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# Reporting about the Past

RECOMMENDATIONS OF KAS MEDIA PROGRAM SOUTH EAST EUROPE AND "ARTICLE 10 ECHR TASK FORCE" (VIADRINA EUROPEAN UNIVERSITY, FRANKFURT/ODER)

**During political system change and for coming to terms with conflicts, media are the most important mediators. They should help with making the past more transparent, in order to support the transition to democracy. Experts of the Konrad Adenauer Foundation and the international "Article 10 ECHR Task Force" met in Tirana in October 2015 and made the following ten recommendations.**

**Access to Secret Service Files:** Legal regulations should be implemented, in order to guarantee the access to secret service files of former dictatorships for media and citizens.

**Check of Authenticity:** Before reporting, media representatives need to thoroughly check the authenticity and the sources of secret service files. The origin of information needs to be communicated to the audience.

**Monitoring by ECHR:** The European Court of Human Rights (ECHR) positively influences Civil Rights protection. In many cases the Court ruled in favour of disclosure of secret service files for journalists and scientists.

**Separation of Media and Politics:** Prohibiting media ownership for high-ranking politicians cannot just lead to a more independent media landscape; it makes it also more difficult for politicians with a dark history to create a far too positive picture of the past.

**Criminal Liability for Hate Speech:** Especially in countries with ethnic tensions, a clear definition of the term 'hate speech' in the criminal law is needed. Media have to

make contributions to overcome prejudices which are the result of war and its aftermath. If hate speech is punishable, this will positively influence the language of the media (e.g. in successor states of former Yugoslavia).

**Advocacy against Discrimination:** In the context of ethnic tension, journalists, media managers and associations should publically stand up against hate speech and for inter-ethnic understanding. Reports about wars and their consequences need to be fact-oriented and well-balanced.

**Education in Law and Ethics:** Press councils, associations and NGOs should offer trainings in media law and media ethics, in which journalists can learn the most topical professional standards. In this way media are aware of their social responsibility.

**Incentives against Sensational Journalism:** Sensational journalism is inappropriate in the context of dealing with the past, especially concerning judgment of individual misbehaviour. Good examples of professional reporting in this area should be honoured publicly, e.g. with media awards.

**Respect to the Presumption of Innocence:** The presumption of innocence also applies to cases of war crimes and dictatorships. It has to be specified, if an accused person is a suspect, on trial or convicted.

**Protection of Witnesses:** Journalists should guarantee that witnesses and informants remain anonymous and are not endangered. Family members of accused persons should not be put under pressure.