in which MCs should relate to new forms of communication, such as social media and citi-

zen journalism, at a time of tenuous trust in the entire media landscape.

Basic criteria for an effective Media Council system

To tackle the sticking points and strengthen the operation of MCs, a set of five universal criteria has been drawn up based on the input from the respondents. The criteria are closely interrelated, interact strongly with each other and together ensure a well-functioning MC. They are referred to collectively as the TRACK model.

Transparency

Ensure clear communication about the mission, structure, complaints procedures and decisions. Use understandable language, clear structures on the website and attractive presentation formats, and make use of various media channels to disseminate information more widely.

Representation

Ensure a large and broad representation of media in the administrative body. Make sure the executive body (the MC or its complaints committee) includes diverse and inclusive journalist members and, if possible, public members. Monitor the quality of the members. Consider expanding the right to complain if it is limited to personally interested parties.

Awareness

Invest actively in visibility and awareness, amongst the public and civil society organisations, and amongst the media and journalists. Consider appointing a figurehead for this purpose.

Commitment

Strengthen the involvement of the sector. This concerns not only participation in the administrative body, but also active cooperation in complaints procedures and the willingness to publish decisions. Consider incentives and engage with uncooperative media, encouraging them to cooperate.

Knowledge

*F*oster news literacy amongst the public and understanding amongst media and journalists of the role and significance of the MC, and encourage mutual understanding. Also monitor the MC's knowledge of journalism, society and self-regulation, and continue to focus on international cooperation.

Conclusion

Although there is no 'one-size-fits-all' model for MCs due to national differences, the TRACK model provides a flexible and applicable framework to strengthen the relevance, authority and impact of MCs in Europe.

So get on TRACK!

2. Introduction

The rise of digital technologies has dramatically changed the media landscape in recent decades. When people talk about 'media', they generally use the term 'traditional' to describe past forms of media, which are also found online and on social media. But now there are also online-only news media, as well as a vast flow of information from other sources. This development has posed many major challenges, both within journalism and beyond.

There has been a rise in disinformation, fake news and polarisation, and AI is still in its infancy. Almost everywhere, trust in journalism is declining, journalists are being threatened and press freedom is under pressure from political and social developments. Recent reports from the Economist Intelligence Unit, Article 19, the Reuters Institute and Reporters Without Borders present disturbing pictures of democracy, press freedom and trust in news[1].

The role of free, independent journalism is vital. Journalists fulfil an essential watchdog role in democratic societies – perhaps now more than ever – through their duty to provide the general public with reliable information. That includes a high degree of transparency and accountability.

Self-regulation provides an important framework for this, as it enables the journalist community to monitor the ethical standards inherent in the profession without government interference. A Media Council (MC) is one of the oldest instruments established for this purpose and is found in many European countries[2].

MCs are based on the idea of freedom of the press and, at the same time, recognise that this freedom also implies responsibility of the press. They are committed to ethical journalism. To that end, they provide guidance to journalists through ethical codes. At the same time, they offer the possibility to citizens and organisations to submit a complaint if they believe that the journalistic code has been infringed[3]. Complaints procedures are therefore available to hold media and journalists accountable to the

1 See the **EIU report Democracy Index 2024 – What is wrong with representative democracy**, the Article 19 report **The state of freedom of expression around the world 2024**, the Reuters **Digital News Report 2024** and the report of Reporters Without Borders **RSF World Press Freedom Index 2025: economic fragility a leading threat to press freedom**.

2 The Swedish MC was founded in 1916.

3 See Presscouncils.eu under **'What is Self Regulation?'** Note: some councils still refer to themselves in the traditional way as 'press councils', but all councils' powers now extend beyond print media. All the councils examined in this report are therefore referred to as 'Media Councils'. These should not be confused with government-appointed audiovisual media regulators, which are also called 'media councils' in many countries.

public when they are challenged about their actions. This is also a means whereby the media sector[4] can distinguish itself from other information sources.

Recent European regulations acknowledge the role of media self-regulation. The European Media Freedom Act (EMFA) guarantees media freedom, media pluralism and editorial independence, and stresses that media must be able to self-regulate in a properly facilitated framework[5]. This makes well-functioning self-regulation and, by extension, well-functioning MCs all the more important.

This report examines the relevance, authority and impact of MCs in EU Member States. The structure and organisation of these MCs and the extent of their operations are influenced by historical, social, economic, cultural and political backgrounds that cannot be ignored. The country profiles, which contain more detailed information on each MC, reveal differences in approach and context.[6]

The results of the study confirm that a 'one-size-fits-all' model is not readily applicable; what works in one country will not automatically work in another. All MCs nevertheless share a common principle: journalists should be allowed to work freely and be given an opportunity to assume responsibility and demonstrate accountability through self-regulation.

This report is not a scientific study and is explicitly not intended to offer general recommendations on journalism or media consumption. The approach is a practical one, based on discussions with and written responses from experts and scientists.

It provides an overview of key issues and recommendations to build a solid foundation for existing and future MCs, thereby strengthening self-regulation in European media as an essential part of a healthy democracy.

4 References to 'media' in the remainder of this publication mean *journalistic media* unless stated otherwise.

5 See the **EMFA** and the press release of the Council of the EU of 26 March 2024: ***European Media Freedom Act: Council adopts new rules to protect journalists and media providers***

6 Note that the country profiles contain specific characteristics and summarised opinions of respondents, but no exhaustive data. For this, see the research by Dr Raymond A. Harder, with project supervision by Pieter Knapen (then Secretary-General and Ombudsman of the Belgium/Flanders MC) ***Inquiry into the Practices of Media Councils*** and the ***Press Councils Database*** based upon it.

3. Media Councils as an instrument for self-regulation

An analysis of benefits, challenges and generally applicable criteria

The premise that self-regulation in the media sector is preferable to government regulation and that Media Councils (MCs) play an important role in this respect is widely supported by the participants in this study. A limited role for the government is conceivable – this will be detailed further below – but only in well-functioning democracies,[1] and in any case there should be no substantive interference. Furthermore, it is important that there is sufficient media pluralism[2] and solidarity in the media sector.

In order to understand the preconditions for the proper operation of MCs, respondents were asked about the strengths and weaknesses of the organisations, and about criteria for improving their performance where necessary. This chapter sets out the results step by step.

§1. Benefits of Media Councils

The identified strengths of MCs as an instrument of self-regulation – for both journalism and the public – can be summarised as follows:

- **Maintaining press freedom**: Press freedom is essential for a democratic society. MCs enable the sector to operate without government interference within a sector-defined ethical framework, reducing the risk of political influence and guaranteeing editorial independence.

Solidarity among media players is essential.

- **Autonomy and responsibility**: By means of self-regulation, the sector demonstrates that it can deploy expertise in reaching consensus on its professional ethics: what are the journalistic rights and obligations, what constitutes good journalism and what does not? In addition, by setting ethical limits to their actions, the media assume responsibility towards society. They thus make clear that journalism is not just a commercial activity but also a matter of public interest in a democratic society. Journalism fulfils an essential watchdog function in this regard and at the same time engages in a dialogue with

The media sector shows responsibility and accountability.

1 In this regard, see the results of a workshop in Budapest and a follow-up webinar presented in this press release of 29 June 2023: **The Central, East and Southeast Europe region requires its own self-regulatory model**.

2 In this connection, see the **Media Pluralism Monitor Report**.

the public. This strengthens the profession, guarantees journalistic quality and eliminates 'bad apples'.

- **Accountability**: MCs' complaints procedures provide a means of accountability to the public, ensuring responsible media behaviour. The MCs' decisions contribute to the debate about journalistic practices and the development of professional ethics.

- **Flexibility and efficiency**: Self-regulation mechanisms can respond more quickly to changes in society, technology or ethical challenges without lengthy legislative processes.

A well-functioning MC improves the quality of journalism, increases trust in the media, reduces the spread of disinformation and fosters democracy and social cohesion.

- **Fast and accessible complaints handling**: Unlike legal proceedings, an MC offers a readily accessible means of handling complaints about media reporting. The MC may also express its opinion on cases that are not well suited to legal proceedings, for example because there is clearly no unlawful publication (the assessment by the MC is not the same as that of a court). An effective complaints procedure also contributes to a reduction in legal proceedings. Furthermore, a complaints procedure does not lead to financial consequences that could entail a risk of self-censorship.

And, last but not least:

- **Public trust:** A well-functioning MC helps distinguish professional journalism from other forms of information dissemination, thereby preventing the erosion of the profession. It also ensures greater public engagement. This all helps to strengthen or rebuild trust in the media. In this regard, it should be noted that the young French MC was founded (in 2019) precisely in response to declining trust in the media.[3]

Although self-regulation by MCs appears to be a solid system in theory, it also has weaknesses. Some of these are closely linked to specific MCs and are highlighted in the country profiles in the appendices. The challenges and criticisms applicable more or less to all MCs are discussed in the next section.[4]

3 See the preamble to the French **Statutes**: "The Council for Journalistic Ethics and Mediation is one of the responses to the crisis in public trust in the media. Given the democratic challenge of restoring the bond of trust between the public and the professional information media, it is an answer to questions about respect for the ethics of journalism. The CDJM draws a distinction between what is news and what belongs to the domain of freedom of expression and is not subject to the professional rules, and in particular the ethical rules, of journalists."

4 These criticisms have therefore not been included separately in the country profiles.

§2. General challenges and criticisms

The general challenges and criticisms mentioned by a significant majority of respondents, and thus affecting all MCs to various degrees, can be summarised as follows:

- **Lack of public awareness**: The general public is largely unaware of the existence and role of MCs, which limits their legitimacy and influence. Almost all respondents cite this as one of the biggest problems.

- **Insufficient activity/proactivity**: This is closely related to the previous point. MCs do not engage in sufficient external activity. This limits their visibility, relevance and trust in their operation, and ultimately also their impact.

- **Membership is not satisfactor**y: MCs having only members from the journalistic sector can be seen as 'the butcher inspecting his own meat'. Furthermore, the quality of members of the MC or its complaints committee is a matter of regular debate; this applies to chairpersons and ombudspersons in the organisation, as well as to the other members.[5]

- **Toothless tigers**: MCs cannot impose binding sanctions. This may cast doubt on their effectiveness, particularly if media decide to ignore the MCs' decisions

.• **Unclear boundary**: The boundary between journalism and other forms of communication, such as social media and citizen journalism, is blurred, calling into question the scope of MCs.

- **Problem of trust**: MCs are at risk of declining or low trust, especially when the public distrust the media landscape as a whole.[6] This is amplified by disinformation, conspiracy theories, populist discourse (such as Trumpism), unwillingness of social media platforms to take editorial responsibility and geopolitical shifts.[7]

Respondents were asked to suggest basic criteria that could serve as a foundation for all MCs, regardless of their different backgrounds, to meet these challenges and criticisms. These criteria, which can also address a significant number of the criticisms made of specific MCs, are set out in the next section.

Self-regulation only works if it actually functions as regulation. A disadvantage is that it is easy to ignore, especially if a party does not recognise the authority of the MC; this can lead to a false sense of self-regulation.

Criticism of members radiates to the entire MC and can have a strong negative impact on its authority.

5 Specific cases of past criticism, including of MC chairpersons, were mentioned in a number of countries. For example, a Finnish chairperson (former editor-in-chief of a political magazine) was said to have been 'too left-wing' in the eyes of some right-wing political parties. In Sweden, some previous ombudspersons were criticised; at the time, they were lawyers who (perhaps due to their background) were said to have made 'wrong decisions'.

6 According to **these figures** from the Centraal Bureau voor de Statistiek (Statistics Netherlands), there is a strong relationship between educational attainment and trust in organisations, at least in the Netherlands.

7 It is also up to the media themselves – taking into account this interplay of factors – to work on their credibility. In this connection, see the Slovak initiative **konspiratori.sk**: a public database of websites with deceptive, fraudulent, conspiratorial or propaganda-spreading content.

§3. Basic criteria for an effective Media Council system

The analysis of the input from all respondents shows that five criteria could serve as a general foundation for any MC. These criteria either were stated repeatedly and explicitly or include various identified sub-aspects:

Transparency – Representation – Awareness – Commitment – Knowledge

These TRACK criteria can strengthen the relevance, authority and impact of MCs where necessary. They are detailed below on the basis of the following sequence:

If the system of self-regulation is weak, it weakens the quality of the media and leads to distrust by the public.

Transparency

strengthens

Representation

influences

Awareness

is a prerequisite for

Commitment

stimulates the acquisition of

Knowledge

Furthermore, all criteria interact strongly with each other, as explained in the individual sections.

1. Transparency

The formulated strengths and weaknesses show that it is essential that an MC enjoys broad trust, both within the journalistic sector and among the public. According to the respondents, this requires transparency, which means information is shared in an accessible and understandable way. This forms the basis for the other criteria.

It was pointed out several times that the form in which information is provided needs to improve: it should be set out in simple terms that are easy for the general public to understand and should be clearly structured on the website.[8] It is also important that the information is presented attractively and is appropriate for the current times.[9] This also includes greater visibility on social media channels to reach a wider audience, especially young people. With regard to the content of the information, two specific components that emerged from the participants' input are discussed below: a) the role of the MC and its organisation and b) the complaints procedure and judgements.

a) Transparency about the role of the MC and its organisation.

A large number of respondents commented that it is not sufficiently clear, especially to the general public, that MCs are an instrument of self-regulation and what that means. MCs should therefore provide a more detailed explanation of this – in the form set out above. This includes explaining the structure and financing. In many cases there is an administrative body with a board that finances and facili-

8 Even I sometimes had difficulty finding or retrieving certain information on the MCs' websites.

9 For example, by using images, video and podcasts, and – where possible – by streaming debates and meetings.

tates the work of the executive body – often the MC itself. Typically, both bodies consist of organisations[10] and individuals from the media sector, with (ideally) adequate checks and balances to operate with sufficient independence.

The structures of MCs are usually set out transparently on their websites. However, respondents who are not part of the MCs state that there is insufficient transparency concerning decisions made by the legal entity and any other committees[11], and the financing of the organisation. Although annual reports and newsletters are published in most countries[12], these usually concern the activities of the MC.

With regard to the members of the MC/complaints committee(s), it is recommended that information also be provided on their backgrounds – including not only the positions they currently occupy but also previous and secondary positions[13] – and on the method of recruitment and appointment.

b) Transparency concerning the complaints procedure and judgements.

Since handling complaints is the core task of almost all MCs[14], clear information on this must naturally also be available. In view of the general comments above regarding the form of information provision, it is recommended that MCs go further than merely referring to published complaints regulations. Many MCs also provide explanatory notes on their websites; a good example is the information on the website of the Finnish MC with detailed 'Instructions for making a complaint', which also clearly explains the subjects and circumstances on which complaints cannot be made.

Several respondents also believe that MCs should be more open about their decision-making. In some countries, public hearings are held where parties can explain their positions, but given the differences in geography and the number of complaints to be heard, this is not feasible everywhere.[15]

A significant number of interviewees also indicated that MCs should be more transparent about how they arrived at their decisions; the reasons are often insufficiently detailed and lack nuance. In this context, several respondents pointed out that it is important for the authority of an MC that its assessments are consistent and that it must also be sufficiently transparent on this point. Each case differs from the one before and must be assessed on its own merits, with no 'black-and-white' considerations. Nevertheless, an MC should clearly explain in

10 Individual media companies and/or umbrella organisations. See below under 'Representation'.

11 For example, some countries have separate committees that appoint members and adopt and amend their ethical code.

12 Due to lack of time and funding, no annual report is published in Bulgaria.

13 For example, the Dutch council publishes the main and secondary positions of its **council members** by means of links, including positions held over the previous seven years.

14 The first task of the Luxembourg MC is to issue press cards, as mentioned in the country profile.

15 The council's deliberations are also public in Norway, which is not part of the EU and is therefore not covered further in this study.

its decision how the case in question relates to similar previous cases, particularly if it reaches a different judgement. Where they do not already do so, MCs' decisions should also state the ethical standard(s) to which the case relates.[16]

Finally, it was pointed out that the reasoning must be understandable and specific (no 'lawyer talk'). Respondents consider it important that a decision shows that the MC has properly understood the context of the issue and is aware of social trends where appropriate.

There are differing views on whether decisions should also mention dissenting opinions.[17] On the one hand, this demonstrates transparency and makes it clear that the considerations do not reflect a 'black-and-white' perspective. On the other hand, it may undermine the authority of a decision and it might therefore be better to reach decisions by consensus. There is something to be said for both and the choice is highly dependent on the culture of the country in question.

If decisions are not sufficiently consistent, the council loses credibility.

Furthermore, this is a responsibility not only of the MCs but also of the media themselves.[18] Media by no means always make it clear to the public that they are cooperating with a system of self-regulation, what this entails and to whom the public can address complaints.

Transparency concerning the interests, processes and decisions of MCs enables stakeholders to be better informed and to participate actively. This contributes to stronger and fairer Representation.

The next section discusses the different forms of representation within MCs.

16 The Dutch MC's decisions not only state which points in its Guidelines apply but also refer to previous similar decisions.

17 Opinions filed by council members who disagree with the majority decision on a case.

18 In this connection, see the thesis of Julia Ortner (editor-in-chief at ORF.at and lecturer at the University of Applied Sciences for Management & Communication in Vienna) of 21 May 2023 **Die Transformation des Ehrenkodex der österreichischen Presse in das digitale Zeitalter**, pp. 45-47 *"Transparenz als Kernwert"* (Transparency as a core value).

2. Representation

The transparency of MCs and their organisations was discussed above, including the fact that they consist partly or entirely of organisations and individuals from the media sector. The form of this representation is explained below, with representation in the administrative and executive bodies being dealt with in turn. Since media and MCs serve the public, this section also considers different forms of public representation.

a) Media representation in the administrative body

The vast majority of respondents believe that, in order to secure the broadest possible support for MCs, the broadest possible representation of media in the administrative body (which finances and facilitates the MC) is desirable, if not necessary.[19] It was pointed out that this should ideally include all media types on all layers of the media sector.

With regard to media **types**, in addition to geographical representation – national as well as regional and local media – digital-only and smaller media (start-ups) should also be considered.

In this context, audiovisual media merit a separate discussion. Whereas in some countries these media are represented as a matter of course, the opposite is true in other countries. This is due to the state regulators/authorities, which, in addition to their supervisory role, sometimes also have the authority to establish ethical guidelines and handle complaints about compliance with them.

Expand the MC's jurisdiction to include digital and multimedia journalism to keep up with the changing media landscape.

Many respondents would also prefer to hand over the monitoring of journalistic ethics for these media – standard setting and complaints handling – to MCs. In the first place that is because state regulators have the power to issue broadcasting licences and having simultaneous authority to handle complaints could lead to censorship (or self-censorship).

Secondly it is because merging different forms of journalism – print/digital and written/audiovisual – has become commonplace and different media types are increasingly working together. It is therefore considered inappropriate and – for the public – impractical to keep journalistic self-regulation separate from that of audiovisual media.[20]

Media inclusion implies independence of editorial lines.

All **layers** of the sector means that editors as well as editors-in-chief and publishers should be represented, because they are each involved in a different way in the creation and distribution of journalistic production and therefore bear their own responsibility.

For media companies in particular, representation can be achieved through the participation of individual members (titles) or umbrella organisations (publishers or industry organisations).[21] Respondents believe there is something to be

19 One respondent questioned whether a completely independent regulatory body, including researchers and media ethics experts, would be feasible.

20 Some MCs (Belgium/Wallonia-Brussels, Bulgaria and France, amongst others) have regular disputes with state regulators about ethical powers. See, for example, this recent publication: **Élections : le CDJ alerte à nouveau sur une ingérence du CSA dans la liberté rédactionnelle des journalistes** (Elections: CDJ [Belgium/Wallonia-Brussels MC] again warns of CSA [state regulator] interference in journalists' editorial freedom).

21 To clarify: newspaper X falls under publisher Y, which is affiliated with industry association Z.

said for both options. Individual members may feel more involved and responsible, and may therefore be more committed to cooperating in the complaints handling process and any consequences of it (publishing the MC's decision).

However, the participation of an umbrella organisation results in a broader reach, with less conflict of interest. Such an organisation could also make cooperation with the work of the MC a mandatory requirement for membership. In addition, only one organisation would then need to be called upon to pay the financial contribution for that part of the sector. If certain individual media are not covered by an umbrella organisation, a combined system is also conceivable; umbrella organisations would then not bear the financial burden for the work carried out by the MC for the individual members.

It is a great strength when all media work together, preferably in one council; it is stronger and gives a kind of quality mark. Differentiation from the information disorder strengthens the profession.

The final choice of the type and method of representation is highly dependent on the national culture and the way in which media are organised. In any case, it is important to achieve the widest possible representation.[22] In the case of new and relatively young MCs, it will not be easy to achieve this quickly; it will take time, but it should be the objective.

Finally, it should be noted that most respondents consider that extending the representation and authority of MCs to include non-journalistic media is undesirable. The argument put forward is that journalistic standards are not intended for and are difficult to apply to other forms of communication. As stated in §1. under 'Public trust', journalistic media actually want to distinguish themselves from other information providers in order to prevent erosion of the profession and to strengthen trust in journalism.

In this context, respondents were asked whether the terms 'journalism' and 'journalist' should be defined. Opinions differ on this and some countries already have a definition of 'professional journalist'.[23] According to some respondents, a lack of definitions may make it difficult to incorporate new forms of online communication in general and platforms in particular.

On the other hand, it was argued that MCs should have powers to consider any output posing as journalism, whether produced by a professional or an amateur; any definition could lend itself to abuse by political interests aiming to control the profession. It is clear that new or newer forms of information provision pose a major challenge to the entire journalistic sector, including MCs. It may be preferable – as one interviewee suggested – to define what does not fall within journalism. In any case, this will remain a source of much debate for the time being.

b) Media representation in the executive body

The majority of respondents also agree on representation in the executive body: they consider it natural that the body that handles complaints – the MC or its complaints committees – should have journalists amongst its members, often including editors-in-chief. In addition, in some countries, media are also represented by

22 It should be noted that some countries struggle when it comes to the membership of extreme (mainly 'far right') media. Although they are part of the establishment, they hardly care about journalistic standards and the decisions of the MC.

23 In the case of Belgium/Flanders, see the site of the VVJ (Flemish Association of Journalists): **Erkenning als beroepsjournalist** (Recognition as a professional journalist) and for Luxembourg **the site of the MC**, with a link to the specific law.

non-editorial staff, such as corporate lawyers or directors.[24] The respondents mentioned some relevant points of interest:

- *Active* journalists should also be part of the MC.[25]
- There should be a *mix* of knowledge and experience.[26]
- The objective should be to achieve broad representation across the journalistic landscape (not just mainstream media).[27]
- There must be a *balanced* representation of different media companies.

The selection of journalistic members is discussed below in d); the key issues here also apply to non-journalistic members, as discussed in the next section.

c) Public representation in the executive body

It was mentioned above that the public can be represented in the self-regulatory system of MCs in different ways. This section discusses the 'public members' who are part of almost all MCs and their complaints committees. Respondents from the three countries where this does not apply, or only applies to a very limited extent (Austria, Germany and Luxembourg)[28] put forward various arguments for this:

- The public have insufficient knowledge of journalistic work and do not understand how journalists work (or should work).
- In smaller countries, the public are more likely to be associated with interest groups or political parties.
- The active population consists to a significant extent of migrant workers.

They therefore doubt whether representation of the 'general' public is actually achievable, and whether it would improve or detract from the quality of the decisions. In their view, the current set-up of their MCs is satisfactory and generally accepted.

The vast majority of respondents (including some from the three countries mentioned above) believe that public members contribute to the work of the MC. They put forward the following arguments:

Journalism does not stand alone, but serves the public.

- It ensures that complaints are not assessed solely on a technical and journalistic basis, which might be likened to 'a butcher inspecting his own meat'.
- Accountability in journalism does not exist in isolation; it is also about how publications are received by the public.
- Outside journalism, different standards and values apply; journalists sometimes lose sight of the human aspect.

24 See, for example, **the composition** of the Belgium/Flanders MC.

25 This is not the case in Slovakia; for an explanation see the country profile.

26 It was commented that in France the members are volunteers with free time; consequently they would not be the most prominent journalists and would not be fully representative of the media industry.

27 In this context too, the debate about whether or not to define the term 'journalist' is relevant.

28 Germany has no public members at all, while in Austria and Luxembourg only the chairpersons of the complaints committees do not come from the journalistic sector.

Public members contribute to trust in self-regulation.

- The insights of public members help reveal blind spots and provide a broader perspective; their feedback strengthens the sector for the better and contributes to the authority of the MC and its decisions.
- The involvement of public members brings the MC closer to the general public.

Views differ, however, on how best to represent the public. Some respondents strongly believe the MC should reflect the whole of civil society, representing all sections in the widest sense and not only the establishment/elite. Others believe they should not be 'everyday people' and prefer experts – such as academics, media lawyers and representatives of human rights organisations – with knowledge connected to media and ethics. It was also suggested that, where relevant, an MC should bring in specific expertise to handle complaints or adapt journalistic standards, particularly when dealing with sensitive issues such as discrimination or addictions. In many cases, the MC/complaints committee is chaired by a lawyer – even in countries without other public members – who often has a judicial background. This is perceived as a major contribution to the MC's authority.

The composition of the MC should reflect the journalistic sector and society -> diversity and inclusion of members

Finally, respondents pointed out that there is not always sufficient Awareness amongst the general public of the presence of public members. This is detrimental to the perception and reputation of the MC. This should therefore receive more attention, from the point of view of both transparency and awareness.
Amongst the challenges and criticisms, it was commented that the quality of MC members is regularly under discussion. This applies to both journalistic and non-journalistic members. It is therefore advisable to consider the points discussed below when selecting members.

d) Selection of members

Respondents argued that members – in particular chairpersons and ombudspersons – should, as far as possible, be generally recognisable and should have impeccable authority and independence.[29] Journalists are generally assumed to have sufficient knowledge and experience in the field of professional ethics; nevertheless, it is advisable to verify this during the selection process.

With regard to public members, it was commented specifically that they should have at least 'some kind of understanding of media and ethics'. In general, lawyers are considered a valuable addition to the work of the MC. Probably inspired (at least in part) by general social discussions about diversity and inclusiveness, respondents also consider this important for the composition of the MC. There is room for improvement in many countries in this regard. In addition, it is important that terms of office are not too long[30] and that there is regular rotation of members to accommodate new insights and guarantee the independence of the MC.

However, care must be taken to avoid inconsistency in complaints handling (see also Transparency) and any loss of valuable knowledge. Transparency is also required on this point.

29 In this regard, it should be noted that in some cases, for example in both councils in Belgium, members of the administrative body are simultaneously part of the executive body. This raises the question of whether this might (unnecessarily) undermine their independence and whether these memberships should be kept separate.

30 For example, three to four years, renewable for one further term.

Several countries have rules setting out the criteria that members must meet and/or the way in which they will be recruited and appointed.[31] In this context, it was stressed that even in countries where democracy is under greater pressure the government should not interfere with the appointment of members. Furthermore, it is advisable that Rules of Procedure include provisions on recusal and disqualification, for cases of actual or suspected partiality of a member which could damage the impartiality of the MC.

There are differences, however, in the breakdown between journalists and public members and the size of the complaints committees. In some countries, cases are assessed by smaller complaints committees, while in other countries the full MC decides on the complaints.[32] There seems to be something to be said for both. A small group can discuss cases in more depth and detail and therefore make more informed decisions.

On the other hand, it is easier for one person to take the lead and drown out the others, whereas that risk is lower in a large group. Moreover, when decisions are made by a large group, 'individual agendas' may have less impact and a broader perspective may emerge. Decisions of the entire MC may also have more authority. In this context, it was suggested that the entire MC should decide on a case if the smaller complaints committee is clearly divided or the case is controversial.

e) Public representation in the complaints procedure

More than half of the MCs provide for a general right to complain.[33] This means anyone can file a complaint, even if they have no personal/direct interest. This is beneficial for the reputation of the media system. In the case of these MCs, respondents emphasised that the public depends on reliable journalistic information, that self-regulation is related to the quality of journalism and that it is therefore a societal interest that every citizen (as part of society and an instrument of society) can stand up for.[34]

The others see many disadvantages in this, primarily for practical reasons: most MCs are not equipped – in terms of personnel and financial resources – to handle substantially more complaints.[35] In addition, people are concerned about numerous complaints from activists, troublemakers and 'hobby complainants', who could paralyse the MC.

31 See, for example, Denmark (Section 41 of the **Media Liability Act**), Finland (Section 6 of the **Basic Agreement**), Ireland (under '**Appointments Committee**') and Lithuania (Section 461.2 of the **Law on the Provision of Information to the Public** and Section 6 of the **Statutes**).

32 For example, the Dutch MC consists of 25 members in total, but complaints are handled by groups of five members (one vice-chairperson, two journalist members, one expert member and one public member. See more on this in the country profile). In Belgium/Flanders, cases are prepared by a committee of three members, but ultimately the full MC decides on complaints. Of the total of 36 members – 12 representatives of journalists, 12 representatives of publishers and 12 external members from the public and society at large – at least 18 must be present; on average, 23 members are present; no specific quorum per group is specified.

33 In Austria, Belgium/Wallonia-Brussels, Bulgaria, Cyprus, France, Germany, Finland, France, Lithuania, Slovakia and Spain/Catalonia).

34 As noted above, the German MC has no public members, but in this context it was pointed out that the public has an important role by choosing to complain: "the public is only prosecutor and no judge."

35 In this context, it was pointed out that MC members are often volunteers who receive little or no compensation and that they should be better paid if the right to complain is extended.

But there are also objections in principle. Complainants may not always care about improving the quality of journalism or they may have a distorted idea about it. It is also anticipated that a general right to complain will lead to a weakening of the MC's authority, including through a disproportionate number of rejected complaints. Non-interested parties also have the option of sending a letter to the editor and, in some media, they can contact the internal ombudsperson.[36] Finally, respondents believe that too much interference in press freedom affects media independence.

Advocates of a general right to complain pointed out that the disadvantages could be overcome by introducing certain thresholds. This could be done, for example, by limiting the number of words or characters in a complaint and/or by requiring that the complaint be formulated precisely, including a reference to the specific article in the Code that is alleged to have been violated. The Belgium/Wallonia-Brussels MC does not provide an online complaint form and has very detailed rules regarding inadmissibility.[37] In many MCs, an initial check (by the secretariat) is carried out to determine whether the complaint is legitimate.[38]
Finally, a complainant must pay an administration fee to the French MC if they submit multiple complaints in a twelve-month period.[39]

For countries where the right to complain is limited to personally/directly interested parties – which many people consider too limited – an extension as in Belgium/Flanders, Estonia and the Netherlands could serve as an example. Organisations representing a collective interest affected by the publication can also complain. Respondents also suggested that, in the general interest, the right to complain should be extended to include, for example, academics and fact-checking organisations.

Finally, whichever right of complaint is chosen, the procedure should in any case provide for 'easy access for ordinary people'. This is consistent with the comments referred to above under Transparency about sharing information in an accessible and understandable manner. Due to complicated language and/or complex requirements, some complaints procedures are likely to be more accessible to well-educated people.

When media and the public enjoy proper Representation in an MC, this increases their Awareness of it.

The importance of Awareness and how it can be improved is discussed below.

36 See for the Netherlands, amongst others, the **Ombudsman for Public Broadcasters**.
37 See under **'Cas d'irrecevabilité'** (Cases of inadmissibility)
38 For example, for the German MC see § 5 Vorprüfung of its **Rules of Procedure**.
39 See Articles 2.9 and 2.10 of its **Rules of Procedure**: for individuals €50 and for legal entities €250 as of the third complaint within 12 months.

3. Awareness

Under challenges and criticisms it was noted that a lack of public awareness is perceived to be one of the biggest problems. Many respondents commented that MCs are often known and respected in certain circles – amongst academics and lawyers, and in certain institutions[40] – but that this is not sufficient. In addition, it was stated that there is not always sufficient awareness of the MC amongst the media and journalists. Awareness in both sectors is discussed separately below.

Representation enables Awareness, while Awareness can exert pressure for better Representation.

a) Amongst the public

Under Transparency it was commented that MCs should provide information on all aspects of their organisation in an accessible and understandable manner. Even if an MC is transparent, insufficient awareness can lead to misinterpretation[41] and limit its legitimacy and impact. Conversely, if there is no transparency, awareness remains limited by a lack of available information.

Transparency creates the conditions for Awareness, while Awareness ensures that Transparency is used effectively.

Therefore, respondents generally encourage MCs to actively invest in their visibility – at least through regular publications about their work and participation in debates, and where possible through public campaigns – and thereby raise Awareness of their organisations. Respondents consider it important that the public are or become aware of the significance of MCs in the context of freedom of expression and the right to reliable information.[42]

Public awareness also means that the MCs are sufficiently known amongst societal organisations (e.g. national Institutes for human rights), interest groups (e.g. those representing the interests of minorities) and aid organisations (e.g. victim support organisations).

Make the public aware that self-regulation is serious business and not a media 'game'.

In this context, it was regularly commented that MCs are not proactive enough and should be more outwardly focused to increase their visibility and contribute to the public debate. MCs could thus gain trust and relevance, strengthening their impact. However, the respondents did add some further observations:

- The MC must safeguard its objectivity and independence in its handling of complaints and must therefore exercise restraint with regard to current issues that may be the subject of a complaint submitted to it at a later date.

40 In the Netherlands, for example, complainants are regularly referred to the MC by the police and the Dutch Data Protection Authority.

41 For example, the general public confuse MCs with associations of journalists and with departments handling complaints about delivery and subscriptions. Respondents also mentioned that some MCs' policies requiring complaints to be submitted first to the media concerned are not sufficiently known, which could reduce public trust in the MCs.

42 See the campaign of the Belgium/Wallonia-Brussels MC of April 2024: **Le CDJ lance sa première campagne vers le grand public pour (ré)affirmer le lien entre déontologie journalistique et information de confiance** (The CDJ launches its first campaign aimed at the general public to (re)affirm the link between journalistic ethics and trusted information). Moreover, the Finnish MC held a big public campaign in 2018 in honour of its 50th anniversary with the label **'Vastuullista journalismia'** ('Responsible Journalism') attached to it for participating media.

- The MC must be conscious that it does not represent all media and journalists.
- While the public benefit from a more active role of the MC, the media do not always appreciate this; a proper balance must be struck here.
- Raising the profile of the MC may attract more potential complainants.

Notwithstanding these comments, the question then is how an MC can best engage with the public. In a number of countries, the MC has appointed a figurehead for this purpose: in Ireland and Sweden, for example, these are the organisation's ombudspersons; in Germany a spokesperson is chosen and in the Netherlands it is the chairperson of the MC. Whereas the Irish and Swedish ombudspersons also handle complaints independently and the German spokesperson is part of a complaints committee, the Dutch chairperson does not participate in the assessment of complaints.[43] It is also considered important that this figurehead is still professionally active, or at least still has sufficient connections with the field.

It would probably strengthen the authority of the MC if it were to become more involved in the discourse. The MC could thus become an (even) more important institution that decisively shapes the discourse on media ethics in the country.

Many respondents believe that here too, as in the case of Transparency, the media themselves have a role to play, for example by referring to MCs on their websites and by 'loud and proud' use of the MC logo in their publications.[44] It was also commented that journalistic media could distinguish themselves from other information providers in this way.

In this context, it should be noted in passing that MCs should be cautious about taking up specific matters on their own initiative, as this carries the risk of 'picking and choosing' and could undermine the authority of the MC – at least within the sector.[45]

Finally, particular mention should be made here of the report of the Danish Media Responsibility Committee. The committee was asked, amongst other things, to investigate:

> *"whether the current framework for the Press Council's work is up to date and what the Council's role should look like in the future; how to establish a media ombudsman modelled on the Swedish model, who can investigate cases on his own initiative and is tasked with contributing to good journalistic practice through opinion-forming, media ethics debate and initiatives (…)".* [46]

The committee recommended, amongst other things, that the government appoint a media ombudsperson who could also act as a criminal prosecutor. This prompted criticism almost immediately after the report was released.[47] Although not all countries face a real risk of government intervention, it is advisable for MCs to have their affairs in order in this area too.

43 Unlike the vice-chairpersons of the Dutch MC – who all have a legal background and chair the council meetings – the chairperson is a journalist. In his **blogs** he explicitly states that he has no say in the assessment of complaints and expresses his own opinion (not that of the council).

44 See, for example, point 8 of the membership criteria in the Irish **Membership information**: *"The publication agrees (…) to feature the Council's logo and contact details prominently and to the satisfaction of the Council in every print edition and on every website."*

45 In the Netherlands, the full MC can only make decisions on its own initiative on cases concerning journalistic conduct that are matters of general scope and principle. See Article 11 of the **Rules of Procedure**.

46 See 1.1. of the Danish report.

47 For more information on this, see the Danish country profile.

b) Amongst media and journalists

Awareness of the MC amongst media and journalists also includes the consciousness that the existence of the MC benefits the media sector and is not just 'a necessary evil' to prevent government intervention. A good example of raising the sector's awareness is the Irish MC's listing of specific benefits in its **Membership information**.[48]

At the same time, it is considered important that MCs have sufficient awareness of the work of media and journalists in order to properly fulfil their self-regulatory function; MCs must be aware of what is going on in media practice. There are already exchanges of information within the MC bodies, of which media representatives are part, but MCs should also be clearly visible externally to the media and journalists[49] and, for example, engage in dialogue in partnerships and consultative bodies. A deeper awareness amongst media and journalists contributes to a more sustainable and effective Commitment, which will now be discussed.

4. Commitment

Under Representation we discussed how media and journalists are (or should be) represented within the bodies of MCs. This section focuses on the actual implementation of that representation, particularly the extent to which the journalistic sector is involved in self-regulation and feels morally obliged to contribute to it. How strong is the commitment and how can it be strengthened if necessary? This applies to participation in and membership of the administrative body as well as to cooperation in the complaints procedure, including follow-up to requests for publication of MCs' decisions.

Representation without commitment can be hollow or misleading, while commitment without clear representation remains vague or ineffective.

Voluntary participation is at the heart of self-regulation but simultaneously one of its weaknesses as media can choose to opt out of the system. As a result, MCs are to some extent not accepted by all media in many countries. If this happens too often, the legitimacy of the system comes under pressure and doubt is cast on its long-term sustainability. An illustrative example is the situation in Denmark, where disagreement in the media sector led to insufficient representation. This ultimately led to the abolition of the then voluntary press council and the establishment of the current

If media and journalists have confidence in the value of the MC's services and see the benefits of membership and cooperation, they are less likely to question the organisation's right to exist.

48 A more detailed but unpublished list of benefits is supplied to interested media.

49 See, for example, the **blogs** of the chairperson of the Dutch MC, which usually concern dilemmas in journalism and generally also appear on **Villamedia.nl** (part of the Dutch Association of Journalists).

Danish MC with a legal basis. [50] Such legal underpinning is one of the ways in which the media's commitment can be strengthened. This aspect will be explained in more detail in the next section.

a) Government incentives

Many MCs have a legal basis (being established by law) or legal recognition (being mentioned in regulations)[51], which is generally perceived as positive. Since the detailed implementation is largely determined by the sector itself, respondents do not see this as impinging on self-regulation. On the contrary, it provides stability and legitimacy, underlines the importance that the legislator attaches to the system and helps strengthen freedom of expression.[52] This often includes a partial financial contribution from the government to the MC.[53]

> Government support is an important signal that the state wants to support the media and their self-regulation. Such support is justified in a democratic country where media are the 'watchdogs of the authorities'.[54]

There are also various government incentives for media – such as subsidies, a reduced VAT rate or the placement of government advertisements – that are linked to a commitment with the MC.[55]

These can be used positively to encourage co-operation, but conversely they can also be used to 'sanction' media that opt out of self-regulation by reducing subsidies or favourable VAT rates[56] that in principle apply to the entire sector. A legal underpinning does not automatically mean that all media are either obliged to participate in the MC procedure or do so voluntarily. In this context, it was therefore commented that this system could also be vulnerable if there is no clear support from the media sector. Respondents also pointed out the risk of legis-

50 In short, due to disagreements between the association of newspaper publishers and the association of journalists, the voluntary press council covered only a limited part of the media and council members did not represent all the interests involved. As a result, the then voluntary press council was unable to fulfil its role in society satisfactorily. For more on this see the report in my previous study entitled **"Press Councils in Western Europe"** pp. 55-57.

51 Austria, Belgium/Wallonia-Brussels, Bulgaria, Cyprus (indirectly), Denmark, Germany, Ireland, Lithuania and Luxembourg. See the country profiles for detailed information.

52 As for the latter, membership of the Irish MC and compliance with its Code of Practice strengthens a publication's right to invoke the defence of reasonable publication in cases of defamation, see the benefits listed in the information on **Membership**.

53 This contribution may be sensitive to political developments (see the Austria and Finland country profiles). In Belgium/Flanders, the MC is not legally recognised, but it does receive a partial government contribution indirectly (through the journalists' association).

54 See the blog of Harto Pönkä (CEO at Innowise, social media expert and former member of the Finnish MC) of 12 August 2024: ***Näkemykseni JSN:sta kolmen vuoden kokemuksen perusteella: riippumatonta itsesääntelyä vai jotain muuta?*** (My view of the JSN after three years of experience: independent self-regulation or something else?) and the publication of Journalisti (the trade journal of the Finnish journalists' association) of 4 September 2024: **Julkisen sanan neuvoston valtionapu säilyy – "Tämä on suuri helpotus"** (The Finnish MC will retain its state aid – "This is a great relief")

55 Please note: In Spanish Catalonia, the government advises media asking for public money to adhere to the Code of Ethics. In the past, it was mandatory to support the Catalan MC to receive public money from the government. Due to media complaints, this is now no longer the case.

56 See section 19.4 of the **Lithuanian VAT law**, which clearly states that the favourable VAT rate does not apply to publications that do not comply with professional ethics, recognised as such by an authorised body.

lative changes and possible erosion of the MC's independence. As noted in § 1. Benefits of Media Councils, it is therefore essential that there is no substantive interference by the government. Some respondents from countries having an MC without a legal basis or recognition indicated that they would welcome a legal underpinning to promote the MC's status, recognition and legitimacy.[57]

b) Incentives within the media sector

It may also be useful – and perhaps even necessary – to develop mechanisms within the sector that encourage commitment. For the record, this also applies to countries having an MC with a legal basis or recognition. According to the respondents' input, this could include more peer pressure, for example from umbrella media organisations on their members or naming and shaming by other media.[58]

Positive incentives are also possible, such as establishing a 'quality' label.[59] In this context, it is also important to emphasise that MCs may choose not to exclude media if they repeatedly violate ethical rules, but instead to make journalists from these media members of the MC or complaints committee; this also contributes to greater commitment.

c) Funding by members of the administrative body

Sufficient financial capacity is essential for MCs to properly perform their self-regulatory role. And adequate funding or co-funding by the sector itself is also seen as a commitment by the majority of respondents, as it means stakeholders show that they take the work of the MCs seriously. It should be noted that, depending on the country's circumstances, funding from a certain quarter may jeopardise independence.[60]

In this context, there is particular emphasis on the importance of Transparency and Awareness, since a self-regulatory system that scrutinises media and is simultaneously funded by media may be perceived as biased by the public. Although the amount of funding is actually perceived as a problem everywhere, higher or more stable funding seems difficult to achieve in the current media market. Nevertheless, it is recommended that attention be paid to this.

57 In this regard, see the press release of the French MC of 21 November 2023: ***États généraux de l'information: le CDJM fait cinq propositions*** *(États généraux de l'information: the CDJM puts forward five proposals).* Due to the current political situation in France it is unclear what final results **this project** will lead to. The Minister of Culture has chosen to prioritise the creation by law of a holding company to oversee the public radio and television companies. This bill is on the parliamentary agenda for April. Meanwhile, some MPs are considering proposals that could take up some of the États Généraux's conclusions. These bills could be included in a bill to be tabled by the government, but more information on this is not yet available.

58 Respondents report that this works well, at any rate in Estonia and Ireland. In Estonia, some major media publish MC cases (with comments) in their annual reviews. In such a small country, this has an effect on media reputation: positive for unfounded and negative (naming and shaming) for upheld complaints.

59 In this connection, see this initiative in Denmark of 4 June 2019: ***Ny mærkningsordning til medier tilmeldt Pressenævnet*** *(New labelling scheme for media registered with the Danish MC).*

60 For example, financial contributions from big tech companies (such as Google and Meta) are generally seen as undesirable as they would negatively impact the independence of MCs. It was also commented that these companies are harmful to the media industry.

d) Publication of decisions

Refuse to publish is damaging the system.

In the context of commitment, the publication of MCs' decisions by media involved in the complaints merits a separate discussion. The vast majority of respondents indicated that this is and must be the only 'sanction', given the impact that any further measures would have on press freedom and possible risks of censorship or self-censorship. It is important, therefore, that media respond appropriately to publication requests: to show that self-regulation works – with journalism reflecting on its actions and being accountable for these – and to give the complainant moral satisfaction, which may also prevent them going to court.

Imposing an obligation to publish decisions identifying unethical behaviour is the main sanction under self-regulation, provided the media concerned publish the decision properly and do not hide it somewhere.

Since MCs are usually unable to take any other measures, the publication of decisions generally cannot be enforced and failure to publish often has no major consequences, MCs are often referred to as 'toothless tigers'.[61]

In this context I refer to an interview with Manfred Protze, spokesman for the German MC, in which he states that this description is inappropriate for various reasons. The MC is not a predator hunting prey; such an association is at odds with the duties and operating methods of an MC. Moreover, it is the public that can be seen more accurately as a 'tiger'; members of the public/complainants turn to an MC when they have 'caught' something that they believe violates journalistic ethics.

Finally, Protze believes that the German 'reprimand' can be likened to a kind of 'snappiness'.[62]

Tiger or not, in this context many respondents pointed out that the main purpose of self-regulation by MCs is to improve the work of media and journalists, thereby providing better quality information for the public.

It was regularly commented that the impact on journalists is underestimated; they often find it really unpleasant to face a complaint and generally take it very seriously. In their responses to a complaint, media and journalists must reflect on their work and complaints are also regularly discussed in a broader context – within editorial offices. Finally, in the majority of cases, a decision will actually be published if the MC so requests.

The question arises as to whether it is useful, and perhaps even necessary, for the media to commit themselves in some way to publication, making it less optional. Provisions have been enacted to this effect in various countries.[63]

Furthermore, it is important that the decisions are published in an appropriate manner. Many MCs have specific instructions, including with regard to the wording and location of the publication, while the media are sometimes also required to refrain from commenting because it

61 Since this is an issue that is being debated in almost every country, it has not been included in the individual country profiles.

62 See the publication of the European Journalism Observatory of 11 February: ***Sammler, kein Jäger: Wie "bissig" ist der Presserat?*** *(Collector, not hunter: How 'snappy' is the German MC?)* In this publication, Protze also addresses whether such 'sanctions' against Bild-Zeitung are effective, which is up for debate.

63 For example, German publishers commit in a written document to publish the MC's opinions, and for Ireland, see the **Membership Criteria**.

would undermine the authority of the decision.[64] If decisions have too few consequences and therefore have a more symbolic function, there is a risk that an MC will be seen merely as an 'alibi body', undermining its relevance and authority (and hence the system of self-regulation).

e) Uncooperative media

Notwithstanding the above, there will always be media that choose not to cooperate, either by placing themselves outside the system entirely or by ignoring requests to publish decisions. It was commented earlier that self-regulation may be jeopardised if an overwhelming majority of the media market does not participate in the work of the MC and commit sufficiently to it. Although this should be seen as a significant risk, few respondents are in favour of real sanctions, such as fines.[65]

There are also differing opinions about keeping the media on board or excluding them. The suggestion was made that press cards should be taken away, but this would be incompatible with press freedom and would entail the risk of censorship or self-censorship.[66] The best option seems to be to engage in or maintain discussions with the media and editors involved about the usefulness and necessity of self-regulation and to encourage them to cooperate.

In this context, the question also arises of whether MCs should speak out on complaints against uncooperative media. Some MCs do this, while others choose not to.
Respondents' opinions on this matter vary.

Proponents note that while media cannot be forced to participate in self-regulation, this should not prevent MCs – in the service of the public – from also reviewing complaints against media that do not cooperate. The seriousness of the work will eventually persuade reluctant media to participate.

Opponents argue that this would not benefit self-regulation. If the MC's decisions have no effect on the media concerned and their behaviour, and therefore give the complainant no satisfaction, the MCs' authority is actually undermined. These respondents argue that it is better to regard the uncooperative media as 'outcasts' and to 'brand' them as such. The choice of either option should ideally be based on the media culture of the country concerned; for the legitimacy of an MC it is important that the commitment is as great as possible.

Commitment leads to further acquisition of Knowledge, while Knowledge motivates Commitment.
Without the other, either may remain limited or ineffective.

Finally, Knowledge is discussed below as the last criterion.

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64 In Denmark, Finland, Ireland (where media are even required to publish the full decision!) and Sweden, amongst others. Please note: In Finland, it is also recommended that media issue opinions on unfounded complaints, in order to make good journalistic practices more visible to professionals and the public. See the country profiles for more information.

65 This is something that the Bulgarian and Danish organisations do provide for. See the relevant country profiles.

66 It can be debated whether it is appropriate to put self-regulation and press card issuance in the hands of the same organisation (as in Germany and Luxembourg).

5. Knowledge

Knowledge promotes better understanding of all stakeholders about each other, which leads to more trust.

The study showed that sound knowledge of media and MCs is considered essential to increase the relevance, authority and impact of MCs. Under Awareness it was explained how it relates to Transparency; Knowledge goes one step further. One can be aware of the existence of MCs without necessarily having in-depth knowledge, but for adequate media accountability and proper functioning of self-regulation it is also important that the information on them is understood. This applies not only to the public but also to the media and journalists.

a) Amongst the public

More public outreach, PR efforts, and news literacy initiatives could improve the MC's visibility and impact.

Practically all MCs would agree that in order to build trust in journalistic media and self-regulation they have a role to play in news literacy, which is a component of media literacy focused specifically on evaluating news sources, distinguishing between credible journalism and misinformation and understanding how journalists work and how news is produced.[67] This helps the public to make informed decisions based on reliable news.

It is important to also devote attention to the role and value of journalistic media in society, journalistic ethics, new developments in the media and the importance of self-regulation – all against the background of press freedom in a democracy. The public will thus better appreciate that the work of MCs is intended to improve the quality of journalism and that this is in the interest of the public.

News literacy is the tool to survive.

In this context, respondents suggested that MCs' codes and guidelines should be disseminated and discussed more widely than they are at present. It was commented that for the benefit of the public, media and MCs should ideally adhere to the same ethical standards.[68]. Furthermore, if these standards can reflect specific characteristics of the country concerned, this will increase public engagement – and hence possibly public confidence. Many MCs are already active in this area, including by giving guest lectures in secondary schools, giving lectures in libraries and contributing to information meetings of social institutions.

b) Amongst media and journalists

It was previously stated that by no means all media and journalists have sufficient awareness of the work of MCs, which logically also results in insufficient understanding of their role and significance. In order to increase knowledge within the media sector, MCs could, for example, give guest lectures at journalism schools, initiate information meetings in editorial offices or contribute to annual meetings of umbrella organisations, as many MCs already do. Attention should also be paid to the way in which journalists and their work come across to the public; they are not always sufficiently aware of this.
Better mutual understanding contributes to better mutual relations and greater trust amongst the public, and MCs can act as a connecting factor in this regard.

67 While media literacy applies to all media content, news literacy is focused on the news and information ecosystem, particularly combating misinformation and promoting informed civic engagement. For more information, see Britannica: **What is news literacy (and why does it matter)**?

68 The fact that media, related organisations (such as associations of journalists and editors-in-chief) and MCs follow separate codes/guidelines is confusing to the public.

c) Amongst Media Councils themselves

In order to fulfil this role as a connecting factor as effectively as possible, it is important that MCs have satisfactory knowledge of journalism and society. It is therefore advisable that MCs focus on interaction in their contacts with the public and media/journalists. In this context, respondents pointed out that MCs should be aware of social and journalistic developments that could or should lead to changes in ethical standards (such as gender and migration issues, and the use of AI). It is considered important that MCs take the time to reflect properly and do not overreact to hype.

Finally, exchanges of knowledge and experience with fellow councils are of great value in promoting the working methods of MCs. The **AIPCE** (Alliance of Independent Press Councils), which now has more than 30 members, as well as a number of observers, including outside Europe, plays an important role in that regard.

> "During the years being a member, the AIPCE has been an important help. The experience of other European councils has improved MCs' ability to work."

4. Conclusions and recommendations

The purpose of this study was to assess the relevance, authority and impact of Media Councils (MCs) in EU Member States.

The assessment was based on input from experts by experience and scientists. To understand the prerequisites for the effective operation of MCs, respondents were asked about the strengths and weaknesses of the organisations, and about criteria to improve their performance where necessary.

The responses show that self-regulation in the media sector is preferable to government regulation and that Media Councils (MCs) play an essential role in this, strengthening press freedom and editorial independence while promoting the quality of journalism.

MCs are set up and organised in ways that reflect differing social backgrounds, so it is not possible to apply a 'one-size-fits-all' model. It is nevertheless possible to identify general advantages and disadvantages.

Benefits include assuming responsibility and being accountable to the public, rapidly and flexibly. A well-functioning MC improves the quality of journalism, thereby fostering trust in the media.

Challenges and criticisms relate to public awareness, activity/proactivity, support in the sector, involvement and quality of members and boundaries with other forms of information provision. All MCs have room for improvement in at least one, but often several, of these aspects.

Transparency

Representation

Awareness

Commitment

Knowledge

By focusing attention on this in the light of the recommendations below, the legitimacy and effectiveness of MCs can be improved.
Based on the input from the respondents as a whole, there are five criteria that can serve as a foundation for all MCs:

By investing in these criteria, which have a strong mutual interaction, and ensuring a good TRACK record, MCs can – where necessary – increase their relevance, authority and impact in today's media landscape.

→ Increase Transparency

Share information in an accessible and understandable way; this forms the basis for the other criteria.
In many cases, the *form* of information provision could be improved: use understandable language, clear structures on the website and attractive presentation formats, and use social media to disseminate information more widely.
With regard to the *content*, pay attention to the role of the MC (self-regulation) and its organisation (structure and financing). In addition, communicate clearly about the complaints procedure, make judgments about complaints more transparent, with nuanced reasoning, and ensure consistency in assessments.

→ Widen and deepen Representation

Ensure the largest and widest possible representation of the media sector in the *administrative body* that finances and facilitates the MC.
This applies both to media types (such as broadcast and digital-only media) and media layers (editors, editors-in-chief, publishers).
With regard to the *executive body*, the MCs or their complaints committees, ensure that there is diverse and inclusive representation of the sector (by journalist members) and, if possible, of society (by public members). Guarantee transparency in the selection process and ensure that the members are of high quality.

Consider *extending the right to complain* if it is limited to personally interested parties, for example by opening up the complaints procedure to civil society organisations representing public interests. If the right to complain is extended, build in thresholds to prevent the right to complain being abused. In any case provide for 'easy access for ordinary people'.

→ Raise Awareness amongst the public and the sector

Invest actively in the visibility of the MC amongst the *public* and *civil society* organisations through publications and participation in debates, and if possible through public campaigns. Consider appointing a figurehead for this purpose. And encourage media to proactively include references to MCs.
Also consider raising awareness amongst *media* and *journalists*: get the message across that the existence of the MC benefits the sector and identify specific benefits. At the same time, monitor what is going on in the media and engage in a dialogue with the sector.

→ Strengthen the Commitment of the sector

Promote sector involvement and the moral obligation to contribute to the work of the MC.
First of all, this applies to the *membership and financing* of the administrative body. If necessary, use specific incentives to encourage participation, such as peer pressure or 'quality' labels.
This also concerns *cooperation with the complaints procedure*. Publication of a decision by media involved in the complaint is (almost always) the only 'sanction'. Ensure that this is easy to find and comprehensive; have media

commit to publication if necessary and consider drawing up instructions on the method of publication.
Engage with *uncooperative media* on the usefulness and necessity of self-regulation and encourage them to cooperate. When deciding whether or not to consider complaints against such media, bear in mind the impact this will have on the support for and legitimacy of the MC; aim for the most positive effect.

→ Encourage the development of Knowledge

Contribute to increasing news literacy *amongst the public*, paying attention to the role and value of journalism as a watchdog of democracy. This could include giving guest lectures and seminars.
Also promote understanding *amongst media and journalists* of the role and significance of the MC, for example through presentations at journalism schools or information meetings in editorial offices. In doing so, pay attention to the public's perception.
Finally, monitor the *MC's knowledge* of journalism, society and self-regulation. In this regard, note any interaction in contacts with the public, media and journalists. And continue to focus on international cooperation. Share knowledge and best practices through networks such as the AIPCE to learn from each other's experiences and thus strengthen the professionalism of MCs.

5. Accountability

Purpose

The purpose of the study is to draw up a report with practical recommendations that can help strengthen the relevance, authority and impact of existing Media Councils (MCs). These recommendations may also be useful when establishing new MCs. The study is explicitly not aimed at general recommendations for journalism or media consumption and is not scientific in nature.

In the majority of EU countries it is vital that media are accountable through a system of self-regulation, without government interference. Against this background, the question arises as to how MCs can build a solid foundation to underpin their right to exist.

Even established MCs are confronted with questions about their legitimacy from time to time. Therefore, it is pertinent to examine whether there are general criteria and tools that could help strengthen their right to exist, thereby making sure their significance is questioned less. The increase in online-only media plays a role in this.

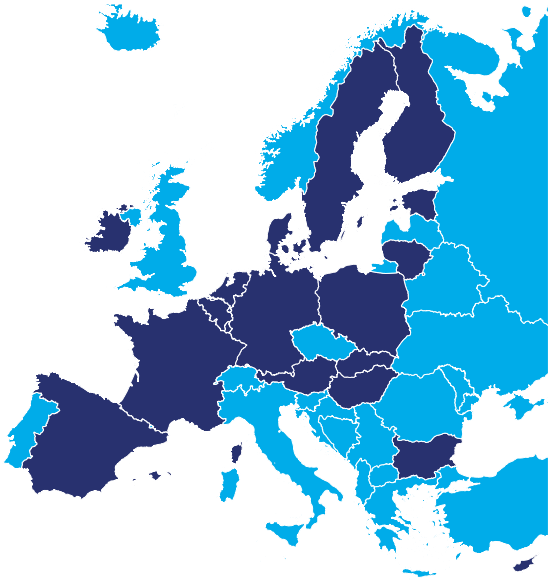
A comparison of best practices is useful not only for existing MCs, but also for organisations or countries considering setting up an MC in the future.

The study is limited to EU countries in which – to my knowledge – MCs already exist, namely: Austria, Belgium (two MCs: Flanders and Wallonia/Brussels), Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Lithuania, Luxembourg, Netherlands, Poland, Slovakia, Spain (Catalonia) and Sweden.

Structure and working method

In order to obtain a balanced picture, efforts were made to hold discussions with actors having different perspectives: members and employees of MCs, journalistic organisations, editors' and publishers' associations, editors-in-chief, editors, scientists and people who, in a certain way, can serve as the 'voice of the public'.

The aim was to interview around ten people for each MC, including a mix of the various actors, on the basis of a previously distributed list of general, open questions.
This meant that previously gathered information could be submitted for a response and more in-depth analysis was possible.
The subsequent discussions thus strengthened the input for the report, not only with regard to the information on the specific MCs, but particularly with regard to the general conclusions and recommendations.



During the research it became clear that finding the right contacts, gathering their contact details and securing their cooperation was more difficult than previously anticipated. Of the 263 people approached, 110 did not respond or were unavailable. A further 9 people did not cooperate despite promising to do so. Ultimately, a total of 144 people, including all the previously mentioned actors, contributed to the study.[1]

I had also taken no account of the language barrier that arose in a number of countries. That is why, halfway through the study, I decided to ask respondents with whom I could not communicate in Dutch or English to respond in writing.

To simplify the cooperation, I used online tools[2] to translate my questionnaire and accompanying emails into the language of the people involved and to translate their responses into English.

Of the 144 respondents, 101 people (60 men, 41 women) participated in an interview, which in most cases took place via Teams and occasionally by telephone. The remaining 43 people (25 men and 18 women) responded in writing. The selection of respondents was based on jobs and backgrounds.

The names and positions of the respondents are included in the relevant country profiles.[3] A distinction was drawn between the 140 people who made substantive contributions (substantive participants) and the 4 people who only fulfilled a supporting role by providing me with contact details or documents (supportive participants).

The respondents' input concerns not only their own opinions, but also what they have observed in the media sector or society. Given the nature of the study, which does not aim to consider each MC in depth, the number of respondents and the manner in which they responded have proved adequate for the analysis of general aspects set out in this report.

Finally, the country profiles were submitted to employees of the MCs involved for factual verification purposes.

1 Austria 7, Belgium/Flanders 10, Belgium/Wallonia-Brussels 8, Bulgaria 8, Cyprus 9, Denmark 8, Estonia 10, Finland 8, France 8, Germany 7, Hungary 5, Ireland 10, Lithuania 5, Luxembourg 8, Netherlands 9, Poland 2, Slovakia 8, Spain 7, Sweden 9. Note that some respondents submitted information on more than one country. During the research it also became clear that there are currently no working MCs in Hungary and Poland.

2 ChatGPT, DeepL and Google Translate.

3 In addition to the respondents linked to the countries concerned, two people spoke to me in general terms: **Adeline Hulin** (Chief of Unit for Media and Information Literacy and Digital Competencies at UNESCO) and **Belinha De Abreu**, PhD (President of the International Council for Media Literacy, IC4ML).

Appendix 1: Questionnaire

Research into strengths and weaknesses of media councils in the European Union

Research design

The aim of the research is to draw up a set of practical recommendations for EU councils based on interviews with experts, which can be helpful in strengthening the foundation/ authority of a media council (MC).

Please note: in this context, 'media council' means an organisation of self-regulation in the media/ press (and not: a state regulator of broadcasting).

Nb. this is not a scientific research and the study does not aim to make recommendations to/about journalism and news consumption in general.

In the introduction to the report - based on previous research - (brief) attention will be paid to press freedom in the various countries, but democracy/press freedom per country is not further mapped in this research.

Nb. the research is limited to the EU countries in which media councils already exist, namely: Austria, Belgium, Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Lithuania, Luxembourg, the Netherlands, Poland, Slovakia, Spain and Sweden. Except for Hungary and Poland, press freedom is comparable everywhere.

Questions - general

- In a broader perspective, what are the advantages/disadvantages of a mechanism of self-regulation in general and of an MC in particular?

- Has the MC in your country (and/or any other EU country) had to deal with fundamental criticism and if so: when was this, what did the criticism consist of, who did it come from and what was done with it?

- Are there any basic criteria and resources that ensure that the MC's right to exist is not (always) questioned. If so, what are they?

- In general, how is the role of the MC perceived in your country? Is the MC well known? Does the MC have authority in society? Is the complaint procedure of the MC well used by those who feel harmed by a publication? If yes: where is this evident? If not: why is this and how could it be improved?

  Nb. authority also means recognition by others than media involved. This may be expressed in funding (e.g. government subsidy) or through political parties and civil society organisations showing 'respect' for the MC. In NL, for example, some politicians have insisted that Public Broadcasting is 'obliged' to cooperate with the MC.

- Journalism is under pressure (declining trust/importance in democratic society). See among others: **https://thetrustproject.org** In that respect, what is the role/importance of a (functioning) MC?

Questions - strengths/weaknesses

- **Open question** - what are strengths/weaknesses of the MC in your country?

- **Participating organisations** - are they umbrella organisations or individual media? Is this perceived as a strength/weakness and how does this affect foundation/authority? And what about participation by new media and platforms (online only, social media, juice channels etc.)?

- **Finance** – it seems that many MCs struggle with this. Is this just an internal 'inconvenience' or does it affect the proper performance of the MC's work and thus its fundament/authority? If so: how to improve (where does money come from now? Different distribution? Other revenue sources? Government subsidy?)

- **Cooperation in proceedings** - to what extent is it voluntary? How easily can media decide not to cooperate? (Is there certain 'pressure' exerted by e.g. umbrella organisations?) What is the percentage and kind of media that does not cooperate? What does that mean for the MC's work (yes/no ruling) and how does that affect foundation/authority? Nb. in NL, some (larger) media do not cooperate in the complaint procedure.

- **Scope/power of Council** - is this power limited and if so: how? E.g. are audiovisual media included? Are social media included? Other?
  - In this regard, is it relevant/ decisive which organisations participate? (see above)
  - Is the definition of the terms 'journalist' and 'journalism' relevant/decisive?

  To what extent is this perceived as a weakness/strength and how does this affect foundation/ authority?

- **Access for complainants** - can only directly interested parties complain or is there a general right to complain? Are simultaneous/consecutive court proceedings possible (yes/no waiver). Is this perceived as a weakness/strength and how does it affect foundation/authority?

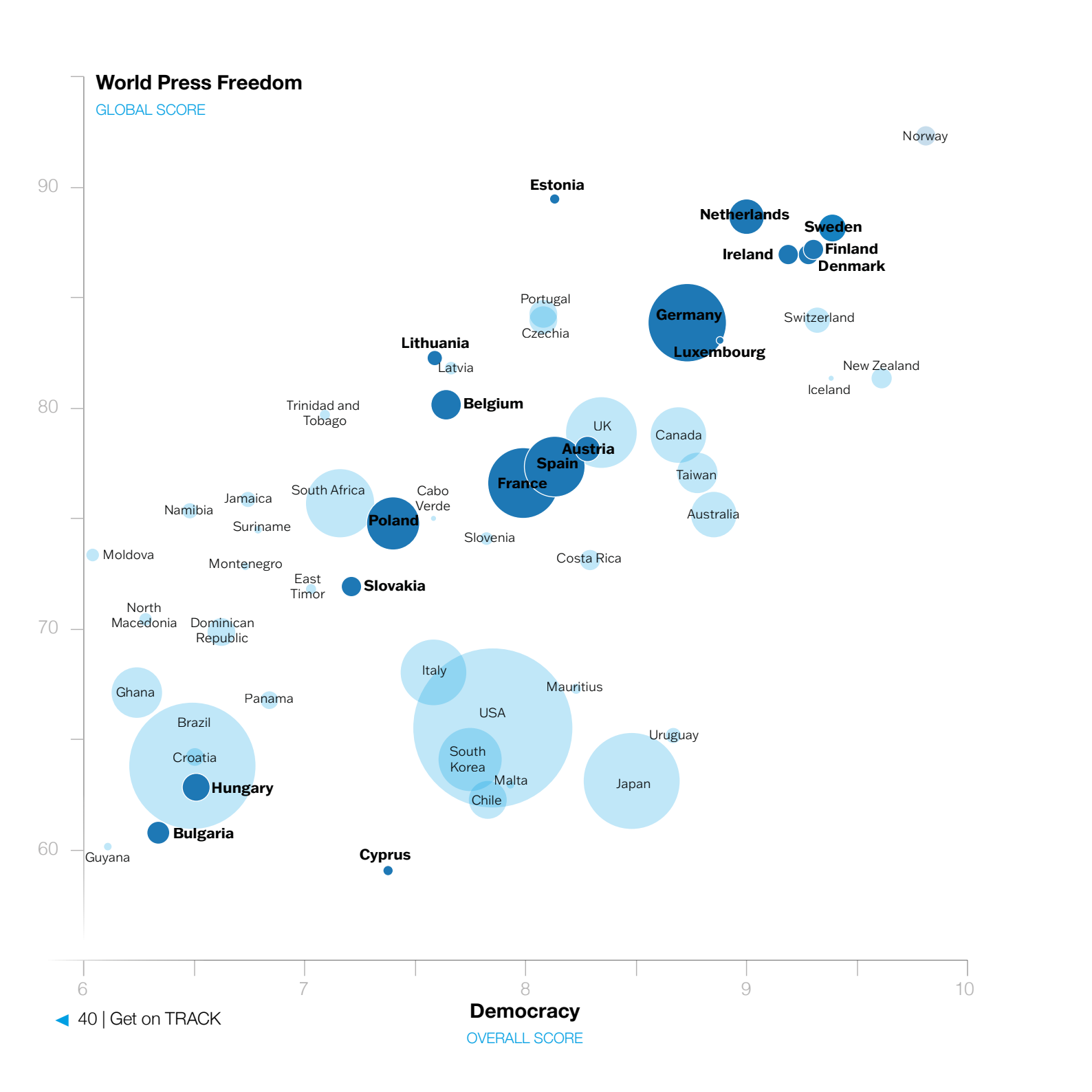
- **Composition of complaints committee** - are complaints assessed by small chambers or rather large(er) chambers/full MC? Does the complaints commission consist only of journalist-members ('butchers judging their own meat') or also of lawyers/laypeople (do they have sufficient understanding of journalistic ethics)? Is this perceived as weakness/strength and how does this affect fundamentals/authority? Nb. in NL there is criticism from the Association of Investigative Journalists (VVOJ): some members (both laypeople and journalists) have insufficient understanding of investigative journalism.

- **Decisions** - (almost) everywhere the MC is considered to be a 'tiger without teeth'. Is that a weakness/strength? What is the authority of the decisions? Is there an obligation/recommendation/request for publication of the decision by the medium concerned? How is that followed up? What impact does this have on foundation/authority? Nb. in NL, media publications are posted under the ruling on the council's site, is there something similar in other countries?

- **Activities** other than assessing complaints - is this important for fundament/authority? Can an MC count on more authority if it goes public more or is that 'risky'? Nb. in NL we limit ourselves mainly to assessing complaints and make a modest contribution to debate on journalistic ethics via blogs etc.

- **Accountability** - to what extent is the MC itself accountable? Does it publish annual reports, press releases, blogs? Does it also occasionally allow itself to be evaluated by external parties?

- **Concluding question** - have any relevant aspects not been addressed, if so: which ones?


World Press Freedom
GLOBAL SCORE
90
80
70
60
Norway
Estonia
Netherlands
Sweden
Ireland
Finland
Denmark
Portugal
Czechia
Germany
Luxembourg
Switzerland
Lithuania
Latvia
New Zealand
Iceland
Trinidad and Tobago
Belgium
UK
Canada
Austria
Spain
France
Taiwan
South Africa
Cabo Verde
Jamaica
Namibia
Suriname
Poland
Australia
Slovenia
Moldova
Costa Rica
Montenegro
East Timor
Slovakia
North Macedonia
Dominican Republic
Italy
Mauritius
Ghana
Panama
USA
Brazil
Uruguay
Croatia
South Korea
Malta
Hungary
Japan
Chile
Bulgaria
Guyana
Cyprus
6
7
8
9
10
Democracy
OVERALL SCORE
◀ 40 | Get on TRACK

Appendix 2: Country profiles

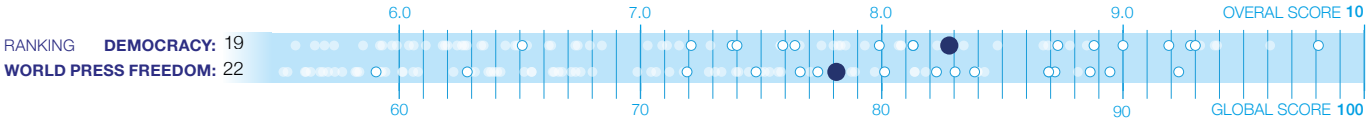
The following format has been applied for the country profiles:

Country – population:	**https://european-union.europa.eu/principles-countries-history/eu-countries_en**
Ranking democracy-index:	**https://www.eiu.com/n/campaigns/democracy-index-2024/**
Ranking World Press Freedom index:	**https://rsf.org/en/rsf-world-press-freedom-index-2025-economic-fragility-leading-threat-press-freedom**
Media Council:	name + link to site
Established in:	year
Legal basis/recognition:	established by law and/or mentioned in legal provisions
Financial support government:	yes/no
Media coverage:	press, broadcast, online, social media, bloggers etc.
Access for complainants:	for those directly involved / general right to complain / other
Public members:	yes/no
Rules for publishing decisions[1]:	specific instructions for the media involved how to publish the decision of the council
Other tasks/activities:	other than handling complaints
Specific elements:	particular characteristics, in background or working methods, that affect the MC's work
Specific strenghts:	summary of opinions, contributed by all substantive participants
Specific weakenesses/criticism:	summary of opinions, contributed by all substantive participants
Substantive participants:	persons who contributed content through interviews or written answers to questions
Supporting participants:	persons who provided contacts or documents without substantive explanation

1 All decisions by MCs are encompassed by this term. Where relevant, a clarification is provided in the specific country profile if a different English term is used in this context and/or if the MC distinguishes between various types of decisions.

Austria

ÖSTERREICHISCHER PRESSERAT



MEDIA COUNCIL

Österreichischer Presserat Austrian Press Council

ESTABLISHED IN

1961, out of order 2001, re-established 2010

LEGAL BASIS/RECOGNITION

yes, in the Qualitäts-Journalismus-Förderungs-Gesetz[1]

FINANCIAL SUPPORT GOVERNMENT

yes (partly)[2]

MEDIA COVERAGE

press and additional digital media[3]

ACCESS FOR COMPLAINANTS

general right to complain[4]

Nb. no access in case of pending legal proceedings if the complainant is personally affected[5]

PUBLIC MEMBERS

yes, but very limited[6]

RULES FOR PUBLISHING DECISIONS

yes[7]

OTHER TASKS/ACTIVITIES

Enhancing freedom of the press. Organising events on journalism for the media sector as well as for the general public.

POPULATION

9,158,750 (2024)

Specific elements

The council has been inactive from 2001 until 2010, because the founding organisations wanted to reorganize the PC. Since its reintroduction, the council has become increasingly important in the media landscape.

The complaints committees are supported by ombudsmen (from outside the organisation) who can mediate, in order to find an amicable solution between the complainant or the reader/viewer/listener and the medium concerned. The complaints committees decide case-by-case whether an ombudsperson should be involved.

Specific strenghts

The council is quite active in its communication with/towards the public.

The press council has a strong reputation in the media industry. Balanced and well motivated decisions taken seriously by major media outlets, which adds symbolic value. Readers can file complaints themselves, which increases the number of cases handled. Ethical standards are higher than legal standards.

Complaints committees consist of presiding lawyers with high reputation and highly rewarded/well know journalist members.

Specific weakenesses/criticism

The council was criticised because the code of conduct seemed to set stricter requirements than legal standards. Social media and online platforms do not fall under the jurisdiction of the council. Funding is not sufficient. No recommendation to the concerned media to publish decisions on complaints of non-interested parties. The biggest newspaper, the Kronenzeitung, is not a member of the council, weakening the system's credibility and impact. The council does not include members of the public.

Substantive participants

- **Eberwein, Tobias** *Deputy director of the Institute for Comparative Media and Communication Studies at the Austrian Academy of Sciences, University of Klagenfurt*
- **Karmasin, Matthias** *Director, full professor and dean of the Faculty of social sciences, Institute for Comparative Media and Communication Studies at the Austrian Academy of Sciences, University of Klagenfurt*
- **Kraus, Daniela** *Secretary general Presseclub Concordia*
- **Stöcher, Matthias** *Director Legal, Policy & essential Projects at Der Standard, member of the Board Digital Media at the Verband Österreichischer Zeitungen (Association of Austrian Newspapers)*
- **Warzilek, Alexander** *Managing director of the council*
- **Windhager, Maria** *Media lawyer*

Supportive contact

- **Ortner, Julia** *Editor-in-chief at ORF.at*

1 See § 14 of the **Qualitäts-Journalismus-Förderungs-Gesetz** (Quality journalism promotion law): the council is not named, but 'a self-control institution for the printed press' is mentioned. It has been in debate to connect state funding of 'quality journalism' with membership of the council, but finally this was not integrated in the law.

2 See the previous footnote, this paragraph of the law is also the basis of the council's state funding. In late 2023, the council had a crisis because of its governmental funding. See the publication of Der Standard of November 7th 2023: **Landeshauptleute fordern mehr Geld für den Presserat** (State governors demand more money for the Press Council).

3 Printed press and their websites, community media and postings on social media when there is a connection to the editorial content of those media. Note: Broadcasters are regulated separately, see the **ORF-Gesetz** (Federal Act on Austrian Broadcasting) and the **Audiovisuelle Mediendienste-Gesetz** (Audiovisual Media Services Act).

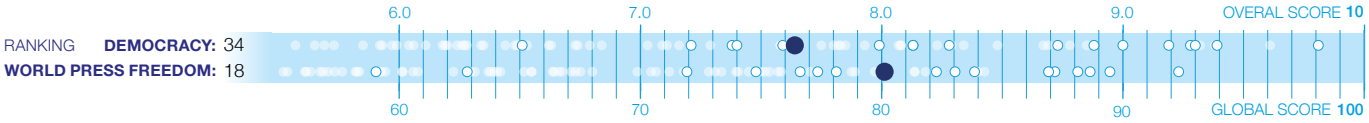
4 There are two procedures before the complaints committees: 1) anyone can initiate independent proceedings by reporting a potential media ethics offence and 2) the complaints procedure initiated by someone who is personally affected by the reporting complained about. Only in complaints from those personally affected, media are recommended to publish the decision. The number of complaints from people who are personally affected is quite low, roughly 30 out of 420. For more information see the council's website under **Zwei Verfahrensarten**.

5 This was a precondition for the restart of the council in 2010.

6 The chairs of the three complaints committees are lawyers, the other members (10 per committee) are from the media.

7 See § 14.3 and § 15 of the **Rules of Procedure** in which is stated, among other things, that the complaints committees formulate the specific text based on their decisions and that the text should be published on the same level as the criticised content.

Belgium (Flanders)



MEDIA COUNCIL:

Raad voor de Journalistiek (RVDJ)
Council for Journalism

ESTABLISHED IN:

2002

LEGAL BASIS/RECOGNITION:

no

FINANCIAL SUPPORT GOVERNMENT:

yes (indirect, partial, through the journalists' association)

MEDIA COVERAGE:

press, broadcast, online, social media and bloggers/vloggers/influencers[1]

ACCESS FOR COMPLAINANTS:

for those directly involved and organisations that are concerned with a theme that is addressed in the reporting, to the extent that the complaint is motivated by a general interest

PUBLIC MEMBERS:

yes

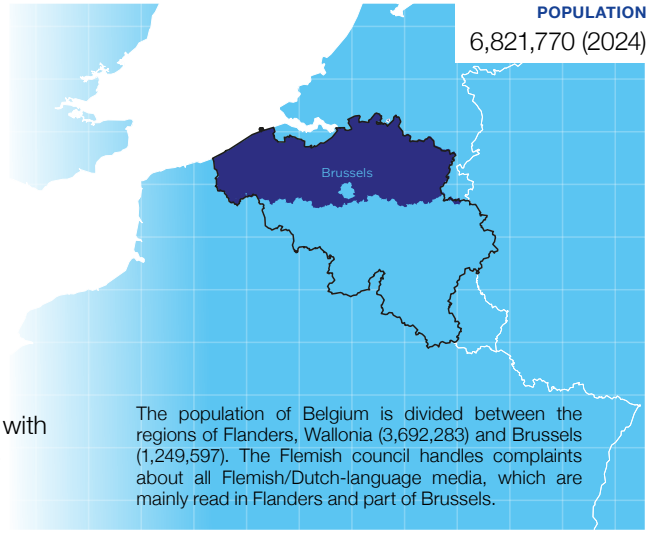
RULES FOR PUBLISHING DECISIONS:

yes[2]

OTHER TASKS/ACTIVITIES:

Formulate and publicize professional ethical guidelines, mediate, defend and promote the idea and system of self-regulation and undertake all other possible activities to realize its goals.

POPULATION
6,821,770 (2024)



The population of Belgium is divided between the regions of Flanders, Wallonia (3,692,283) and Brussels (1,249,597). The Flemish council handles complaints about all Flemish/Dutch-language media, which are mainly read in Flanders and part of Brussels.

Specific elements

The secretary-general is also the ombudsman of the RVDJ. She answers any questions from the public about press ethics. In her role as an ombudsman, the secretary-general mediates when a complaint is filed.

If a complaint qualifies for substantive assessment, a three-member reporting committee is first formed, consisting of a representative of journalists, a representative of media organisations and an external member from the public and civil society organisations. This committee hears the parties, after which the secretary-general draws up a report. The full council discusses that report and decides on the complaint.[3]

Representatives on the board of directors can be members of the council at the same time.
In a legal case, the Court of Appeal in Brussels explicitly underlined the importance of self-regulation and the existence of the council.[4]
When there is an overlap with French/German media - which rarely happens - the two Belgian press councils work together.

Specific strenghts

Representativeness and transparency[5], sustainable financing, accessibility, also handling of complaints against non-members, mediation, decision-making by consensus and flexible updating of the code, the council has a natural authority.

Specific weakenesses/criticism

Not pro-active enough, announcements to go to the council sometimes misused as a publicity tool (council instrumentalized as a weapon), decisions occasionally used as a stepping stone to court, complaints procedure does not provide for a clause regarding confidentiality between the parties[6].

Substantive participants

- **Amkreutz, Remy** *Editor-in-chief De Morgen*
- **Brabant, Karen Van** *Legal Counsel at DPG Media, chair board of directors and member of the council*
- **Craen, Griet De** *Editor-in-chief radio at VRT Nieuws*
- **Demeyer, Sofie** *Secretary-general and ombudsman of the council, former journalist at VRT*
- **Dumon, Eva** *Researcher and developer at Vlaams Expertisecentrum Suïcidepreventie (Flemish Centre of Expertise in Suicide Prevention) at Ghent University, now also member of the council*
- **Knapen, Pieter** *Former secretary-general and ombudsman of the council, now member of the council*
- **Paulussen, Steve** *Associate professor in media and journalism studies at University of Antwerp, member of the council*
- **Segers, Katia** *Professor Media at Vrije Universiteit Brussel and member of Flemish Parliament*
- **Simons, Davina** *Lawyer at Simons Advocaten*
- **Voorhoof, Dirk** *Professor emeritus at Ghent University | Human Rights Centre and Legal Human Academy*

1 If the blogger, vlogger, influencer etc. acts like a journalist and his 'post' is a journalistic product then the council handles a complaint about that post.

2 See article 30 of the **operating regulations**: *"The Council of Journalism shall determine, taking into account the specific nature of each medium and, where appropriate, after consultation with the medium concerned, how and within what period the decision shall be made known by the medium."*

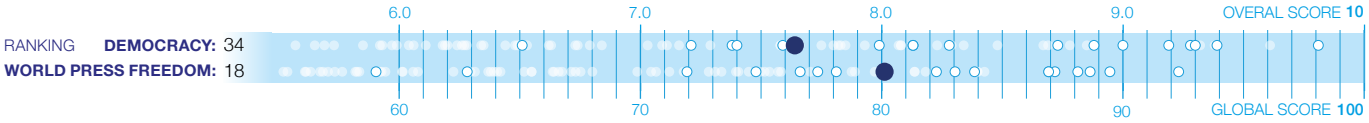
3 See articles 22-27 of the operating regulations.

4 See at the website of the council: **Hof van Beroep bevestigt rol Raad voor de Journalistiek**

5 See at the website of the council: **Impact van Raad zit in representativiteit en transparantie**

6 However, council members are expected to maintain confidentiality about ongoing complaint procedures until the council has ruled on the complaint.

Belgium (Wallonia-Brussels)



MEDIA COUNCIL

Le Conseil de déontologie journalistique[1] (CDJ)
Council for ethical journalism

ESTABLISHED IN

2009

LEGAL BASIS/RECOGNITION

yes, by decree of April 30th 2009[2]

FINANCIAL SUPPORT GOVERNMENT

yes (indirect, partial, through the journalists' association)[3]

MEDIA COVERAGE

press, broadcast[4], online, social media and bloggers/vloggers/influencers [5]

ACCESS FOR COMPLAINANTS

general right to complain[6]

PUBLIC MEMBERS

yes

RULES FOR PUBLISHING DECISIONS

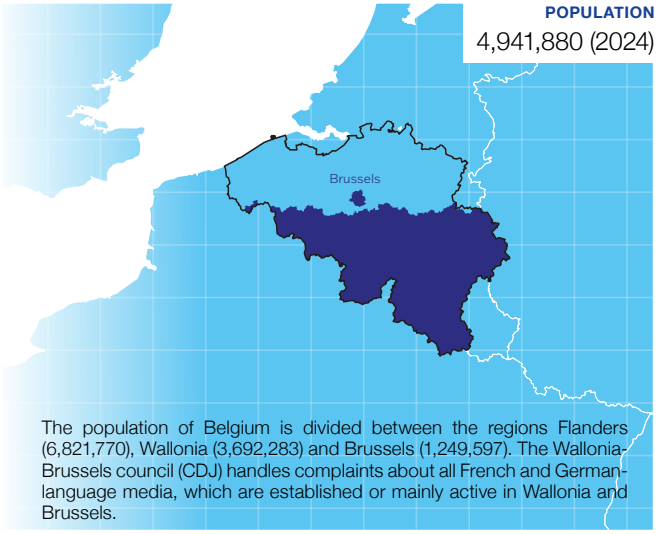
yes, see article 29 of the Rules of procedure[7]

OTHER TASKS/ACTIVITIES

Providing information on journalistic ethics, seeking an amicable solution between complainants and the media or journalists (the secretary general is ombudsman as well) and issuing opinions, guidelines and recommendations.

POPULATION

4,941,880 (2024)



The population of Belgium is divided between the regions Flanders (6,821,770), Wallonia (3,692,283) and Brussels (1,249,597). The Wallonia-Brussels council (CDJ) handles complaints about all French and German-language media, which are established or mainly active in Wallonia and Brussels.

Specific elements

The council can appoint from among its members a small committee to prepare the case. When the committee believes it has all the necessary information, it submits a report with a draft decision to the full council which decides on the complaint.[8]

Members of its legal entity (AADJ) can be members of the council at the same time. For media that receive state aid or – for broadcast media – a licence, it is an obligation to be member of the AADJ.[9]

The council also invites concerned media to publish decisions in unfounded complaints to show it is not 'police', however in this situation, publication is not mandatory.

The council tries to counter abuse of the complaints system (e.g. intimidation of journalists).[10]

Specific strenghts

Well established, widely recognized and trusted. The procedures are transparent, and mediation resolves a significant proportion of complaints.

Specific weakenesses/criticism:

Corporatism on the one hand (because the majority of members consist of journalists and media representatives), increasing severity on the other hand.[11] Some actions are considered 'out of touch', ignoring the realities of the conditions under which news is produced. Lengthy complaint procedures undermine effectiveness. Complaints handling lacks transparency, as the secretary sometimes interprets complaints before forwarding them to the media. Limitation on the length of responses and number of supporting documents is too restrictive.

Substantive participants

- **Adam, Audrey** *Lawyer and visiting lecturer in media law*
- **Gutierrez, Ricardo** *Secretary-general of the European Federation of Journalists (EFJ), journalism lecturer at Université libre de Bruxelles and substitute member of the council (representative of civil society)*
- **Hanot, Muriel** *Secretary-general of the council*
- **Jespers, Jean-Jacques** *Lecturer information and communication ethics at the Université libre de Bruxelles, former journalist and member of the council (representative of civil society)*
- **Lefèvre, Gabrielle** *Columnist for Entre-leslignes.be, former member of the council*
- **Rotili, Lavinia** *PhD candidate and teaching assistant at the Observatory for Research on Media and Journalism, UCLouvain*
- **Simonis, Martine** *Secretary-general of the Association of Professional Journalists (AJP), national secretary of the General Association of Professional Journalists of Belgium (AGJPB) and chair of the legal entity of the council (AADJ)*
- **Vidal, Anna** *Project manager and communication officer of the council*

1 The council is the executive body of the Association pour l'Autorégulation de las Deontologie (AADJ).

2 See: **Decree regulating the conditions for recognising and subsidising a self-regulatory body for journalistic ethics**

3 The aforementioned decree provides for € 80.000 in index-linked funding from the Wallonia-Brussels Federation and the decree of **25 March 2013** provides for € 5.000 in funding from the German-speaking Community.

4 The council has a longstanding dispute with the broadcasting authority (CSA) about ethical competencies. See for example on the council's website: **Le CDJ au Conseil d'État contre le CSA** (July 17th 2024) "The CDJ is joining RTBF in challenging the CSA's decision on 'The Dancer'. The reason: the regulator is interfering in an unauthorised way with journalistic ethics and work, which fall within the exclusive remit of the CDJ."

5 If necessary, the council will decide case-by-case if the person is acting as a journalist as defined in article 1 § 1.1 of the decree of April 30th 2009: "any natural person who, in a self-employed or salaried capacity, regularly and directly contributes to the gathering, writing, production or dissemination of information, through a media outlet, for the benefit of the public." See also the **General Rules** of the council under 'Les competences du CDJ'.

6 However, the council has extensive rules regarding the admissibility of a complainant, see under **'Cas d'irrecevabilité'**.

7 In article 29 (on communication and publicity) paragraph 3 of the **Rules of Procedure** is stated: "(…) Publication will take place within 7 days of the decision being sent, on the media's website and in two forms: publication of the summary provided by the CDJ in a prominent position for 48 hours on the home page of the media's website, so that it is accessible on all terminals or, where publication on the website is not appropriate, on any other medium submitted by the CDJ; a visible and permanent reference at the bottom of the journalistic production that is the subject of the complaint. The media shall publish, without modification, the text as sent by the CDJ, including the CDJ's title and logo, and accompanied by a hyperlink to the decision on the CDJ's website."

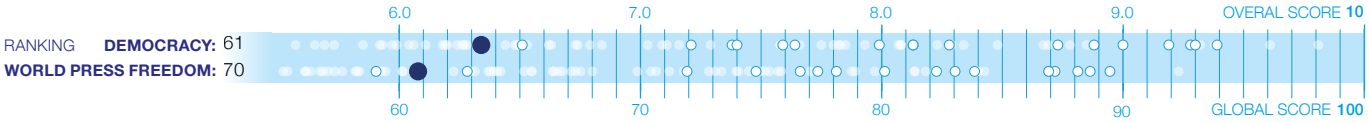
8 See article 24 of the Rules of procedure. Such preparatory committee is set up when a case is deemed particularly complex, which is typically the case for investigative journalism. In most cases, the committee will hear the parties, in the presence of the general secretariat. Such hearings are especially useful for tackling sensitive issues such as journalists' sources. Note: hearings are an exception (mostly for scheduling reasons): the vast majority of cases consist of written exchanges.

9 See the official portal of the Wallonia-Brussels Federation, Audiovisual and Media Department, under **Aide aux Médias** (Support for the media).

10 See the Rules of Procedure articles 12.1, 12.4, 12.5 and 23.3 (except for the latter all articles have been used since January 1st 2023).

11 However, the number of complaints that are upheld is about 50%.

Bulgaria



MEDIA COUNCIL

Комисия за журналистическа етика
Journalism Ethics Commission (JEC)[1]

ESTABLISHED IN

2005

LEGAL BASIS/RECOGNITION

yes, in the Radio and Television law[2]

FINANCIAL SUPPORT GOVERNMENT

no

MEDIA COVERAGE

press, broadcast, online and social media

ACCESS FOR COMPLAINANTS

general right to complain
Nb. no access in case of pending legal proceedings

PUBLIC MEMBERS

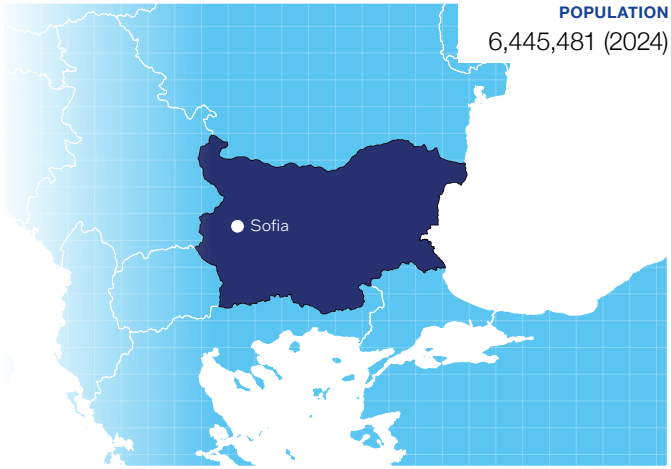
yes

RULES FOR PUBLISHING DECISIONS

no request/obligation (yet)

OTHER TASKS/ACTIVITIES

Possibility to give opinions on own initiative (without naming/shaming specific media), increase speeches/general statements (mainly fight for standards)



POPULATION

6,445,481 (2024)

Specific strenghts:

Works relatively well considering circumstances, quality of JEC members (strong public stance advocate for quality media content), continuity and accumulation of practice related to ethical cases

Specific elements:

No funding, otherwise criticism of not being independent (a meeting room is provided by one of the founders of the National Council for Journalism Ethics Foundation).
In case of non-compliance with its decision the JEC can refer a case to the state media regulator, which can oppose a fine (see the Radio and Television Law[3]).

Specific weakenesses/criticism:

Lack of funding, lack of time volunteers, an occasional but growing trend to discredit the non-governmental sector as a whole (presented as 'consuming grants'), pro-Russian influence in critics/purpose of critical comments is to discredit the self-regulatory body, divided society and media industry, trend is similar to Hungary and Poland

Substantive participants

- **Antonova, Vesislava** *Freelance journalist, assistant at University of National and World Economy, member of the JEC since 2014*
- **Kashumov, Alexander** *CEO at Access to Information, member of the JEC since 2010, former chair of JEC*
- **Lange, Yasha** *Director of Corporate Communication of the University of Amsterdam, project manager establishing code and council 2004-2005 (supported by EU Phare programme)*
- **Lazarov, Alexei** *Co-Founder/CEO Visibilio, former editor-in-chief Capital Weekly, former member JEC*
- **Ognyanova, Nelly** *Professor in EC Information Policy and Law/Media Law at Sofia University, chair of the JEC*
- **Stankushev, Boyko** *Director at Anti-Corruption Fund (ACF), former RTV producer/presenter*
- **Todorova, Vesela** *Public Outreach Coordinator Anti-Corruption Fund Foundation and translator Stankushev*

Supportive participant

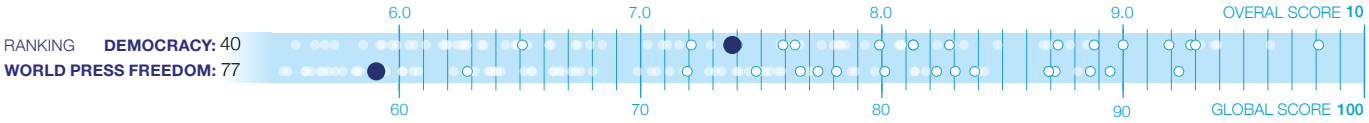
- **Zlatev, Ognian** *Advisor/Communications Strategist at European Commission, former Managing Director of the Media Development Center in Sofia*

1 Body of the National Council for Journalism Ethics Foundation (NCJE)

2 See Article 4b. of **the law** (New, SG No. 109/2020, in force as of 22.12.2020) *"(1) Self-regulation and co-regulation shall be encouraged through codes of conduct and standards, where appropriate and appropriate. Codes of conduct and standards include, but are not limited to: 1. Code of Ethics of the Bulgarian Media, developed by the National Council for Journalistic Ethics Foundation (...)"*

3 See Art. 126d. (1) (New, SG No. 12/2010, previous text of Art. 126d SG 109/2020, in force from 22.12.2020) *"A media service provider who fails to comply within the term with a decision of the Ethics Committee at the National Council for Journalistic Ethics Foundation and/or the National Council for Self-Regulation Association shall be imposed a property sanction in the amount of BGN 2,000 to BGN 5,000."*

Cyprus



MEDIA COUNCIL

Επιτροπή Δημοσιογραφικής Δεοντολογίας
Cyprus Media Ethics Committee (CMEC)

ESTABLISHED IN

1997

LEGAL BASIS/RECOGNITION

yes (indirect)[1]

FINANCIAL SUPPORT GOVERNMENT

yes (partly)[2]

MEDIA COVERAGE

press, broadcast, online

ACCESS FOR COMPLAINANTS

general right to complain[3]

PUBLIC MEMBERS

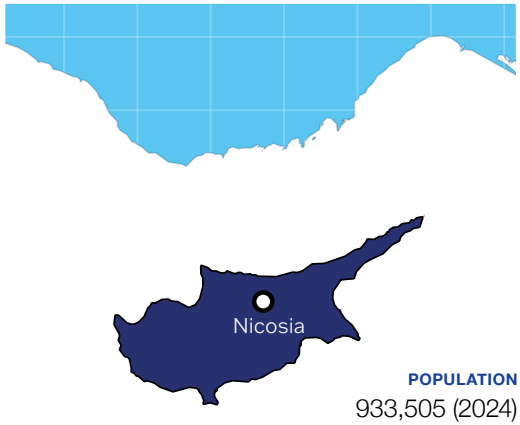
yes

RULES FOR PUBLISHING DECISIONS

no[4]

OTHER TASKS/ACTIVITIES

The committee may deal on its own initiative with a case, because of its importance and seriousness, and the aim of the committee is to settle disputes that may have arisen by the breach of its code.[5] The committee regularly publishes statements and circulars on ethical issues. Together with other organisations (e.g. the union of journalists) the committee often organises training sessions and seminars for journalists and the public on ethical issues.



POPULATION

933,505 (2024)

Specific elements

The system of self-regulation must be seen in the context of broader social problems in this rather small country. Cyprus has a shady and ineffective culture, and its society is very political oriented. Big media outlets are often criticized for connections with politicians or the government, and the independence of the media is often undermined. A part of society associates journalists with politicians, with negative consequences. Besides, the media industry faces many economic problems which causes professional uncertainty, and the freedom of the press is under pressure; there is a lot of self-censorship. Fragmented and outdated legal framework for the media, along with the stricter provisions of the law on radio and television organisations is also a problem.

Specific strenghts:

Includes all stakeholders, including broadcast and online media, as well as the public broadcasting. Considering the circumstances the committee fulfils its role and has managed to have a strong voice in society.

Specific weakenesses/criticism:

Lack of funds and resources. The annual state contribution may be considered a disadvantage as it makes the committee's independence vulnerable; it would be better to receive (as well) annual contributions from the founding members (this stopped after the economic crisis of 2013). Questioning of the effectiveness, decisions have not enough impact and are too much 'pro establishment'.

Substantive participants

- **Christophides, Christos** *Member of the committee*
- **Demetriou, Corina** *Director of the Centre for Fundamental Rights, University of Nicosia, lawyer and legal researcher*
- **Dionisiou, Dionisis** *Director of Politis, vice chair of the Cyprus Publishers Association*
- **Frangos, George** *President of Ένωση Συντακτών Κύπρου (Cyprus Union of Journalists)*
- **Karides, Nicholas** *Director of the Institute for Mass Media at the Universitas Foundation, former journalist*
- **Kodjamani, Elli** *News Director of ANT1 TV, chair of the committee*
- **Mavrou, Eleni** *Director of Dialogos Media Group*
- **Papadopoulou, Anthoula** *Chair, Steering Committee at KISA - Action for Equality, Support, Antiracism*
- **Trimithiotis, Dimitris** *Assistant Professor Journalism & Media Studies, Department of Social & Political Sciences, University of Cyprus, former member of the Committee*

1 No direct law is recognising the committee, but the Code of Conduct introduced by the committee has been included in the law forming the Cyprus Radio-Television Authority back in the '90s.

Note: discussions are under way on the legal framework for media independence and the protection of journalists, and the committee puts a lot of pressure in order to safeguard self-regulation (see **2024 Rule of Law Report, Country Chapter on the rule of law situation in Cyprus**, page 24)

2 Annual support for conferences, trainings, discussions and events, based on the existing law for associations, organisations and the civil society, as well as the **Charter** of the committee.

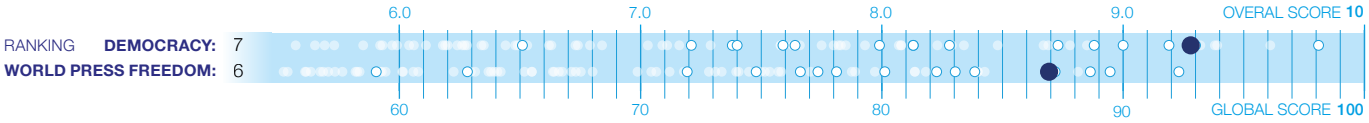
3 According to the **Establishing Act** of the committee it is up to the discretion of the committee to decide whether to deal with a complaint which is the subject matter of a procedure before a court of law or any other organ exercising jurisdiction under law. Usually, the committee decides not to have simultaneous proceedings.

4 There are no specific instructions on how media should publish the decisions. However, according to article 3 of the **Code of Conduct** media and their journalists undertake the commitment to cooperate with the committee, in the conduct of its work. Failure to cooperate constitutes a violation of the code.

5 See the Establishing Act.

Denmark

PRESSE NÆVNET



MEDIA COUNCIL:

Pressenævnet Danish Press Council

ESTABLISHED IN:

1992

LEGAL BASIS/RECOGNITION:

yes, in the Media Liability Act[1]

FINANCIAL SUPPORT GOVERNMENT:

no

MEDIA COVERAGE:

press, broadcast, online, social media and bloggers/vloggers/ influencers etc.[2]

ACCESS FOR COMPLAINANTS:

for those directly involved[3]

PUBLIC MEMBERS:

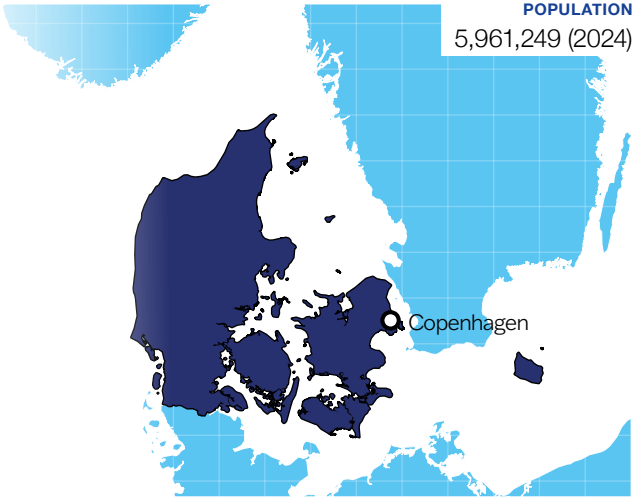
yes[4]

RULES FOR PUBLISHING DECISIONS:

yes[5]

OTHER TASKS/ACTIVITIES:

The Council may take up a case on its own initiative if the case is of major or fundamental importance.



POPULATION

5,961,249 (2024)

Specific elements

The chair may dismiss complaints that are manifestly not within the competence of the council, are manifestly unfounded, come from complainants who have no direct interest or where the complaint period has been exceeded.[6] Dissenting opinions are mentioned in the decisions.[7]

Coincidentally, during my research period, the existing media self-regulatory system was evaluated with a view to potential future updates. In May 2022, the Danish Government announced the new political Media Agreement for 2022-2025 consisting of (among others) the initiative to examine the future role of the Danish Press Council and a possible creation of a new media ombudsperson to support it. The investigating Media Liability Committee – presided by Søren Pind, chair of the board of Danish Cyber Defence and former minister – has released **its report** on January 28th 2025. Among other things, the committee recommends the creation of a media ombudsman – appointed by the government and therefore not part of the council's organisation, as in Sweden and Ireland – who could not only bring complaints before the

council, but even function as a criminal prosecutor towards the media. This has led to public criticism that adopting this recommendation will lead to a restriction of press freedom.[8] The Minister of Culture now will study the recommendations and discuss them with parliament. later this year.

Specific strenghts:

Media do respect the decisions and publish them.

Specific weakenesses/criticism:

The council's structure is set by law, which some see as limiting its flexibility. The access to complain is still too limited (see footnote 3). The ethical standards on the right to be forgotten needed to be renewed, the council was too strict on this matter (i.e. upholding to many complaints); this was a main discussion between the council and editors-in-chief.[9] The complaints procedure takes too long these days (due to more complicated cases and limited resources). The council is not (pro)active enough; it does not take up cases on its own initiative and does not participate in public debate. Further, the council should reach out more to journalists and the public.

Substantive participants

- **Bjerregård, Mogens Blicher** *Freelance consultant, international advisor Danish Union of Journalists, chair of the executive board of the European Centre for Press and Media Freedom*
- **Blach-Ørsten, Mark** *Professor of journalism, head of the Centre for News Research at Roskilde University, Department of Communication and Humanities*
- **Feldvoss, Lisbeth** *Head of secretariat of the council*
- **Mollerup, Jacob** *Editor at lex.dk, owner of Mollerup Medier, former chair of The Danish Association for Investigative Journalism and The National Danish Press Club, former president of The Organization of News Ombudsman*
- **Rosendal, Holger** *Head of Legal Department at Danske Medier*
- **Rothe, Jesper** *Attorney and partner at law firm Bech-Bruun, President of the Association of Danish Law firms, vice-chair of the council*
- **Schaumburg-Müller, Sten** *Professor media law at Syddansk Universitet, Law Institute*
- **Thorstholm, Mikael Gundlach** *Supreme Court Attorney, specialized in media law, at Havemann Advokatanpartsselskab*

1 See the **Media Liability Act** (MLA) under part 7. "The Press Council"

2 This can be all kinds of publications as long as it has a form of news presentation that is published to the public periodically (at least twice a year). Websites and social media must be either registered with the council or receive media subsidies in order to fall within the competence of the council. The individual online media do not contribute to the financial part when register to the council. The distribution of expenses among the media is based on a fixed percentage, see § 16 of the **Executive Order on Rules of Procedure**.

3 Which means the complainant must be mentioned, depicted or in other ways identified in the media. Initially, this was interpreted very strictly (according to some: too limited) but it has been widened slightly. The Press Council can try a case if it has significant public interest (extended cause of action). This possibility is often used by organizations representing a particular group. But the extended cause of action has also been used in complaints by individuals. For more information, see page 29 of the Annual Report 2022: **Årsberetning-2022.pdf**

4 See section 41.1 of the MLA.

5 See section 49.1 of the MLA: "The Council may direct the editor of the mass media against which the complaint has been lodged soonest possible to publish a decision to an extent specified by the Council. Such a publication shall be made without comments and in any such conspicuous manner as may reasonably be demanded." For an example of a text drafted by the council to be published, see **this case**.

Further, note article 53.2 of the MLA: **"Failure to comply with an order for publication under sections 49 and 54 of this Act shall be punishable by a fine or imprisonment up to four months."**

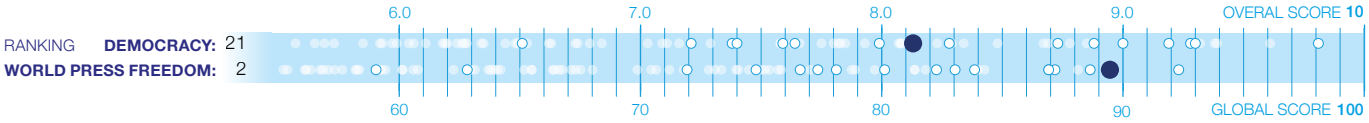
6 See § 6 of the **Executive Order on Rules of Procedure**.

7 According to the Danish culture; this also happens in courts decisions.

8 See, for example: **Danmark vil rasle ned ad pressefrihedslisten** and **Kritikere: En statsligt udpeget medieombudsmand er dårligt nyt for pressefriheden**.

9 Follow-up: Paragraph D.1 (former paragraph B.8) in the **Press Ethical Rules** (request for de-indexing, anonymization or deletion) has been renewed in 2023. The council has seen it as a codification of the council's practice. For more information see the council's introduction to the new Press Ethical Rules on its homepage: **Retningslinjer for god presseskik** (Guidelines for good press practices).

Estonia



MEDIA COUNCIL:

Pressinõukogu (PN) Estonian Press Council

ESTABLISHED IN:

2002

LEGAL BASIS/RECOGNITION:

no

FINANCIAL SUPPORT GOVERNMENT:

no

MEDIA COVERAGE:

press, broadcast, online

ACCESS FOR COMPLAINANTS:

for those directly involved and for organisations if the publication directly relates to their field of activity (e.g. child protection)
Nb. no access in case of pending legal proceedings

PUBLIC MEMBERS:

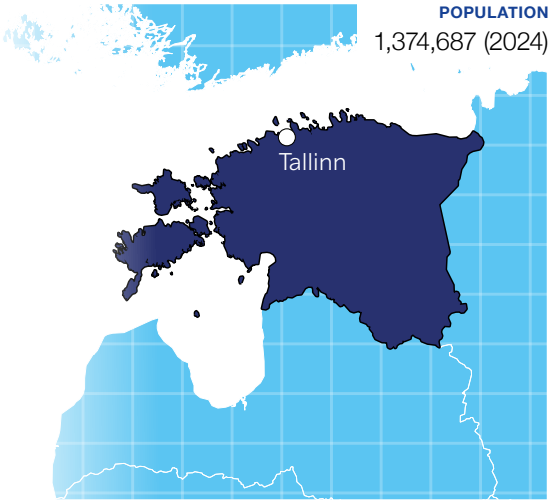
yes

RULES FOR PUBLISHING DECISIONS:

yes, see article 11 of the Statute of the council[1]

OTHER TASKS/ACTIVITIES:

no



POPULATION

1,374,687 (2024)

Specific elements

Only advertisement is excluded; the council can also decide on complaints about entertainment. Initially the **Avaliku Sõna Nõukogu** (Council of Public Word) functioned as only one as a media council. However, a crisis led to the withdrawal of the Newspaper Association, which then established the Pressinõukogu. The latter is now joined by the national broadcasters, commercial TV channels and some internet portals. Both organisations functioned as separate media councils for quite some time, being very critical about each other. By now the Avaliku Sõna Nõukogu transformed itself into a more advisory and media literacy organization.

Specific strenghts

Wide membership. Editors publish all decisions and learn from it.

Specific weakenesses/criticism

Very limited funding and only re-active.
As a result of its decisions, the independence of the council was questioned (it was considered a defensive line) in the past, which is tackled by including experts (lawyers, professors) as members

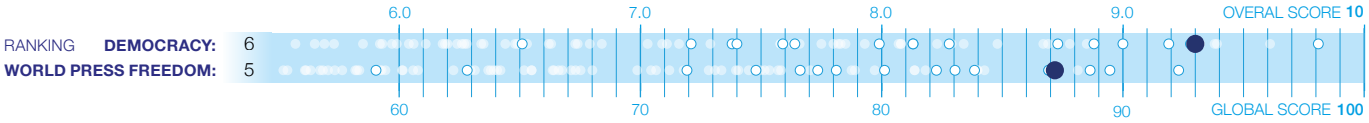
Substantive participants

- **Gaškov, Ago** *Vice chair Eesti Ajakirjanike Liit (Estonian Association of Journalists), journalist*
- **Himma-Kadakas, Marju** *Associate Professor of Journalism Studies at University of Tartu | Faculty of Social Sciences*
- **Jõesaar, Andres** *Advisor (media), Ministry of Culture; Associate Professor of Media Policies at Tallinn University | Baltic Film, Media and Arts School*
- **Lauk, Epp** *Professor at Vytautas Magnus University*
- **Prööm, Maige** *Executive secretary of the council*
- **Reinap, Aivar** *Deputy editor-in-chief at Postimees Grupp, former member of the council*
- **Smutov, Martin** *CEO and editor-in-chief at AS Õhtuleht Kirjastus, former member and chair of the council*
- **Tammerk, Tarmu** *Media ombudsman at Estonian Public Broadcasting Company, expert of media ethics and media self-regulation, member of the council*
- **Tiikmaa, Helle** *President Eesti Ajakirjanike Liit (Estonian Association of Journalists), freelance journalist*
- **Valner, Sulev** *Member of the Council of Estonian Public Broadcasting, by now former-head of department Regionaal- ja Põllumajandusministeerium (Ministry of Regional Affairs and Agriculture), former journalist, former member of the council*

1 Article 11 of **the Statute**: *"Newspapers undertake to publish the PN's negative decision. The PN's decisions must be published unchanged without editorial comment. Online publications must publish the PN's reprimanding decision with the article in which the PN found the violation and refer to the PN decision in the disputed article. Broadcasters undertake to publish the PN's decision in their broadcasts. All PN decisions will be published on the Internet on the EALL [Estonian Newspaper Association] website under the PN heading."*

Finland

JULKISEN SANAN NEUVOSTO



MEDIA COUNCIL

Julkisen Sanan Neuvosto Council for Mass Media

ESTABLISHED IN

1968

LEGAL BASIS/RECOGNITION

no

FINANCIAL SUPPORT GOVERNMENT

yes[1]

MEDIA COVERAGE

press, broadcast, online and social media[2] please check the footnote

ACCESS FOR COMPLAINANTS

general right to complain[3]

Nb. no access possible in case of intended or already ongoing legal proceedings[4]

PUBLIC MEMBERS

yes

RULES FOR PUBLISHING DECISIONS

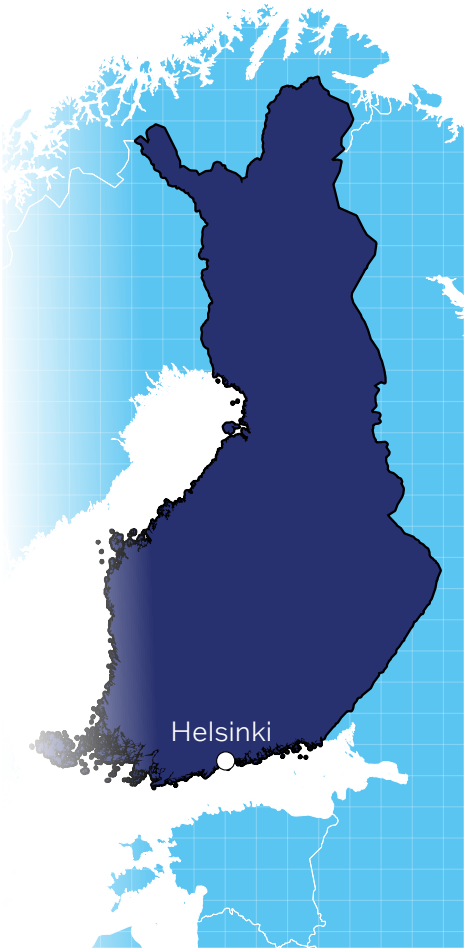
yes[5]

OTHER TASKS/ACTIVITIES

The general task of the council and its chairperson is to interpret good journalistic practice as well as defend freedom in regard to speech and the right to publication. They can also take up matters that concerns questions of principle and major importance on their own initiative. In individual cases the council may issue statements of a general nature. The chairperson takes an active role in public discussion concerning journalistic ethics and self-regulation.[6] This task also includes organising public events and webinars for (chief) editors.

POPULATION

5,603,851 (2024)



Specific elements

The council went through an existential crisis in the 00s, with three successive chairpersons stepping down midway through their terms.[7] The crisis and subsequent debates resulted in an update of the guidelines for anonymous sources (2011), and a better-equipped office for the council with a full-time chair (2016).

A complaint can be communicated orally to a complaints analyst, after which the complainant has to sign the written complaint formulated by the complaints analyst.[8]

The chair can also end the handling of a complaint by a decision if it is deemed to be clearly unfounded or if it remains substantially deficient. Further the chair may leave other matters unhandled or interrupt their handling by a decision[9], unless the handling of the complaint is necessary for the purposes of specific interpretation of the Guidelines for Journalists.[10] Besides, the chair may issue rulings on matters of principle that are of minor importance, and which clearly will lead to an exculpatory ruling. However, the council must be informed of such rulings and decisions, and may take up the case if it is dissatisfied with the chairperson's ruling or decision.[11]

Any dissenting opinions are stated in the rulings.[12] Although the obligation to publicise does not apply to an exculpatory ruling, it is recommended that news of such a ruling be publicised as well,[13] to make the good journalistic practises more visible to professionals and public.

Specific strengths

Inclusiveness, the membership is open to all genres and all platforms of media. A large number of members and established position, which shows in the news coverage the council's rulings receive. A professional team of complaints analysts. The system has credibility and high value; the complaints procedure is accessible and cheap. In cases about incorrect information, media often correct the story as soon as they hear that the council has received a complaint; this reflects the council's strong position in the Finnish media. The council's rulings have a guiding influence on journalism.

Specific weakenesses/criticism

Cases and complainants may not receive equal treatment because treatment depends on differences between the analysts involved in case preparation. Investigating all the complaints is time consuming, often the council's rulings come months after the debate on journalistic judgment. The council seems to side with the public more often in its rulings. The state support is sensitive to political turbulence.[14]

Substantive participants

- **Heikkilä, Heikki** *Associate professor Journalism studies at the Faculty of Information Technology and Communication Sciences | Tampere University*
- **Holopainen, Minna** *Editor-in-chief at Suomen Tietotoimisto STT, chair of the work group preparing an update of the guidelines of the council*
- **Hyvönen, Eero** *Chair of the council*
- **Kuutti, Heikki** *Research Coordinator at the Department of Languages and Communication | University of Jyväskylä, former member of the council*
- **Nazarenko, Salla** *International Affairs Specialist at Suomen Journalistiliitto (Union of Finnish Journalists), former member of the council*
- **Pahkasalo-Saku, Sauli** *Editor-in-chief at Lapin Kansa, former chair of the Local Newspaper Editors' Association*
- **Pönkä, Harto** *CEO at Innowise, social media expert, former member of the council*[15]
- **Poyhtari, Reeta** *PhD., senior research fellow at the Research Centre for Journalism, Media and Communication COMET | Faculty of Information Technology and Communication Sciences | Tampere University*

1 One fifth of the council's budget comes from the ministry of Justice, which may harm the perceived integrity of the council, even if in real life no incidents have occurred in this field so far.

2 By the media that have affiliated to the so called **Basic agreement** of the council.

Nb. Blogger/vloggers/influencers etc. are theoretically included, if they adhere to the ethical code and are deemed to be journalists in a relevant share of their production, not just commercial marketers. This is something the administrative association Jusanek will look into during the fall of 2025. when EMFA starts to provide shelter better for journalists than influencers etc. Some of them may find it reasonable to join the self-regulatory system. By then Jusanek will have defined the criteria for bloggers/vloggers/influencers etc. to join.

3 However, a matter shall not be taken up without the consent of the party concerned unless there are particularly good reasons for doing so. (see § 9 of the Basic agreement)

4 See § 11 of the Basic agreement: *"If legal proceedings are pending in the matter or if the complainant is clearly seeking a Council ruling for the purposes of filing an action on the same matter in a court of law, the matter shall not be handled or its handling shall be interrupted or ended."*

5 The rules apply to the 'rulings' of the MC, see § 4 of the Basic agreement on 'Consequences of violation of good practice': *"A Mass Media or news agency that violates good journalistic practice will receive a reprimand from the Council. If the violation is gross or the actions of the Mass Media otherwise show disregard, the Council can issue a ruling that includes a severe reprimand. Such reprimands must be publicised without delay and without direct comment in accordance with the following principles: (…) 6) If the publication of the reprimand does not meet the provisions of the Basic Agreement and the procedures of the Council, the Council or chairperson can require that the reprimand be published again in the required manner. The Council will specify in its procedures the manner in which the obligation to publicise is to be fulfilled in practice."* The editor-in-chief will receive a detailed instruction on how to publish the reprimand on different platforms, be it print, audiovisual, digital etc.

6 See § 1 of the Basic agreement.

7 Each for a different reason related to their own position as chair or a controversial ruling of the council

8 See § 9 of the Basic agreement and see §18: *"The complainant may appeal to the Council against an exculpatory ruling issued by the chairperson."*

9 If there is an established praxis of acquittals in similar cases, the complaint may be left unhandled, but in every case the complainant and the medium in question receive a reasoned decision from the chair.

10 See § 11 of the Basic agreement.

11 Rulings of the chair correct are published on the council's website, decisions of the chair not to admit the complaint are not.

12 According to the Finnish culture; this also happens in courts decisions.

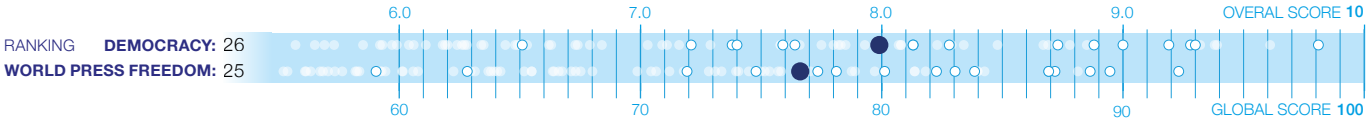
13 See § 5 of the Basic agreement. Usually exculpatory rulings are not published, but if the case is of particular interest, the medium in question may publish the decision (and/or ruling?) in full in addition to a news story. Usually 20-30 news outlets cover at least some of the rulings, also exculpatory ones, especially if a politician or a celebrity is involved.

14 See the publication of Journalisti (The trade journal of the Finnish journalists' association) of August 9th 2024 ***Oikeusministeriö aikoo lakkauttaa Julkisen sanan neuvoston valtionavun – Avustusten kokonaisuus oli ministerin poliittinen päätös*** *(Ministry of Justice to abolish state subsidies to the Finnish MC - The whole subsidy package was a political decision by the Minister)* and the follow-up of September 4th 2024: ***Julkisen sanan neuvoston valtionapu säilyy – "Tämä on suuri helpotus"*** *(The Finnish MC will retain its state aid - "This is a great relief").*

15 See his blog, in which he reflects on his membership: ***"Näkemykseni JSN:sta kolmen vuoden kokemuksen perusteella: riippumatonta itsesääntelyä vai jotain muuta?"*** *("My view of the JSN after three years of experience: independent self-regulation or something else?"*

France

CDJM
CONSEIL DE DÉONTOLOGIE JOURNALISTIQUE ET DE MÉDIATION



MEDIA COUNCIL

Conseil de déontologie journalistique et de médiation
Council for Ethical Journalism and Mediation

ESTABLISHED IN

2019

LEGAL BASIS/RECOGNITION

no

FINANCIAL SUPPORT GOVERNMENT

yes[1]

MEDIA COVERAGE

press, online, social media, bloggers/vloggers/influencers[2]

ACCESS FOR COMPLAINANTS

right to complain

PUBLIC MEMBERS

yes

RULES FOR PUBLISHING DECISIONS

no request/obligation (yet) to the media involved to publish the ***advices*** of the council[3]

OTHER TASKS/ACTIVITIES

yes, see article 4 of the Statutes
Proposing and conducting mediation, implementing communication initiatives, participating in all bodies or institutions relating to its purpose, drafting and producing written material relating to journalistic ethics, support for teaching and training, organising and staging events.

POPULATION

68,401,997 (2024)

Specific elements

France has been very reluctant to consider the possibility of a self-regulatory body in the media field. One of the main challenges was misinformation about the council's independence, as political staff have a long tradition of links with, and even control of, the media.[4] Therefore it took until the end of 2019, after several years of insights and preparation, until the council was established.

A few months later the council was taken to court for a decision blaming the far-right weekly Valeurs actuelles for an attack on dignity. The magazine publishers' union joined Valeurs actuelles in a lawsuit against the council, arguing that it had no role to play in issuing an opinion on an article that was also the subject of criminal proceedings[5]. The court **dismissed the case** on the grounds that the council was acting solely on the basis of journalistic ethics.

Complaints should relate to a journalistic act edited, published or broadcasted in France, or intended for the French public; the council does not adjudicate complaints concerning a journalistic act that has not yet been published, put online or broadcasted. A complaint is investigated by a committee of three volunteers (an editor, a journalist and a public member), after which the whole council takes a decision.

Specific strenghts

The council's opinions are regarded in the profession as relevant analyses of concrete ethical issues, and are increasingly used in journalism schools.

Its recommendations on issues such as the treatment of scientific questions or the use of artificial intelligence are also appreciated. Young media and their professional organisations have joined the council. Recognition by the public.

Specific weakenesses/criticism

Not enough representativeness among traditional national publishers, journalists and unions.[6] As a result the council stays prudent and is considered marginal and ineffective (for now). Besides, the lack of recognition also creates a lack of budget.

There is a risk that the council will be perceived as (or become) a sort of 'journalists' order' that legislates on the life of the profession, by interfering in the rules defined independently by each newsroom.[7]

Substantive participants

- **Colisson, Pascale** *Head of work-study programmes and head of the Equality and Anti-Discrimination mission, and journalist, at the Institut Pratique du Journalisme - Dauphine l PSL, member of the Diversity Observatory of Arcom (Regulatory Authority for Audiovisual and Digital Communication)*
- **Ganz, Pierre** *Secretary of the council, former journalist, former editor-in-chief of Radio France international*
- **Grosset, Kathleen** *Chair of the council*
- **Joux, Alexandre** *Full-professor at Aix-Marseille University, co-director of IMSIC*
- **Mercier, Arnaud** *Professor of communication at Paris Panthéon-Assas, scientific coordinator of the European De Facto project to combat disinformation, head of the Podcast Observatory and digital communication degree at Institut Français de Presse*
- **Plougastel, Yann** *Member of the National Bureau of the CFDT-Journalistes (Federal Union of Journalists, which is part of the Communication, Consulting, Culture Federation), member of the board of the council, former journalist at Le Monde (among others)*
- **Pradalié, Dominique** *Member of the Syndicat national de journalistes (National Union of Journalists, SNJ), former journalist at France Télévisions, former editor-in-chief at France 2*
- **Rotili, Lavinia** *PhD candidate and teaching assistant at the Observatory for Research on Media and Journalism | UCLouvain*

1 See article 10 of **the Statutes**: the council is financed by its members' subscriptions and accepts subsidies from foundations or from public offices such as the European Union, the State, regions, departments and municipalities, provided that these institutions undertake to respect the council's independence. It receives a subsidy from the Ministry of Culture; government grants may not exceed half of the association's annual budget.

2 Its field of action covers all 'journalistic acts' whatever the medium, except from broadcast. Broadcast media (public and private) are answerable for their professional ethics to Arcom, the political and administrative body that regulates the sector. All content must comply with 'program ethics', news content too. However, on **January 24th 2024** Arcom stated that "(…) the ethical obligations specific to journalists are not enforceable by Arcom against service publishers." Nevertheless, this does not prevent Arcom from increasingly taking a stance on questions of journalistic ethics

3 As the council's support is still very fragile, the advices currently have a mainly pedagogical purpose.

4 See for more background information: Les Cahiers du journalisme no 18, Printemps 2008: La France finira-t-elle par se doter d'un Conseil de presse? (Will France end up with a Press Council?); La Croix, December 2nd 2019: **Arnaud Mercier : « Ce pari n'est pas sans risques »** (Arnaud Mercier: 'This gamble is not without risks'); La revue des médias, December 4th 2019: **Qu'est-ce qu'un conseil de déontologie journalistique?** (What is a journalistic ethics council?)

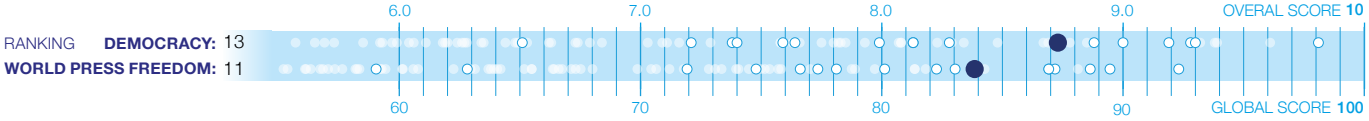
5 See: Valeurs actuelles, January 27th 2021: **"Organisme de censure»: le syndicat de la presse magazine soutient Valeurs actuelles contre le Conseil de déontologie journalistique dans l'affaire Obono**

6 Some publishers believe newsrooms are accountable only to the courts, others consider the council has no legitimacy to judge compliance with professional ethics because it creates self-censorship. Journalists and unions are reluctant to join, fearing influence from media owners. Paradoxically, more and more 'hostile' journalists and/or members of the media hierarchy are 'playing the council's game' by responding to its requests when they are the subject of complaints.

7 The fear of an 'order' seems typically French. A law passed in 1935 gave journalists in France a special status that was more protective than that of other employees, notably the 'conscience clause' which allows journalists to leave a newspaper with compensation if it changes its editorial line, and a joint commission that sets this compensation. This law and the 1881 law on the freedom of the press were considered sufficient to guarantee respect for good professional practice. Professional orders in France were created in 1940 by the authoritarian Vichy regime, which also banned trade unions. There was no professional order for journalists at the time, but as a result journalists equated anything resembling an organisation that brought together workers and employers with a professional order. It took time for part of the profession to accept the idea of independent self-regulation. This is why **on the council's website** is stated: Ce n'est ni un conseil de l'ordre, ni un « tribunal de la pensée » ; il n'est pas une instance étatique ou administrative. (It is neither a council of the order, nor a 'court of thought'; it is not a state or administrative body.)

Germany

presserat



MEDIA COUNCIL

Deutscher Presserat, German Press Council

ESTABLISHED IN

1956

LEGAL BASIS/RECOGNITION

yes, in several legal provisions[1]

FINANCIAL SUPPORT GOVERNMENT

yes (partly)[2]

MEDIA COVERAGE

press and online media (journalistic news sites and social media channels belonging to such media)[3]

ACCESS FOR COMPLAINANTS

general right to complain

Access is possible in case of pending legal proceedings but with the possibility of suspension the proceedings of the council

PUBLIC MEMBERS

no

RULES FOR PUBLISHING DECISIONS

yes, see article 16 of the Code[4]

OTHER TASKS/ACTIVITIES

The Press Council is also tasked with protecting the reputation of the German press and ensuring press freedom. In addition, the council deals with unhindered access to news sources and ensures self-regulation in the areas of editorial data protection and reporting on financial markets. Further the council is involved in the issuing of the standardised national press card[5].

POPULATION

83,445,000 (2024)

Specific elements

Only a minority of all complainants (appr. 25%) is directly involved in the matter.

The council can impose three types of measures: 1) notice, 2) disapproval and 3) reprimand. The latter can be either public (with obligation to publish) and non-public (no publication, e.g. because of victim protection).
In addition, the council may refrain from taking action despite a justified complaint if the editorial office concerned has rectified the case (e.g. by printing a letter to the editor or an editorial correction).

The chair of one of the complaints committees can also deal with complaints - together with a consultant/complaints officer from the secretariat - making the following decisions: 1) founded, no measure, 2) notice and 3) unfounded. This happens frequently, in easy and obvious cases, based only on the complaint. These decisions are published on the website of the council as well.[6]

Specific strenghts:

Broad acceptance in the media industry, even beyond its actual area of responsibility: journalists from public broadcasters also refer to the council's rules, even if it is not formally responsible for them.

Starting and moderating discourse on professional conduct, bringing problematic coverage to the attention of both the profession and the public. Regularly produce and publish case data.

Specific weakenesses/criticism:

The council is a tool *by* the media to control the media, no public members; this makes the council unwilling to strongly condemn and punish misbehaviour[7]. It is indispensable with regard to particularly sensitive topics, to obtain external expertise.

Since membership and cooperation are voluntary, the council's ability to be a change agent is limited. The code gives very narrow criteria under which complaints are justified. Even the 'sharpest sword' of the council (public reprimand) is insufficient to counter the damage done by a justified complaint (such as spreading false information).

The council can be more pro-active. Lack of research about the council.

Substantive participants

- **Brinkmann, Janis** *Professor Journalism in the Digital Information Economy and Dean of Studies Media Management, Faculty of Media at Hochschule Mittweida (University of Applied Sciences)*
- **Grimberg, Steffen** *Media journalist, managing editor Leiter KNA-Mediendienst (Catholic News Agency), chair of the Berlin-section of the Deutscher Journalisten-Verband (German Association of Journalists)*
- **Kreutler, Marcus** *Manager of the Institute of Journalism at TU Dortmund*
- **Pitzer, Sissi** *Journalist, deputy chair Journalistinnenbund e.V. (Network of women in journalism)*
- **Portack, Roman** *Managing director of the council*
- **Protze, Manfred** *Speaker of German Press Council, Member of Founders Association*
- **Zentralrat Deutscher Sinti und Roma** *Independent umbrella organisation for 17 national associations, with the primary function to represent the interests of German Sinti and Roma*

Supportive participant

- **Eberwein, Tobias** *Visiting lecturer at Hamburg Media School, former visiting professor at Dresden University of Technology and Dortmund University of Technology, former research associate at TU Dortmund and the Erich Brost Institute for International Journalism (see further under Austria - Substantive participants)*

1 The council is mentioned in Press Laws of some federal states, the Gesetz zur Gewährleistung der Unabhängigkeit des vom Deutschen Presserat eingesetzten Beschwerdeausschusses and the Interstate Media treaty (see next footnotes).

2 An annual earmarked subsidy for the work of the Complaints Committee, see the **Gesetz zur Gewährleistung der Unabhängigkeit des vom Deutschen Presserat eingesetzten Beschwerdeausschusses**

(Act to guarantee the independence of the Complaints Committee appointed by the German Press Council)

3 In the **Medienstaatsvertrag** (Interstate Media Treaty) of 2020 is stipulated that also online media not belonging to print publishers must adhere to journalistic principles in Germany. Online media that violate these standards must expect sanctions from the state media authorities. An alternative is voluntary self-regulation by the German Press Council and recognition of the Press Code. This is a strong incentive to join; almost all relevant media have joined the council.

Nb. broadcast is regulated separately. Private broadcasters are regulated by the federal media authorities (Landesmedienanstalten) as regulators remote from the state. Public broadcasters regulate themselves through internal institutions (Rundfunkräte)

4 Article 16 of **the Code** with the heading 'Publication of reprimands' states: *"It is in line with fair reporting to publish reprimands issued publicly by the German Press Council, in particular in the publication organs or telemedia concerned."* Additional Guideline 16.1 'Content of the publication of reprimands' states: *"The reader must be informed of the facts of the reprimanded publication, and which journalistic principle has been violated by the publication."* And Guideline 16.1 'Manner of publishing the reprimand' says: *"Complaints must be published in an appropriate form in the publication organs or telemedia concerned. In telemedia, the reprimands must be linked to the reprimanded article."* In its **Rügenabdruckbrochüre** the council provides more help to editorial teams how to publish a reprimand. The points listed are not binding, but desirable in terms of press ethics.

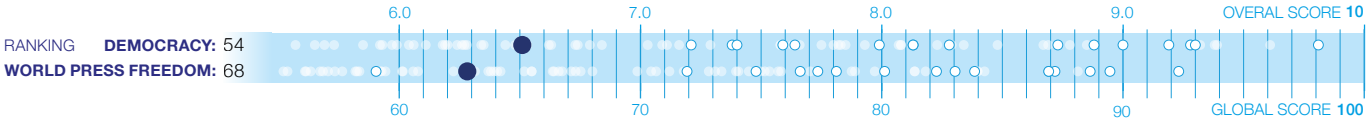
5 The council cooperates with the Conference of Ministers of the Interior (CMI) on the basis of a mutual agreement. The CMI recognizes the press card and instructs the authorities to grant the owners all the rights enjoyed by journalists. The press card is currently issued by six journalists' and publishers' associations according to the mutual agreement.

6 The council aims to publish all decisions, but in some cases is does not mostly because of data protection/protection of victims.

7 According to its **recent press release** in 2024 the council had a new record number of reprimands: in 83 out of 2215 complaints.

Hungary

FŐSZERKESZTŐK FÓRUMA



MEDIA COUNCIL:

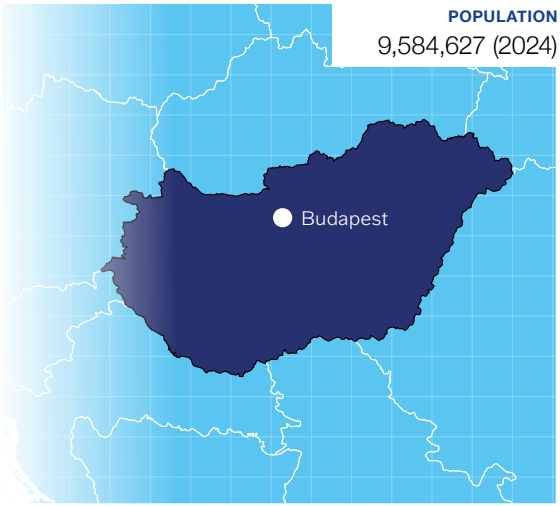
Főszerkesztők Fóruma, Editor's Forum Hungary

EXISTENCE:

2012 - 2024

POPULATION

9,584,627 (2024)



Specific elements

The Editor's Forum functioned as a complaints body until 2019 and was since then weak/ineffective as self-regulatory body due to political situation. The media sector is polarized and divided (state vs independent), culture of solidarity is missing, and a common ethical basis is difficult to find.

In June 2023, the Editor's Forum organized a webinar as a follow up of a workshop held in May 2023 in Budapest on self-regulation in countries of Central, East and Southeast Europe. According to the press release issued after both events the participants concluded that media councils and other types of media self-regulatory organizations in the region require a tailored approach in terms of sustainability, considering several common features of the media ecosystem of these countries and the emerging awareness of self-regulation. Common issues, occurring to various extent throughout the region, include: growing political and economic pressure on and control of the media; concentration of media ownership; lack of transparency of media ownership; hijacked advertising media market; SLAPP and smear campaigns against journalists; ignorance or lack of awareness of journalistic ethics; non-existing or weak media self-regulation; lack of core funding for media self-regulatory organisations. It was concluded that self-regulatory organizations should join forces to adapt established practices to build their own sustainable media self-regulation model that is applicable in the region.[1]

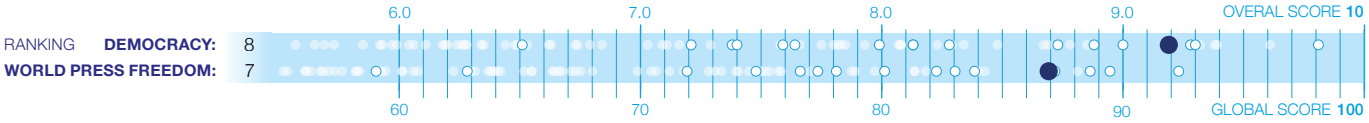
In 2024 the Editor's Forum Hungary was taken over by new people in 2024 and transformed into a new organisation called **Media Forum**. The transition is sill taking place and the new Forum is not functioning as a MC at present, but it might in the future; this is not decided.

Substantive participants

- **Bodrogi, Bea** *Human rights attorney, media expert of the Editor's Forum*
- **László, József** *Owner at Csupa Szív Non-profit Kft., president of the General Assembly of Magyar Újságírók Országos Szövetsége (MÚOSZ, the National Association of Hungarian Journalists)*
- **Móricz, Ilona** *Member of the Board of Trustees at Center for Independent Journalism (CIJ)*
- **Polyák, Gábor** *Director of the Institute for Theory of Arts and Media Studies and a Full Professor of Media Law and Media Policy at Eötvös Loránd University*
- **Uszkiewicz, Erik** *Vice chair Hungarian Europe Society, by now also project Coordinator Center for Independent Journalism*

1 See the press release of June 29th 2023 **The Central, East and Southeast Europe region requires its own self-regulatory model**.

Ireland



MEDIA COUNCIL
The Press Council of Ireland and the Office of the Press Ombudsman

ESTABLISHED IN
2008

LEGAL BASIS/RECOGNITION
yes[1]

FINANCIAL SUPPORT GOVERNMENT
no[2]

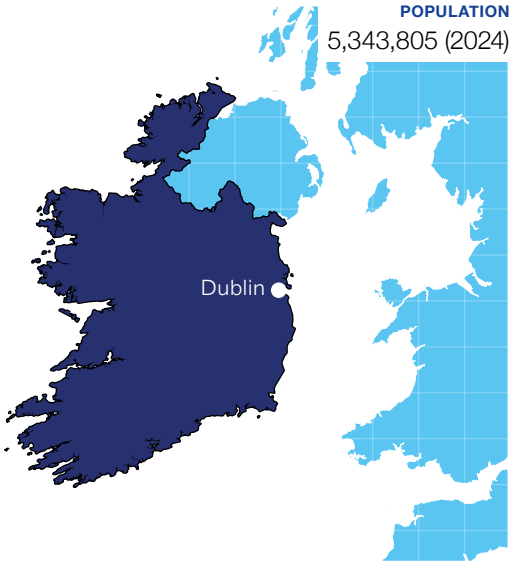
MEDIA COVERAGE
press, online and social media[3]

ACCESS FOR COMPLAINANTS
for those personally affected[4]
Nb. no access in case of pending legal proceedings[5]

PUBLIC MEMBERS
yes

RULES FOR PUBLISHING DECISIONS
yes[6]

POPULATION
5,343,805 (2024)



Other tasks/activities

Raise awareness among the public; encourage and promote the highest standards of journalism; uphold the rights of the press to the freedom of expression and the freedom to inform; maintain the independence of the press from the State and from State control or regulation. This includes offering pre-publication advice and guidance to editors and journalists on a confidential basis; organising and addressing information seminars and training sessions for member publications, their journalists and the public; awarding a Press Council's Fellowship to a working journalist in the early years of their career and a Bursary to a trainee journalist from a disadvantaged background.[7]

Specific elements

The organisation was founded in anticipation of government's plans to reform the defamation laws and establish a statutory ombudsman. The self-regulatory model is well respected within the media industry as is shown by the fact that most qualifying publications are members.[8]
The press ombudsman's office first tries to conciliate to the satisfaction of all concerned.

Where this is not possible, the ombudsman will decide on the complaint.[9] The council decides on appeals (on certain technical grounds) and on complaints referred to it directly by the ombudsman at her discretion. In some cases, especially when people are suddenly and unexpectedly the subject of great media interest, the ombudsman can send a confidential Advisory Notice to member publications, informing editors of the wishes of those involved regarding coverage.

Specific strenghts

The complaints procedure is transparent, free of charge and provides swift resolution. Publications are made aware a complaint is to be made to the Press Ombudsman's Office, giving them an early opportunity to resolve the matter. Conciliation by the office of the ombudsman is often successful to the satisfaction of both parties (for example an apology), avoiding the need for a formal decision.

The Code Committee of the Press Council has agreed to support the conduct of a review of the Code to commence in late 2025. There has not been such a review to date though changes have been made from time to time.
The review will enable the Code Committee to assess whether or not the Code is capable of dealing with contemporary issues (such as spread of mis and disinformation, use of AI) and of enabling decisions based on contemporary social values.

Specific weakenesses/criticism

Lack of resources due to the funding, which reflects the problems in the media industry.[10] The code is unclear and can be interpreted in different ways. The Code Committee is composed exclusively of editors and journalists; however, public consultation is considered desirable. The public should expect a reflection of society's better values, but this happens too little.

The access to the complaint procedure is too restrictive. It is difficult to understand when the ombudsman and council disagree in a complaint case; this happens too often (undermining the system). Even if a complaint is upheld, there may be an undesirable effect, namely the editor-in-chief commenting retrospectively and thus making the procedure counterproductive.

The organisation should be more pro-active.

Substantive participants

- **Broderick, Gary** *Director SAOL Project (a community project dedicated to improving the lives of women affected by addiction and poverty)*
- **Dooley, Séamus** *Irish secretary and assistant general secretary of the National Union of Journalists (NUJ), former journalist*
- **Feeney, Peter** *Former Press Ombudsman and Head of Broadcast Compliance at RTÉ*
- **Felle, Tom** *Associate professor, Discipline of Journalism and Communication, Arts Millennium Building at University of Galway*
- **Fitzgibbon, Frank** *Former editor of Irish edition of The Sunday Times, former member of the council*
- **Foley, Michael** *Professor emeritus and former lecturer in journalism at Technological University Dublin, consultant in media development, Ireland member of the Ethics Council of the NUJ, member of the Code Committee of the council*
- **Grogan, Bernie** *Case manager at the office of the Press Ombudsman*
- **Lenihan, Ann-Marie** *CEO at NewsBrands Ireland*
- **McKay, Susan** *Press Ombudsperson, author and former journalist*
- **O'Meara, Áine** *Program leader at Headline (Ireland's National Media Programme for Responsible Reporting of Mental Health), creator of the Media Mind Framework, former producer*

1 The Press Council and the Office of the Press Ombudsman were formally launched by the Minister for Justice in January 2008. Both were recognised in May 2010 by a formal resolution for the purposes of the Defamation Act 2009 (see the website under '**Membership criteria'**). Further, in the draft **Defamation (Amendment) Bill 2024** the complaint procedure of the press council explicitly is included under 'Alternative Dispute Resolution'. According to the draft a practising solicitor shall, prior to issuing proceedings on behalf of a client, inform the client of the availability of the complaint procedure (under the condition that a member publication is involved). In its 2025 Programme for Government, the Government has committed to passing the Defamation (Amendment) Bill as a 'matter of priority' in 2025, but there is no firm indication of when this might be. See the blog of Killian O'Reilly, partner of law firm Fieldfisher, of March 26th 2025: ***Defamation (Amendment) Bill 2024 Back on Government Agenda***.

2 The **constitution** of the organisation precludes it from accepting funding from outside its member publications.

3 The council and ombudsman only consider complaints about publications that are members of its organisation. They cannot consider complaints about broadcasting, advertising, defamation or copyright. They can consider complaints about social media posts on platforms like Facebook or Twitter only if the account is operated by a member publication. (see the homepage)

Nb. Since March 15th 2023 Ireland has a new regulator **Coimisiún na Meán** for broadcasters, video-on-demand providers and online platforms. All functions that were vested in its predecessor organisation, the Broadcasting Authority of Ireland, were transferred to the new organisation.

4 This is at the discretion of the Press Ombudsman who has tended to interpret it as including persons directly impacted by the material published, and by organisations which represent persons directly impacted on behalf of a person or persons.

5 If the subject matter of the complaint is the subject matter of court proceedings in Ireland, consideration of the complaint will be postponed until the conclusion of the court proceedings, provided that the court proceedings conclude within two years and all information in relation to the complaint is submitted within the three-month deadline.

6 See the **Publication Guidelines** which include the following: *"Decisions on upheld complaints shall be published (a) in full; (b) promptly; (c) on the same page as the original article, or further forward with the exception that if the article was published on the front page, the decision shall be published with due prominence on one of the first four editorial pages; (d) on the same day of the week as the original article; (e) with due prominence; (f) unedited and (g) without editorial commentary by way of a headline or otherwise. The decision must be accompanied by the Press Council/Press Ombudsman logo. (…) Decisions on upheld complaints about online articles shall be published in full or by use of a headlined link to the decision They shall be published on the homepage or as one of the first eight stories for a period of 24 hours, after which a link to the decision with the accompanying Press Council/Press Ombudsman logo and caption must be available on the website for a further week."*

7 See the website under '**Press Council Fellowship'** and see the press release of January 30th 2025: ***Lyra McKee Investigative Journalism Bursary 2025***.

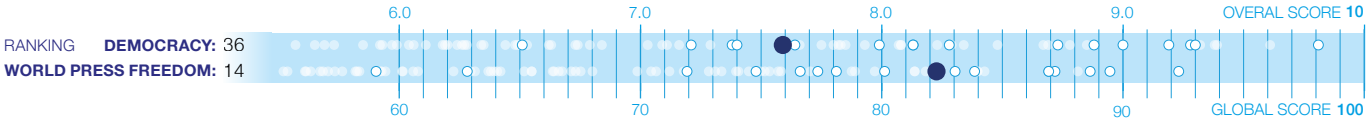
8 See further the website under '**Press Council History**'.

9 The ombudsman's decision may take one or more of the following forms: 1) a decision to uphold your complaint, either in full or in part; 2) a decision not to uphold your complaint, either in full or in part; 3) a decision that the publication offered to take or took sufficient remedial action which was sufficient to resolve the complaint; 4) the decision that there is insufficient evidence available to make a decision on the complaint.

10 The fact that member publications of the Press Council are the sole source of funding at a time when the industry is struggling with declining revenues means that the budget is tight. There are just 3 staff members including the Press Ombudsman. There is little scope for spending on increasing staff numbers, communications, outreach, advertising and training.

Lithuania

Visuomenės informavimo etikos komisija



MEDIA COUNCIL

Visuomenės informavimo etikos komisija,
Public Information Ethics Commission

ESTABLISHED IN

2015

LEGAL BASIS/RECOGNITION

yes, in the Law on the Provision of Information to the Public (2014)[1]

FINANCIAL SUPPORT GOVERNMENT

yes (indirect)[2]

MEDIA COVERAGE

press, broadcast, online, social media[3] and all other producers of public information[4]

ACCESS FOR COMPLAINANTS

general right to complain

PUBLIC MEMBERS

yes

RULES FOR PUBLISHING DECISIONS

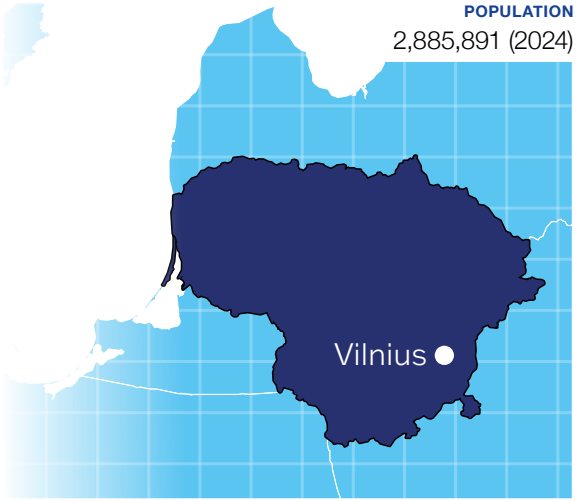
yes[5]

OTHER TASKS/ACTIVITIES

Ensure development of mass literacy, dissemination of the principals of critical assessment and analysis of information, and participation in educational activities. Members of the commission take part in various events, e.g. public discussions and workshops. The commission delegates a member to the Medijų taryba (an advisory body that assists the Ministry of Culture. The commission must be seen in public sphere.

POPULATION

2,885,891 (2024)



Specific elements

Lithuania has a very detailed Law on the Provision of Information to the Public, which includes provisions on the ethics commission. Among other things it contains a provision on qualification requirements for the members of the commission[6]. Furthermore, it is stipulated by law that media outlets can be temporarily restricted from procurement, applying to various funds, or – in extreme cases – lose the preferential tariff of VAT for one year.[7]

The development of the code and the commission is strongly influenced by the separation from the Soviet Union in 1990. After restoring independence there was a natural need to transform the regulation of the media and to create a system of self regulation.

Specific strenghts

Representatives of all media associations, no governmental representatives, quite objective, balance in decisions, still exists despite problems an:d challenges.

Specific weakenesses/criticism

Low trust in institutions, lack of culture of transparency (legacy Soviet times), not pro-active.
In the past there has been sharp criticism from the Lithuanian Public Broadcaster, which was dissatisfied about some decisions of the commission. Although there were discussions about a transformation of the law, the legal regulations are not changed.
Further there was quite some criticism when the Law on the Provision of Information to the Public was changed in 2014, mainly about (the lack of) certain representatives in the commission, which is solved by now (see footnote 5).

Substantive participants

- **Juraitė, Kristina** *Professor, head of department of Public Communications at Vytautas Magnus University*
- **Jurčiukonytė, Neringa** *Founder Media4change, chair Medijų taryba (an advisory body that assists the Ministry of Culture in formulating and implementing state policy in the field of public information)*
- **Meškauskaitė, Liudvika** *Lawyer, Professor-at Vilnius University Faculty of Law*
- **Radikaitė-Žukienė, Vaiva** *Chairat Lithuanian Cable TV Association, chair of the Commission*
- **Žurkuvienė, Ina** *Head of Integrated Communication and lecturer, Vytautas Magnus University | Faculty of Political Science and Diplomacy, department of Public Communications, member of the Commission*

1 See more specific article 46 of **the law**, about the Association of Ethics in the Provision of Information to the Public and 461 about the Commission of Ethics in the Provision of Information to the Public.

2 There is an obligation for audiovisual media to transfer annual fee for broadcasting and re-broadcasting of radio and/or television programmes, dissemination via the Internet or provision of on-demand audiovisual media services to the Association of Ethics in the Provision of Information to the Public. The Lithuanian Radio and TV Commission determines the amount of the fee. See article 31.13 of the law on the Provision of Information (the Law)

3 Only in the case of journalists and/or media outlets.

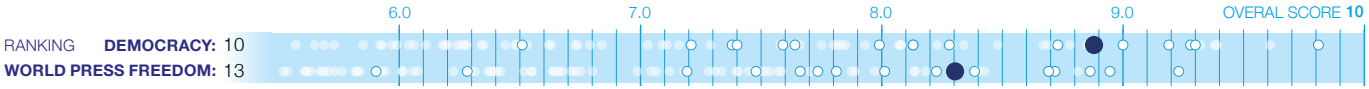
4 See article 2.77 of the law; the commission tries to confine to media only.

5 See article 461paragraph 6 of the Law. According to paragraph 7 of the same article producers and/or disseminators of public information who do not accept the decisions of the commission may apply to Vilnius Regional Administrative Court; however, they still must announce the said decisions in accordance with the procedure laid down in paragraph 6.

6 See article 461 paragraph 2**Law on the Provision of Information to the Public (2023)**: *"The term of office of members of the Commission shall be three years; they may serve for no more than two successive terms. The Association's members shall each delegate one representative to the Commission, the Lithuanian National Radio and Television shall delegate one representative, and the Media Council shall delegate three representatives. Candidates shall be submitted to the Media Council by universities running a journalism degree programme. A person with a university degree and five-year experience in the field of journalism, legal work or the mass media may be a Commission member. The Commission shall elect from among its members the Commission chairperson for the term of office of the Commission."*

7 See section 19.4 of the **Lithuanian VAT law**, which clearly states that the favourable VAT rate does not apply to publications that do not comply with professional ethics, recognised as such by an authorised body.

Luxembourg



MEDIA COUNCIL:

Conseil de Presse Luxembourg, Luxembourg Press Council

ESTABLISHED IN:

1979, however the complaints commission was only established in 2005

LEGAL BASIS/RECOGNITION

yes, in the Law on freedom of expression in the media[1]

FINANCIAL SUPPORT GOVERNMENT

yes[2]

MEDIA COVERAGE

press, broadcast and online

ACCESS FOR COMPLAINANTS

for those directly involved
Nb. in case of legal proceedings the council will cease the complaints procedure

PUBLIC MEMBERS

yes, but very limited[3]

RULES FOR PUBLISHING DECISIONS

no[4]

OTHER TASKS/ACTIVITIES

Issuing official press cards, examining all questions relating to freedom of expression in the media, organising training courses for future and established journalists[5], as well as organising media education, including the 'Young Journalist Contest'. Furthermore, the council interferes with new media legislation.

POPULATION

672,050 (2024)

Specific elements

In the small, rather concentrated media market, the council plays an important role. The missions of the council are described in the law and the first task mentioned, is to issue press cards. It is essential for publishers to insure that the journalists they employ have press cards because the government subsidy is based and calculated on the basis of the number of professional journalists: in addition to an annual flat subsidy of € 280.000 per publication, an additional subsidy of € 30,000 per year per full-time equivalent professional journalist with a permanent contract.[6] The publishers also have to accept the rules foreseen in the code of conduct.[7]

A number of press cards are held by free-lance and retired journalists or journalists that work for publishers that, for other reasons, are not eligible for a subsidy. Professional journalists apply for a press card to demonstrate their respect of the rules of the code of conduct and the credibility and protection attached[8]. The council can revoke a press card because of a complaint being upheld, but this has never happened.
As for the representatives of the publishers in the council, the internal rules foresee a simple count of professional journalists employed by the publisher, with a minimum of five for practical reasons.[9]

In 2024 the council took the initiative to renew its code of ethics because, as the previous version dated from 2004, an update was necessary to integrate the challenges of the technological developments and the growing concerns for credibility of journalists.[10]
Since its establishment in 2005 the complaints committee issued only 54 decisions.[11]

Specific strenghts

The council decides who can be a professional journalist and who not, which gives credibility to the profession. Strong supporter of journalists.

Specific weakenesses/criticism

It is for new – smaller, innovative and/or specialized – media very difficult to enter the system; the council lacks participation from newer digital and social media platforms. Large media organizations dominate decision-making, limiting representation from smaller publishers and independent journalists.

Some major newspapers are underrepresented, affecting the council's credibility. Legal advice for laws pertaining to media is often ignored. The council is not sufficiently committed to the profession in public, for example towards politicians. Further, the council was said to be too slow, too inactive and too conservative (there is now a breath of fresh air).

The complaints procedure has been criticised as unknown and ineffective, and seen by some as 'amateurish'.[12]

Substantive participants

- **Caregari, Luc** *Journalist at Reporter.lu, vice president of the Luxembourg Association of Professional Journalists and member of the council*
- **Damiani, Didier** *Advisor at the council*
- **Hamus, Eric** *Editor-in-chief at Revue - de Magazin fir Lëtzebuerg*
- **Lukasik, Stéphanie** *Elected expert at the Council of Europe on online safety and the empowerment of content creators, doctor in Information and Communication Sciences, researcher in Media studies and coordinator Medialux project at The Faculty of Humanities, Education and Social Sciences | Department of Humanities at the University of Luxembourg*
- **Machuron, Charles-Louis** *Media entrepreneur, founder and CEO Silicon Luxembourg*
- **Maffei, Maurizio** *Free Press & Fair Competition Missionary in Luxembourg, Managing Partner at Luxe Taste & Style, president of ALEMI (Luxembourg Association of Independent Media Publishers)*
- **Peckels, Paul** *Chief Executive Officer at Mediahuis Luxembourg, president of ALMI (Luxembourg Association of News Media), vice president of the council*
- **Thompson, Geoff** *Editor-in-chief The Luxembourg Chronicle*

1 See chapter VII. of **the law** article 23.1: *"A Press Council with legal personality is hereby established. The Press Council is responsible for granting and withdrawing the journalist's card referred to in article 31."*

2 The council is fully funded by the government, which is considered the most independent and objective way in Luxembourg.

3 The complaints committee is headed by a former judge and further composed equally of journalists and editors.

4 The decision may include a recommendation for publication, according to the terms defined by the complaints commission (art. 35 of the law). There are no strict instructions on the form of such publication.

5 The training is mandatory for new journalists to obtain a press card. There are no journalism schools in Luxembourg.

6 See article 4.2 of the **Law of 30 July 2021 relating to an aid scheme for professional journalism**. To be eligible for the grant, the publisher must, inter alia, meet the requirement that it has an editorial team consisting of a number of professional journalists equivalent to at least five full-time jobs and hired under permanent employment contracts.

7 For example clear separation between journalistic articles and potential commercial or advertising content. See also the **Coordinated text of 30 April 2010 of the law of 8 June 2004 on freedom of expression in the media**, which includes very strict advertising provisions.

8 The process to obtain a press card is described at the council's website.

9 This number is in line with the requirement of the state subsidy. The procedure allows for publishers of various sizes and media to be represented in the governing bodies of the council (**see the member list of ALMI**), and, through ALMI, participate in the representation of Luxembourg in the World Association of News Publishers.

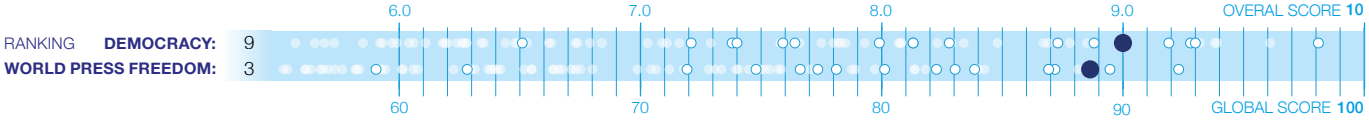
10 See in this respect the respond of the Luxembourg Association of Independent Media Publishers (ALEMI), of March 6th 2025: **Cartes de presse au Luxembourg: L'ALEMI évolue en PHARE et s'attaque au Conseil de Presse** (Press cards in Luxembourg: ALEMI evolves into PHARE and attacks the Press Council)

11 However, the aforementioned law provides for very specific procedures for counter-statements (see chapter VIII).

12 The council notes the following: *"It aims to represent the entire Luxembourg media landscape, with younger or smaller publishers (Reporter, Woxx, Journal, Land, Zeitung vum Lëtzebuerger Vollek) duly represented. The current president, Mrs Lynn Warken, is the CEO of Journal, an online publisher with 'only' 8 professional journalists. All in all, the publishers represented in the council employ 90% of all professional journalists in Luxembourg, excluding free-lancers. While ''major media organizations', i.e. publishers employing more than 40 journalists, are entitled to 2 representatives in the council, it needs further clarification on how that fact can lead to these comments and criticisms. The council is very open to comments and criticism, but this feedback has to be more precise or based on examples in order to allow analysis and, ultimately, reform."*

Netherlands

Raad voor de Journalistiek



MEDIA COUNCIL

Raad voor de Journalistiek, Netherlands Council for Journalism

ESTABLISHED IN

1960

LEGAL BASIS/RECOGNITION

no

FINANCIAL SUPPORT GOVERNMENT

no

MEDIA COVERAGE

press, broadcast, online, social media and bloggers/vloggers/ influencers etc.[1]

ACCESS FOR COMPLAINANTS

for those with a direct interest and organizations actively and objectively defending the interest at stake
Nb. no access possible in case of intended or already ongoing legal proceedings[2]

PUBLIC MEMBERS

yes

RULES FOR PUBLISHING DECISIONS

no[3]

OTHER TASKS/ACTIVITIES

Formulate and update its ethical guidelines, based on new decisions and insights; issue decisions on its own initiative in matters of general relevance or principle; and promote the development of journalistic professional ethics and public understanding thereof by providing information, engaging in debates and interviews, and using any other appropriate means.[4]

POPULATION

17,942,942 (2024)

Specific elements

The council explicitly functions as a second-line body; complainants are required to first contact the editor-in-chief to explore the possibility of reaching an amicable solution.[5]

The (vice) chair and the secretary may summarily dismiss a complaint if it is clearly inadmissible, falls outside the council's jurisdiction, was submitted too late, lacks direct interest, or is manifestly unfounded. Complainants have the right to appeal such decisions before the council.[6] These preliminary decisions are not published in full on the council's website, but have been anonymously summarised in the annual reports since 2021.

In principle, complaints are addressed in a public hearing by a council chamber consisting of five members (a vice-chair, two journalist members[7], one expert member[8], and one public member).

In the interest of transparency, media outlets' publications of council decisions are included on the council's website as appendices to the respective rulings.

The council does not consider complaints against a media outlet or journalist who – as a matter of principle – refuses to respond, unless the case is of general relevance or raises an issue of principle.[9]

Specific strenghts

The council has become more transparent, proactive, and accessible. It operates in a professional manner and handles every case with seriousness.

At the public hearings, parties are given the opportunity to share their stories, which is just as important as the final decision. The Guidelines have been updated several times in recent years, reflecting the council's responsiveness to changes in journalism and society.

Specific weakenesses/criticism

The council is kept too small by its participants; it should have more budget and use it, among other things, to work on publicity and awareness. Cooperation by media in the complaints procedure (including publishing of the council's decisions) is too non-committal. The council should have the authority to decide on complaints against media that choose not to cooperate.

The council's competence should be determined by the nature of the journalistic product, rather than the identity or status of the person who produced it. The council is given too marginal a position; it should 'claim' its role more, for instance by initiating debates for both the industry and the public. The complaint procedure is complicated and takes too long. Innovations, such as the introduction of the waiver, risk causing the council to miss out on high-profile cases, potentially reducing its visibility and impact.

The council should present itself more clearly as a body that evolves with the times – by, for instance, demonstrating awareness of emerging issues such as the ethical implications of AI in journalism.

Substantive participants

- **Boering, Lars** *Director European Journalism Centre (EJC)*
- **Broersma, Marcel** *Professor of Media and Journalism Studies at Rijksuniversiteit Groningen, former member of the council*
- **Groeneveld, Theo** *Retired judge, former vice-chair of the council*
- **Jensma, Folkert** *Journalist and lawyer, working at NRC Media from 1983 to the present (including as legal editor, correspondent and editor-in-chief), president of the Netherlands association of journalists, former chair of the Foundation of the council*
- **Khouw, Evy** *Founder and manager at Namens de Familie (part of Victim Support Netherland, assists victims and relatives in dealing with the media)*
- **Lange, Yasha** *Director of Corporate Communication of the University of Amsterdam, now also member of the council*
- **Ooijen, Jeanine R. van** *Communications consultant I Text & Final editing, former member of the council*
- **Rogmans, Dolf** *Manager Professional Development at NVJ (Netherlands association of journalists), former editor-in-chief Villamedia*
- **Smit, Margo** *Ombudsman for public broadcasters, president of ONO (Organization of News ombuds and Standards Editors)*

1 The council is competent to handle complaints concerning 'journalistic conduct'. According to article 4.1 of the **Statutes** 'journalistic conduct' means an act or omission by a journalist in the exercise of his profession or an act or omission in the context of journalistic work by someone - who is not a journalist - who regularly contributes to the editorial content of publicity media.

2 See article 2.2 of the **Regulations**: *"The council does not (further) deal with complaints that are also the subject of legal proceedings. By submitting a complaint to the council, the complainant accepts that it waives the right to also take legal action about the same publication(s) and/or journalistic conduct(s)."*

3 However in section D. of the council's Guidelines is stated: *"Editorial offices can be expected to respond generously to a council request to publish a decision in full or in summary form."*

4 The annual reports provide overviews of the activities undertaken.

5 See article 2a of the Regulations.

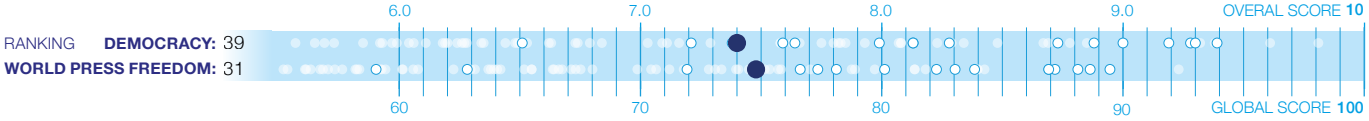
6 See article 4 of the Regulations.

7 Journalist members are partly nominated by the Association of Journalists and partly by the Association of Editors-in-Chief, as outlined in article 5 of the Statutes.

8 These members are, or have been, involved in journalism in various capacities, such as journalism educators or lawyers and managers working in media companies.

9 See article 9.7 of the Regulation.

Poland



At the start of my research, I had been informed that a media council – similar to those in the other countries included in this study – would also exist in Poland, but this turned out not to be the case.

Self-regulation of the Polish media has been discussed on several occasions in recent years. Among others a workshop held on 25-26 May 2023 in Budapest and the follow-up webinar on 28 June 2023. After these events is concluded that due to similar challenges to ethical journalism in the countries of Central, East and Southeast Europe, stakeholders will need to join forces to adapt established practices in order to build their own sustainable media self-regulation model applicable in the region.[1] At the moment, it seems unlikely that a council will be established in Poland in the near future.

For more information on media accountability in Poland, I refer to ***The Global Handbook of Media Accountability*** (edited by Susanne Fengler, Tobias Eberwein and Matthias Karmasin, Routledge, 2022), chapter 13 ***Poland: polarized model of media accountability*** (by Michal Glowacki and Michal Kuś).

POPULATION
36,620,970 (2024)

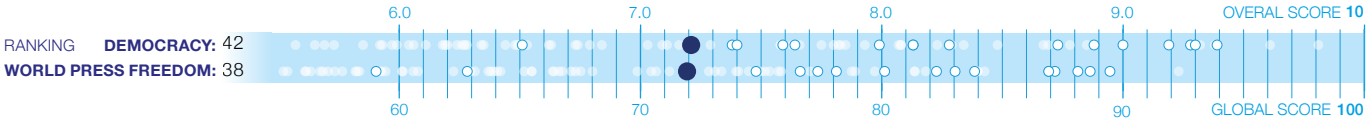
Substantive participants

- **Glowacki, Michal** *Associate Professor at University of Warsaw*
- **Jaszewski, Michał** *Legal expert Stowarzyszenia Dziennikarzy Polskich (Polish Journalists' Association)*

1 See: **The Central, East and Southeast Europe region requires its own self-regulatory model**

Slovakia

TR SR
TLAČOVO-DIGITÁLNA RADA SLOVENSKEJ REPUBLIKY



MEDIA COUNCIL

Tlačovo-digitálna rada Slovenskej republiky (TRSR)
Print and Digital Council of the Slovak Republic[1]

ESTABLISHED IN

2002

LEGAL BASIS/RECOGNITION

not yet[2]

FINANCIAL SUPPORT GOVERNMENT

no

MEDIA COVERAGE

press, broadcast[3], online, social media, bloggers/vloggers/influencers[4]

ACCESS FOR COMPLAINANTS

general right to complain

PUBLIC MEMBERS

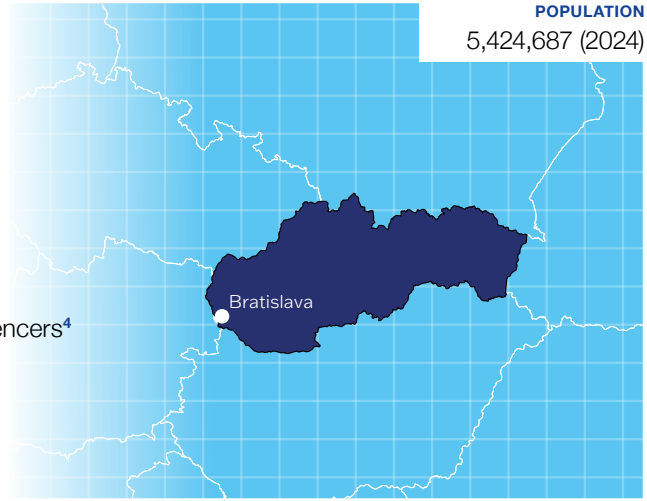
yes

RULES FOR PUBLISHING DECISIONS

yes, see § 10 of the Rules of Procedure[5]

OTHER TASKS/ACTIVITIES

The council can also act on its own initiative and addresses motions concerning restraining the journalists' access to information.



POPULATION
5,424,687 (2024)

Specific elements

The statute of the council contains a fairly extensive provision on the requirements of council members.[6]

The complaints procedure provides for three levels of uphold complaints: 1) warning (admonition), 2) concern (serious concern) and 3) reprimand.[7] The strength of institutions in general is difficult and responsible media are divided (independent vs owned by oligarchs), like in other Central European countries.

Specific strenghts

Wide acceptance in the media industry and devoted members. The council usually acts very professionally and evaluates suggestions very correctly, currently about the Code of Ethics, which is now an important element to distinguish serious media and the so-called alternative media.

Specific weakenesses/criticism:

Framework for better side of the media, while other media are a bigger problem. Abuse of decisions to legitimize criticism and bashing media; misuse of decisions in court. Only emeritus journalists (no active ones[8]) are members of the council.

Substantive participants

- **Balogova, Beata** *Editor-in-chief at SME daily*
- **Bárdy, Peter** *Chief editor and political commentator at Aktuality.sk*
- **Fila, Lukas** *Director of the N Press publishing house, co-author of the Code of Ethics for Journalists, board member Association of Press Publishers*
- **Kamenec, Tomáš** *Partner at Paul Q Law Firm | Litigation, Intellectual Property Advokacia, member of the council*
- **Pániková, Alena** *Chair of the council, former executive director of the Open Society Foundation in Slovakia*
- **Pauliakova, Eva** *Managing Director at the Slovak Print and Digital Media Association*
- **Valček, Adam** *Consultant and freelance investigative journalist (cooperating with News and Media Holding), lecturer at the Media Department of the Trnava University*

Supportive participant

- **Fulmek, Alexej** *CEO Petit Press*

1 Executive body of the Association for the Protection of Journalist Ethics (AONE).

2 The council is currently in the process of being officially registered by the Media Services Council, a government-established institution. The competence of that Council also includes issuing generally binding legislation, supervising compliance with obligations under the Media Services Act, monitoring and evaluating the activities of self-regulatory mechanisms and self-regulatory bodies that enforce these mechanisms, resolving disputes and handling complaints under the Media Services Act.

3 At the end of 2024, the scope of the council was extended: the Association of Radio Broadcasters and the Association of TV Broadcasters signed up to the Code of Ethics for Journalists and the Optional Protocol.

4 Only if they are registered or publish in the media which are the members of council.

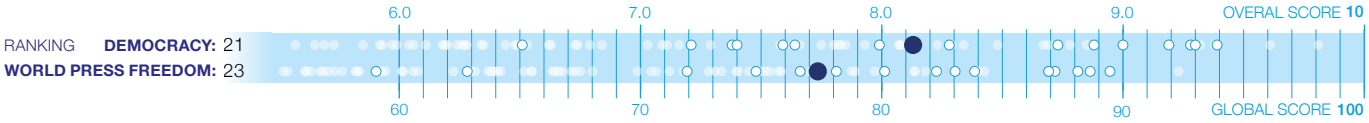
5 See § 10 of the **Rules** on Publication of the decision: "(1) The decision and any dissenting opinion shall be published by the TR SR on www.trsr.sk. (2) The respondent shall publish the decision of the TR SR in the next possible issue of its periodical after receipt of a written copy of the decision. (3) The TR SR may waive the obligation to publish if the protection of the complainant so requires."

6 See § 6 of the **Statute** on Composition of members. In section 1 is stated: *"A natural person who has reached the age of 25, is of good character, has full legal capacity and agrees with the principles of the Code of Ethics for Journalists may be appointed as a member of the TR SR. Anyone who has not been convicted of a deliberate criminal offence shall be deemed to be of good character."* Section 2 specifies which functions the membership is incompatible with, and section 3 stipulates that a member may not hold office in the bodies of a political party or political movement, speak on their behalf or act in their favour.

7 See § 8.6 of the **Rules of Procedure**.

8 This has a historical background: active journalists were perceived as biased and sometimes also with personal animosity. It is still relevant in Slovakia, being a small country with a small market; the risk of being biased is high, so it is better to avoid such situation.

Spain



MEDIA COUNCIL

Fundació Consell de la Informació de Catalunya[1]
Information Council of Catalonia

ESTABLISHED IN

1997

LEGAL BASIS/RECOGNITION

no

FINANCIAL SUPPORT GOVERNMENT

yes[2]

MEDIA COVERAGE

press, broadcast and online (all in Catalonia)[3]

ACCESS FOR COMPLAINANTS

general right to complain
Nb. no access in case of pending legal proceedings

PUBLIC MEMBERS

yes

RULES FOR PUBLISHING DECISIONS

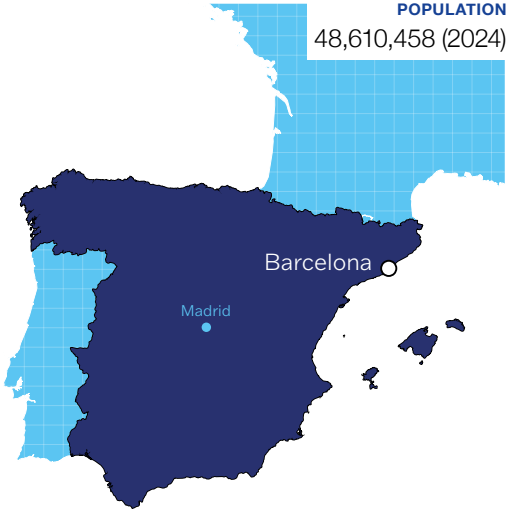
no

OTHER TASKS/ACTIVITIES

Defending professional ethics, organizing seminars and debates, providing training for journalists and disseminating the principles and values of journalism in the field of education. Further the council grants a unique seal to media that undertake to respect the Code of Ethics of the College and publish the resolutions of the council that affect them.

POPULATION

48,610,458 (2024)



Specific elements

Spain's dictatorship under Franco (1939–1975) deeply influenced the press and media system. When democracy was restored in the late 1970s and 1980s, Spain rapidly transitioned to a free press, but its history of censorship and political control left lasting effects, such as: 1) a highly partisan media landscape, where most newspapers and broadcasters are aligned with specific political parties, 2) weak traditions of journalistic independence and self-regulation and 3) a reluctance to establish a strong national press council, as many regions feared it would be controlled by the central government. Catalonia has been at the forefront of self-regulation efforts in Spain because of its linguistic and cultural identity, a desire for European standards (Catalan institutions seek to align with Western European norms) and a lack of trust in Madrid. A single national council is considered important to restore society's trust in the media, but it would have to be completely independent

of political parties, authoritative and credible. Given Spain's historical and political complexities, it is unlikely that such council will be formed in the near future.

Specific strenghts

The Catalan council has survived 28 years despite many financial problems. The council has been working on several projects to help the media to reflect on the coverage of controversial issues, such as immigration or the far right. The council's code is part of the curriculum at journalism schools; graduates commit to upholding the Code of Ethics upon completing their degree. The prestige of the members, with a sense of service and personal reputation.

Specific weakenesses/criticism

The power of the Catalan council is limited. A minority of journalists and media companies consider the council's resolutions a negative criticism to their professional work. They express their opposition to the council in media articles where they accuse the council's work of being a kind of press censorship, an institution that limits its freedom of expression and opinion. Social media maximize, multiply and extend this criticism of the council.

Further the Catalan council has a lack of financial resources. In general journalists and media outlets do not care so much about their accountability and citizens are not very aware of the importance of quality information.

Substantive participants

- **Muñoz Hernandez, Begoña** *Technical secretary of the council*
- **Rodrigo Godino, Eva** *Journalist at CGT-RTVA Canal Sur*
- **Rovirosa Olivé, Josep** *Secretary-general of the council*
- **Suau, Jaume** *Professor and Head of DIGILAB research group at Blanquerna - Universitat Ramon Llull*
- **Urbaneja, Fernando** *President of the Commission for Arbitration, Complaints, and Journalism Ethics of the Federation of Journalists' Associations of Spain (FAPE)*
- **Villegas, Juan Carlos Suárez** *Professor at the University of Seville, former president of the Ethics and Guarantees Commission of the Professional Association of Journalists of Andalusia (CPPA)*

Supportive participants

- **Pere Buhigas Cardó** *Director Ràdio 4-RTVE, professor at Universitat Internacional de Catalunya (UIC)*
- **Oliva, Llúcia** *Journalist, former chair and advisor of the council*

1 While gathering my information through interviews and questionnaires, only Catalonia had an independent council that is similar to the other organisations surveyed. Therefore the factual data presented below refer only to the council in Catalonia. To get an impression of the media situation in other parts of Spain, my research also involved interviewees outside Catalonia. The specific elements, strengths and weakenesses reflect the thoughts and information gathered from all interviewees.

Ps1. See **here** for more information about the Ethics and Guarantees Commission of the Professional Association of Journalists of Andalusia (CPPA).

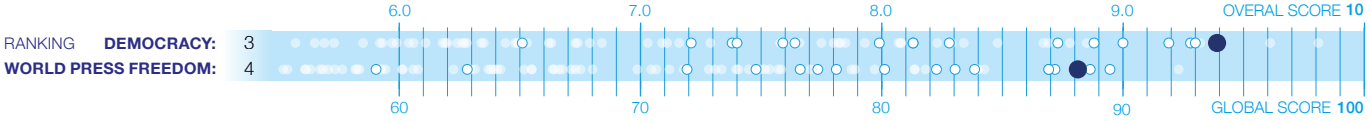
Ps2. See **here** fore more information about the Commission for Arbitration, Complaints, and Journalism Ethics of the Federation of Journalists' Associations of Spain (FAPE). Note: Checking factual information this spring, I was informed that the foundation of this commission has recently been expanded to include two publishing organisations: CLABE (Open Editors' Club) and ARI (Association of Information magazines). The presence of publishers in both the Foundation's board of trustees and in its funding is (very) minor.

2 For specific projects.

3 In general, the council takes no action with regard to social media and bloggers etc., but there are exceptions in cases where, for example, journalists use social networks as a channel for information.

Sweden

Medie-ombudsmannen



MEDIA COUNCIL

Allmänhetens Medieombudsman and Mediernas Etiknämnd[1]

Media Ombudsman (MO) and Media Council (MC)

ESTABLISHED IN

1916 (council) / 1969 (ombudsman)

LEGAL BASIS/RECOGNITION

no

FINANCIAL SUPPORT GOVERNMENT

no

MEDIA COVERAGE

press, broadcast[2], online, social media, bloggers/vloggers/influencers etc.[3]

ACCESS FOR COMPLAINANTS

for individuals that are directly involved and others with consent of the person involved; companies, government authorities and organizations can only file a complaint, if the redress is a right of reply or correction.

PUBLIC MEMBERS

yes (in MC)

RULES FOR PUBLISHING DECISIONS

yes, in the Riktlinjer för publicering[4]

OTHER TASKS/ACTIVITIES

The MO is also empowered to take up matters on his own initiative, provided that the person or persons concerned agree[5]. The MO also answers queries from the general public on matters of press ethics and is active in public debates.

POPULATION

10,551,707 (2024)

Specific elements

First, the MO examines whether the case can be settled by a correction or reply. If that fails, he takes the case further. The MO can only reject complaints in which case the complainant may appeal that decision to the MC[6]. If the MO finds that a publication is subject to criticism, the case will be submitted to the MC for review and decision.

In case a complaint is upheld, the medium must pay an administrative fine which partly finances the organisation. Besides, voluntarily affiliated media that repeatedly violate the ethical rules and practices may be excluded by the Media Ethics Management Organisation.[7] Only ap-

proximately five percent of the complaints lead to public criticism of the media by the MC.
Complaints should always be addressed to the responsible editor and relate to a publication. The MO/MC do not adjudicate a journalist's working methods; for complaints related to that, one can turn to the complaints committee of the union of journalists.

Specific strenghts

Long tradition, loyal and obedient media, high grade of legitimacy and based on voluntariness[8].

Specific weakenesses/criticism

Hard to bring in all new media; therefore a risk of being a system for old media and loose out on new media. Left wing media are protected by the system. Public members are part of the elite and not 'ordinary people'.
There was a problem in 2020 when the authorities suddenly said that governmental financial media support should only go to serious media outlets, meaning that they are part of the MO/MC-system. So the authorities forced a bunch of small right wing populist media into the system. They joined not because they wanted to be responsible, rather because they wanted governmental funding. The MO/MC protested and in the beginning of 2024 the government changed the formulations about MO/MC (the sentences that said being part of the MO/MC-system would be beneficial in the process of applying for governmental funding was removed), so this is no longer a serious problem.

Substantive participants

- **Carlén, Tove** *Legal advisor Journalistförbundet (Swedish Union of Journalists)*
- **Collste, Göran** *Emeritus Professor of Applied Ethics at Linköping University, member of the MC*
- **Gustafsson, Markus** *Co-founder, CEO and editor-in-chief at Omni*
- **Johansson, Bengt** *PhD, Professor at University of Gothenburg*
- **Krogh, Torbjörn von** *Researcher and writer, expert on the Swedish media system of self regulation, former editor-in-chief of Pressens Tidning, a publication of the Swedish Newspaper Publishers Association*
- **Lundqvist, Joakim** *Lawyer/Partner at Advokatbyrån Bratt Feinsilber Harling*
- **Opitz, Caspar** *Media Ombudsman*
- **Svanberg, Albert** *Chef SVT Programetik*
- **Wadsted, Monique** *Lawyer/Partner at Advokatfirman Wadsted, former member of the council*

1 Body of the Medieetikens Förvaltningsorgan (Media Ethics Management Organisation, MeFo). The MO is appointed by a special committee consisting of the Chief Parliamentary Ombudsman, the chairman of the Swedish Bar Association and the chairman of the National Press Club.

2 The MO and MC are only competent in cases against public broadcasters if it concerns privacy matters. For other complaints one can turn to the public broadcast commission.

3 Social media can be scrutinized if it is the media outlets official account. Bloggers etc. can be part of the system if they register a responsible publisher for the outlet (for example a website or a word press site).

4 The statement produced by the MC must be published promptly and in a prominent place (in the same place where the damage occurred). Furthermore, the guidelines contain specific provisions for headlines, among other things. Besides, the offending media should avoid arguing against the MC's decision and in any case never do so in connection with the publication of the MC's statement, in order not to jeopardise redress for the individual. (the guidelines are not available on the website)

5 The current MO and his predecessor never did so, because of the risk of being biased.

6 The MO-decisions are not public to protect the complainant who has felt harmed by a public while the MO rejected the complaint. However, in the annual report the MO gathers principal issues, for example cases that has been acquitted and not reached the MC. He doesn't reveal any details so the complainant could be identified, but important considerations are brought up.

7 See the **Regler för medier i processen hos MO** (Rules for media in the MO process).

8 This should also be considered in the light of the comprehensive Freedom of the Press Act (**Tryckfrihetsförordning**), which is part of the Constitution and provides very strong protection to the media. Therefore, it is very hard to win a court case.