



RWANDA JOURNALISTS AND MEDIA PRACTITIONERS' CODE OF ETHICS

Amended 5th April 2014

Kigali-Rwanda

FORWARD STATEMENT

Public enlightenment is the forerunner of justice, liberty, enjoyment of freedom and the foundation of democracy. It's also the software for sustainable peace, development, and security.

It's for this reason that press freedom is given a prominent position in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the African Charter on Human and Peoples' Rights as well as the Constitution of the Republic of Rwanda of 2003 as amended to date.

It's for the same reason that the duty of a journalist is primarily regarded as furthering the same ends by seeking and reporting the truth through providing a fair, accurate, objective, balanced and comprehensive account of events and issues.

Professional journalists from all media outlets and specialties strive to serve the public's right to know through thoroughness and honesty.

Underlying this approach is professional integrity which is the cornerstone of journalists' credibility and claim for special protection as provided for in international legal instruments as well as national laws.

In order for journalists and media houses to freely exercise their freedom and to deserve special protection, they have act professionally.

To ensure this, worldwide, journalists have historically adopted codes of professional standards and ethics that the fraternity abides by. In many countries, such codes act as the bible for professionals in this realm.

It's for this very reason and a belief in the role of a free and independent media that the media fraternity in Rwanda reflected on putting in place and agreed to abide by this code of ethics as the single document that guides all media professionals in the country.

Thus stated, this Code of Ethics is not intended as a set of legally enforceable "rules" but as a resource for ethical decision-making and the basis for the fraternity to hold itself accountable. It is voluntarily embraced by all Rwandan journalists and is intended to be widely used in newsrooms and classrooms as a guide for ethical behavior in the media.

Overall, this Journalist Code of Ethics could not have been realized without the participation and assistance from a number of individuals, Commissions, associations and development partners.

Although all cannot individually be thanked due to lack of space, we wish to extend our sincere appreciation to Rwanda Media Commission (RMC), the Association of Rwanda Women Journalists (ARFEM), the Association of Rwandan Journalists (ARJ) and Rwanda Editors Forum (REFO) without whose help this code could not have seen the light of day.

We are also indebted to Article 19 that funded the review and bringing this code up-to-date and in tune with media self-regulation framework; USAID and the (MCC) Millennium Challenge Corporation, Rwanda Media Strengthening Project implemented by IREX for their support in the original elaboration and printing of the Code and to Mr Nsabimana Innocent a veteran Burundian journalist whose ideas were important in putting together the original code here amended and brought in tune with media self-regulation.

Finally, we extend our thanks to Dr Christopher Kayumba, a consultant with MGC Consult International Ltd and Mr. Joseph Njuguna, the Director of School of Journalism and Communication, University of Rwanda for updating and editing the code to align it with the mandate of the Rwanda Media Commission (RMC).

Chairperson, RMC



Preamble

We, Rwandan Journalists,

Convinced that the free flow of information constitute the foundation of freedom, democracy and sustainable peace, development and security;

Drawing on the Universal Declaration of Human Rights (UDHR) ratified by the Government of Rwanda;

Considering that freedoms of speech, opinion, conscience and press are provided for and enshrined in the Constitution of the Republic of Rwanda of June 2003 as amended to date;

Aware of and appreciative of media's social, economic and political role in society;

Aware of the evolutionary nature of Rwandan Society and its media;

Alert to the expanded media space and operational framework in the country;

Recognizing the mandate placed upon the Rwanda Media Commission; an organ created for and by us, and for the benefit of journalism and media profession;

To safeguard the spirit of the Code and meticulously be guided by its provision in adjudicating and expeditiously discharging verdicts on any misgivings about media and journalists;

Reconsidering the code of ethics governing journalists, other media practitioners and the media in Rwanda of June 2011.

Have adopted this Code of Ethics and it spells out the obligations and rights of a journalist in Rwanda.

Further, the Rwanda Media Commission is hereby consensually recognized as the solely constituted media self-regulatory mechanism to interpret and implement this code on behalf of the fraternity. It shall provide impartial, expeditious and cost-effective arbitration to settle complaints based on and arising from the implementation of this Code by all accredited and/or card carrying journalists.

TITLE I: JOURNALISTS' OBLIGATIONS

In the exercise of their profession, information collection, processing, broadcasting and publication, journalists have the following obligations:

ARTICLE 1: Defense of universal values

A journalist shall defend the universal human values of peace, tolerance, democracy, human rights, social progress and national cohesion respectful of each citizen in accordance with the Universal Declaration of Human Rights.

ARTICLE 2: Honesty and search for truth

A journalist shall abhor lies. He/she have the obligation to respect facts and search for truth, keeping in mind the public's right to true information. In no way shall he/she suppress essential information or distort any kind of remarks, texts and documents.

He/she shall consider slander, abuse, libel, defamation and groundless accusations against individuals, groups of individuals, businesses, associations, organizations and nations as the most dangerous professional misconduct.

ARTICLE 3: Social responsibility

A journalist shall keep in mind his/her social responsibility.

He/she, therefore, distribute or publish only information for which He/she has established the origin, veracity and accuracy. They shall abstain or express necessary reservations in required professional forms for any doubt however slight it may be.

ARTICLE 4: Incitement to hatred

A journalist shall avoid broadcasting or publishing biased information inciting to racial, tribal, ethnic, religious hatred or hatred based on sex, age, social status, disability, any disease or health status of the people mentioned or anything likely to serve as a basis for stigmatization. The contrary will be justifiable only when

precision contributes to the search for truth, in public interest. He/she shall proscribe any form of discrimination.

ARTICLE 5: Rectification, right of reply and right to retort

Broadcasted or published false news and inaccurate information shall spontaneously be rectified. Individuals and organizations are entitled to the right of reply and the right to retort in the conditions provided for by the law.

Publications or broadcasts should make amends for publishing information or comment that is found to be inaccurate by printing or broadcasting, promptly and with appropriate prominence, a retraction, correction or explanation.

ARTICLE 6: Respect for private life and human dignity

A journalist shall respect human dignity and privacy. The broadcasting or publication of any information related to private life shall only be dictated by public interest.

A journalist should not open to ridicule the underdog including minors, the old, the bereaved and any other underprivileged person or communities.

ARTICLE 7: Violence and obscenities

A journalist shall avoid broadcasting or publishing news inciting violence or obscene news encouraging hostility or other illegal activities.

ARTICLE 8: Protection of minors and victims of rape

A journalist shall show sensitivity and exercise caution while handling information relating to rape victims and minors less of than 18 years of age.

He/She shall be careful not to identify the names of victims of rape whether minors or otherwise, take care not to publish their picture and photos or details likely to lead to their identification, except if this serves the child's interests.

He/She equally avoid identifying victims of rape unless the latter agree, are of age and received explanations on possible consequences of such information.

Publication of child pornography is prohibited. For purposes of this Code, "child pornography" shall mean: "Any image or any description of a person, real or simulated, who is or who is depicted or described as being, under the age of 18 years, engaged in sexual conduct; participating in or assisting another person to participate in sexual conduct; or showing or describing the body or parts of the body of the person in a manner or circumstances which, in context, amounts to sexual exploitation, or in a manner capable of being used for purposes of sexual exploitation."

ARTICLE 9: Professional honor and dignity

Unless it proves to be necessary, a journalist shall avoid using unfair methods to obtain information, photos or pictures.

He/she shall refuse any advantage, financial or in kind, from those who might wish to influence the coverage of an event and thereby endanger the professional integrity and honour of the journalist.

ARTICLE 10: Independence

A journalist shall withstand any external or internal pressure aiming at having him/her modify or distort information.

He/she shall receive editorial guidelines from only editorial staff officers, and is fully accountable for his/her writings or reports, in the conditions provided for by the media law.

ARTICLE 11: Sensational headlines and exaggeration of facts

A journalist shall refrain from using any sensational headline which is not proportional to the facts and content of the information broadcasted or published.

Headlines and captions to pictures shall give a reasonable reflection of the contents of the report or picture in question. Posters shall not mislead the public and shall give a reasonable reflection of the contents of the reports in question. Pictures shall not misrepresent or mislead nor be manipulated to do so.

ARTICLE 12: Professional confidentiality and protection of sources

A journalist has the obligation of professional secrecy.

While broadcasting or publishing information, he/she shall mention his/her sources. However, he/she have the obligation to protect those having requested for confidentiality. This protection becomes necessary if identification may be prejudicial to these sources.

ARTICLE 13: Separation of comments from facts

A journalist is free to make a stand on any issue. He/She have the obligation to separate comments from facts.

ARTICLE 14: Information balance

A journalist shall be mindful of balance in the broadcasting or publication of information in line with fundamental regulations.

ARTICLE 15: Plagiarism

A journalist shall refrain from plagiarism and, instead, strive to respect intellectual property. If the need arises, it is imperative that the source be mentioned even when it comes from one's colleagues.

ARTICLE 16: Incompatibility between the duties of journalist and those of the media relations officer

Duties of media relations officer, public relations officer, institutional spokesperson and other related duties are incompatible with the exercise of the journalism profession.

ARTICLE 17: Separation of information from advertisement

Information and advertisement shall be separated. The journalist do not sign in their names advertisement articles or read advertisement messages without mentioning that he/she is advertising.

ARTICLE 18: Presumption of Innocence

A journalist shall observe the principle of presumption of innocence for those suspected of punishable or criminal facts before the verdict from competent courts and tribunals is announced.

While handling any legal information, they shall avoid establishing any individuals' relationship with the suspect, or referring to his or her ethnic group, tribe, religion, sex, family or friends, unless their mention serves public interest.

If suspects' pictures or photos are broadcasted or published before their guilt is established, the journalist responsible for publishing those pictures has the obligation to follow up the lawsuit and broadcast or publish the verdict from competent courts and tribunals.

However, if suspects are less than 18 years of age, a journalist shall be careful not to broadcast or publish their pictures or photos.

ARTICLE 19: Solidarity

Journalists duly accredited undertake to defend and protect the interests of their profession in general, and in particular those of a colleague, being the subject of legal proceedings or administrative procedures resulting from his or her writings or media productions considered or established to be in conformity with this Code.

ARTICLE 20: Peer jurisdictions

Following the preceding article, journalists that have voluntarily accepted to confirm to this code shall also accept the jurisdiction of Rwanda Media Commission an independent organ comprising of their peers.

If Rwanda Media Commission finds that the media has infringed the code of conduct it has the power to oblige the offending media house to issue and publish an immediate correction and apology. Under extreme and deliberate breach of the code, Rwanda Media Commission has the power to impose fines or even exclude the media house from the media board.

A journalist shall make effort to know national legislation and regulation governing the press.

TITLE II: JOURNALISTS' RIGHTS

A journalist shall, in the exercise of his/her profession, claim for the following rights:

ARTICLE 21: Free access to sources

As provided for by the Access to Information Law, the journalist in the exercise of his/her profession, shall have access to all sources of information, and shall have the right to freely carry out investigation into the facts conditioning public life.

ARTICLE 22: Subordination refusal

A journalist has the right to refuse any subordination contrary to the press organ's editorial line.

ARTICLE 23: Conscience provision

Journalists, in the exercise of their profession, may invoke the conscience provision. They may refuse to write or read political comments and editorials in contradiction with the rules of professional ethics, or to censor articles, radio, television and electronic works, or any other mass broadcasting aid from their peers, on grounds other than professional ones.

The refusal shall not be ground of employment loss through firing and if this happens, peers shall show solidarity and strongly denounce the act.

ARTICLE 24: Journalist's protection

Considering the particularity of his/her profession, a journalist is, all over the national territory, entitled to the security of their person and working materials, his/her legal protection and the respect of their dignity, without any condition or restriction.

ARTICLE 25: Protection of sources

A journalist has the right to refuse to disclose His/her sources.

In no way shall journalists or media houses be subjected to threats owing to the refusal to disclose their sources.

ARTICLE 26: Consultation obligation

The editorial team shall compulsorily be informed about any important decision likely to have an impact on the life of the institution.

It shall at least be consulted, before final decision is made, about any measure of interest to the editorial team: recruitment, dismissal, transfer and promotion of a journalist.

ARTICLE 27: Contract and remuneration

In view of his/her duties and responsibilities, a journalist shall be entitled not only to collective conventions but also to an individual contract ensuring him/her material and moral security as well as a remuneration proportional to his/her social role, which guarantees his/her economic independence.

TITLE III: ENFORCEMENT OF THE CODE OF ETHICS

ARTICLE 28: Violations to the Code

Violations of this code of ethics will be examined and evaluated by an Ethical Committee of the Rwanda Media Commission (RMC), elected on the strength of their professional ability and integrity to adjudicate and discharge any matters or complaints arising from the Code.

ARTICLE 29: Sanctions

Journalists and media houses who will not respect this code of ethics will incur one or combination of the following sanctions, by order of the Ethics Committee: verbal warning, written warning, suspension, financial penalties and exclusion from media profession.

Exclusion from media profession can only be enforced with the approval of the General Assembly.

ARTICLE 30: Complaints on adherence to Code

Every citizen is entitled to require the Ethics Committee to examine the case of a transgression committed by a journalist or a media outlet in accordance with the code of conduct and a reasoned judgment to the complainant would be issued. Appeals to such judgments are also permissible.

ARTICLE 31: Right of reply

A journalist or media outlet accused of contravening this code of conduct must be heard by the Commission before any sanction is taken against them. Appeals to such decisions are permissible.

ARTICLE 32: Interpretation and implementation of Code

The present Code of Ethics will come into effect after it is approved by the General Assembly of journalists in a meeting convened for that very purpose.

ARTICLE 33: Amendments

Any amendment to this code can only be made during a General Assembly of journalists after it has been prior proposed and presented to the Chair of the Commission before the Assembly takes place.

ARTICLE 34: Repealing provision

The code of ethics governing journalists, other media practitioners and the media in Rwanda of June 2011 and any other previous provisions of a code of ethics contrary to this are hereby abrogated.