



REPUBLIC OF ALBANIA

AUDIOVISUAL MEDIA AUTHORITY

AUDIOVISUAL MEDIA BROADCASTING CODE

**(as approved by AMA Decision No. 60, dated
10.07.2023)**



REPUBLIC OF ALBANIA

AUDIOVISUAL MEDIA AUTHORITY

INTRODUCTION

The Broadcasting Code shall contain and stipulate the principles, rules, requirements and practices of audio and audiovisual broadcasting in the Republic of Albania. The Broadcasting Code was drafted pursuant to Law No. 97/2013, "On audio-visual media in the Republic of Albania", as amended. The structure and content of the Broadcasting Code are based on the fundamental principles of audio and audiovisual broadcasting activity, modern professional standards, moral and ethical norms and requirements, as well as the current practices of audio and audiovisual activity in the Republic of Albania.

The Broadcasting Code shall consider the significant role of audiovisual media service providers (AMSP), as independent means of information and media platforms of public, political and social developments with an informative, cultural, entertaining and educational function, as well as the role and function of AMA, known as a regulatory authority in the field of audio and audiovisual broadcasts.

The Broadcasting Code shall apply to all public, private, commercial or non-commercial AMSPs, regardless of capital ownership form, activity purpose, or distribution method, including terrestrial, satellite, cable, Internet TV, or in any other form. This shall apply to national, regional, local, and cross-border broadcasters.

The Broadcasting Code aims to ensure the independence and impartiality of AMSPs' activities, encouraging them to become cautiously aware of their responsibility regarding broadcast content, in accordance with fundamental human rights and freedoms, freedom of expression and information, children's rights and best interests, privacy rights, personal data protection, and source confidentiality. The Code shall prohibit broadcasts that incite or justify violence and emphasize respect for dignity, gender equality, pluralism, and impartiality of information.

The initiative of the Audiovisual Media Authority, which is responsible for drafting and revising the Broadcasting Code, is based on the provisions of Article 46 of Law No. 97/2013 "On audiovisual media in the Republic of Albania", as amended. The previous version of the Broadcasting Code was approved by AMA Decision No. 228, dated 11.12.2017. During this 5-year period in the field of audio and audiovisual broadcasts, the digitalization process was completed several legal changes were approved, and some issues regarding the standard of respect for human rights were identified. These developments highlighted the need to address these issues in the Broadcasting Code.

The revision of the Broadcasting Code was driven by the necessity to incorporate new standards set by European institutions for audiovisual media in the context of evolving technology. It also considered standards outlined in Albanian legislation, recommendations from international institutions, rulings from the European Court of Human Rights, and practical challenges that needed addressing.

The legal basis for revising the Broadcasting Code has been broadened and enhanced to include mandatory international agreements ratified by Albania, along with recommended legislation in the field. This includes Directive 2010/13 of the European Union and the European Parliament on "Audiovisual Media Services", as amended by Directive 2018/1808. Additionally, the revision incorporates best practices for addressing challenges in audio and audiovisual broadcasts.



REPUBLIC OF ALBANIA

AUDIOVISUAL MEDIA AUTHORITY

Basically, the Broadcasting Code shall encompass the basic principles of broadcasting and regulate all aspects of audio and audiovisual activities, covering their diverse and extensive range. The Broadcasting Code shall be organized into sections that outline principles and rules for various aspects of audio and audiovisual content. These include guidelines for informative programs, protections for children across all program types, measures against gender discrimination and sexism, prevention of hate speech, safeguards for the rights of persons with disabilities, regulations for commercial communications, and standards for respecting dignity, privacy, and personal data protection, etc.

Throughout the revision process, the Broadcasting Code was enhanced with fresh principles and regulations aimed at promoting gender equality, preventing gender discrimination, and combating sexism within audiovisual media. Additionally, it addresses the prevention of hate speech, the promotion of radicalism and violent extremism, and provides improved protection of human rights and freedoms, irrespective of social status or position. Furthermore, it focuses on ensuring access to audiovisual media and safeguarding the rights of individuals with disabilities. The section focusing on children was revised in order to update the Code with the most rigorous child protection standards, but also to address the protection of the best interest of the child in all forms of broadcasting.

The Draft Broadcasting Code underwent public consultation from June 2022 to March 2023, involving participants from all regions of the country such as representatives from AMSPs, civil society organizations, central and local institutions, as well as local and international partners. During this period, the document was published on the official website of the AMA and distributed via email to AMSPs, institutions responsible for safeguarding the freedoms and rights of all social groups targeted by audio and audiovisual broadcasts. The Council of Europe and the Organization for Security and Cooperation in Europe, with their presence in Tirana, closely monitored the entire process and played a crucial role in facilitating the provision of expert opinions from Council of Europe on the Draft Code between January and May 2023. The final document shall incorporate the expert's remarks.

The principles and rules of the Broadcasting Code shall apply in compliance with the Codes of Conduct, which are drawn up by AMSPs. Upon the entry into force of this Code, each AMSP shall revise their Codes of Conduct on advertising, food, and beverages. The expertise of AMA, the Council of Complaints, local organizations in this field, independent experts from higher education institutions with communication departments, and consultation with national and international organizations and institutions, shall contribute to media professionals' correct understanding and application of the Broadcasting Code.

The rules of the Broadcasting Code should be understood and applied by AMSPs within the context of the entire Code, as they are interconnected and detailed in the relevant regulations. Despite its expansion and detailed specifications, the Code does not attempt to predict or exhaustively clarify all possible cases or situations. However, the principles outlined in the Code's sections provide AMSPs and audiovisual market professionals with sufficient guidance to evaluate and respond case by case in accordance with the obligations defined by Law No. 97/2013, "On audiovisual media in the Republic of Albania", as amended and the Broadcasting Code.

LEGAL BASIS

The Broadcasting Code, drafted and approved by AMA, according to the obligation provided for in Article 46 of Law No. 97/2013, "On audiovisual media in the Republic of Albania" as amended, shall establish the rules, standards and broadcasting practices in accordance with the applicable provisions of the legal and by-laws in the Republic of Albania:

- The Constitution of the Republic of Albania, as amended;
- Law No. 7895, dated 27.1.1995 "Criminal Code of the Republic of Albania", as amended;
- Law No. 44/2015 "Code of Administrative Procedures"
- Law No. 37/2017 "Code of Criminal Justice for Children";
- Law No. 97/2013 "On audiovisual media in the Republic of Albania", as amended;
- Law No. 18/2017 "On the rights and protection of the children";
- Law No. 9887, dated 10.03.2008 "On the protection of personal data", as amended;
- Law No. 8096, dated 21.03.1996 "On cinematography", as amended;
- Law No. 10221, dated 04.02.2010 "On protection from discrimination", as amended;
- Law No. 9970, dated 27.7.2008 "On gender equality in the Republic of Albania", as amended
- Law No. 93/2014 "On the inclusion and accessibility of persons with disabilities"
- Law No. 8528, dated 23.9.1999 "On the promotion and protection of breastfeeding"
- Law No. 9518, dated 18.4.2006 "On the protection of children from alcohol use", as amended
- Law No. 9636, dated 6.11.2006 on the protection of health from tobacco products, as amended;
- Law No. 155/2015 "On gambling in the Republic of Albania", as amended;
- Law No. 9902, dated 17.4.2008 "On consumer protection", as amended;
- Law No. 35/2016 "On copyright and other related rights".
- Law No. 79/2017 "On sports", as amended

2. The Broadcasting Code has been drafted based on the requirements related to audiovisual activity in the European Union, as outlined in Directive 2010/13 of the EU, and amended by Directive (EU) 2018/1808 (Directive on Audiovisual Media Services).

3. The Broadcasting Code was drafted in accordance with international acts for the protection and respect of human rights, including:

- EU Charter of Fundamental Rights;
 - European Convention on Human Rights and Fundamental Freedoms, (of 1998), Article 8, Article 9, Article 10, Article 14 and Protocol 12 thereof;
 - UN Convention "On the Protection of the Children Rights" (1989);
 - Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention);
 - The Council of Europe Convention on Cybercrime and its Additional Protocol
 - United Nations Convention on the Elimination of All Forms of Racial Discrimination;
 - Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention);
 - United Nations Convention on the Rights of Persons with Disabilities;
4. The Broadcasting Code has been drafted considering, as far as possible, international recommendations in the field, including:
- Recommendation CM/Rec (2022)16 of the Committee of Ministers of member States on combating hate speech;
 - GREVIO's General Recommendation (2021) "On the digital dimension of violence against women;
 - Recommendation (2019)1 of the Committee of Ministers to member States of the Council of Europe CM/Rec (2019) on preventing and combating sexism;
 - Recommendation Rec (2007)17 of the Committee of Ministers of member states on gender equality standards and mechanisms;
 - Recommendation Rec (2017)9 of the Committee of Ministers of member States on gender equality in the audiovisual media sector.
 - ECRIT General Policy Recommendation (2015) 15 "On combating hate speech";
 - Recommendation 165(2004) of the Committee of Ministers of the Council of Europe "On the right of reply in the new media environment;
 - Recommendation R (90) 4 of the Committee of Ministers of the member states on eliminating sexism from the language.

National strategies and plans

- National Strategy on Gender Equality 2021-2030;

- National Action Plan for persons with disabilities (2021-2025);
- National Agenda on Children's Rights (2021-2026);
- National Action Plan for LGBTI persons (2021-2027);
- Cross-cutting Juvenile Justice Strategy and its Action Plan 2022-2026.

DEFINITIONS

The following terms have the following meanings in the Broadcasting Code:

1. "Gender equality" shall mean the equal participation of women and men across all facets of society, ensuring equality in their positions, opportunities, rights, and responsibilities so both genders have equal access to and benefit from the progress and achievements of societal development.
2. "Denigration" shall mean the attack on the capacity, character or reputation of one or more persons in connection with their membership of a particular group of persons.
3. "Discrimination" shall mean any different treatment based on grounds such as "race", colour, language, religion, national or ethnic origin as well as parentage, creed, sex, gender, gender identity, sexual orientation, status or other characteristics, that have no objective and reasonable justification.
4. "Disability discrimination" shall mean any distinction, exclusion or limitation on account of disability which has the purpose or effect of preventing or denying the recognition, enjoyment or exercise, like everyone else, of all basic human rights and freedoms in the political, economic, social, cultural, civil and any other fields. This definition shall include all forms of discrimination, including denial of reasonable accommodation.
5. "Sex discrimination" refers to any differentiation, exclusion, or restriction based on sex that aims to or results in the hindrance, denial, or unequal exercise of human rights and freedoms guaranteed by the Constitution and laws. This applies equally to both sexes across political, economic, social, cultural, and civil domains.
6. "Gender-based violence" is violence against a person because of their gender and the expectations of their role in society or culture.
7. "Violence against women" is any act of gender-based violence that leads or is likely to lead to psychological, sexual or physical suffering or harm to women, including threats of such acts, intimidation or unreasonable denial of liberty, or in public or private life.
8. "Child" is any person under the age of 18.
9. "Hate speech" is any type of expression that incites, promotes, spreads or justifies violence, hatred or

discrimination against a person or group of persons, or that denigrates them, because of their real or attributed personal characteristics or status, based on: race, colour, language, faith, nationality, national or ethnic origin, social affiliation, age, disability, gender, gender identity, sexual orientation as well as any other form of discrimination according to the applicable legislation on protection against discrimination. Hate speech encompasses various forms of expression including written or spoken words, as well as visual representations such as pictures, images, signs, symbols, music, stage performances, or videos.

10. "Gender identity" is the way a person feels and expresses their gender through clothing, behaviour and personal appearance.
11. "Best interest of the child" is the right of the child to have a healthy physical, mental, moral, spiritual and social development as well as to enjoy a family and social life suitable for him.
12. "Public interest" includes, but is not limited to:
 - a) disclosing or exposing criminal offence or serious injustice;
 - b) matters of urgent and immediate public health and safety concern;
 - c) identifying, preventing and publishing serious crimes, scandals and abuses of power;
 - d) protecting the public from the risk of serious misconduct/manipulation;
 - e) preventing the public from being deceived by the action or statement of an individual or organization;
 - f) guaranteeing access to information that facilitates the creation of citizens' opinion on political, economic and social issues.
13. "Council of Complaints" is the regulatory body responsible for supervising compliance with the Broadcasting Code, according to the provisions of Article 20 of Law No. 97/2013 "On audio-visual media in the Republic of Albania", as amended.
14. "Vision Impairment and Hearing Loss Community" is the community with partial or total lack of vision or hearing, whose ability to perceive audio or audiovisual signals is limited to the extent that makes impossible the enjoyment of the right information.
15. "Audiovisual commercial communication" means the audio message or the audio/non-audio image which are designed to promote, directly or indirectly, the goods, services or image of a natural or legal entity pursuing an economic activity. Such public announcements accompany or are included in a programme in return for payment or for similar consideration or for self-promotional purposes. Forms of audiovisual commercial communication include:
 - a) advertising in audiovisual services;
 - b) sponsoring;
 - c) direct sales;
 - ç) teleshopping windows;
 - d) product placement in programs.

16. "Pornography" is the explicit depiction of sexual organs or sexual relations, without any special justification related to the program or for artistic purposes.
17. "Sexual Content" is content not suitable for minors under the age of 18, including but not limited to:
- a) representations of serious violence and serious consequences of violence and/or clear description of scenes of sexual violence;
 - b) detailed descriptions of sexual activities in the content, the main purpose of which is not to increase the sexual stimulation of the audience;
 - c) Content, the main purpose of which is to increase the sexual stimulation of the audience and which shows nudity in seductive, provocative sexual positions, without clearly portraying the sexual organs during sexual intercourse;
 - d) Content in which harsh insults and/or vulgar expressions are often used.
18. "Content harmful to children" is any picture, image or material that may harm the physical, mental or moral development of children through audio, audiovisual and Internet media services.
19. "Editorial responsibility" means the exercise of effective control both over the selection on programmes and over their organisation
- in a list and schedule, in the case of live audio and audiovisual services
 - in a catalogue, in the case of on-demand audiovisual services
20. "Radio Program" shall mean the entirety of audio messages that make an individual element within a list or catalogue created by the service provider, the form and content of which are comparable to the form and content of radio broadcasting.
21. A program shall mean a sequence of moving images, with or without accompanying sound, that serves as a distinct item within a catalogue or list curated by a service provider. This content mirrors the format and nature of broadcast television offerings and includes various genres such as studio and field debates, feature films, documentaries, cartoons of varying lengths, sporting events, reality shows, theatrical productions, musical performances, puppet shows, music videos, variety shows, children's programming, and original dramas.
22. "Radicalization" shall mean the process of internalizing extreme political, religious or social approaches, which contradict the values of a democratic society.
23. "Racism" shall mean the belief that characteristics such as "race", colour, language, religion, nationality, ethnic, or national origin justify contempt for a person or group, and/or the belief in the superiority of one person or group over others.
24. "Advertising" shall mean any form of announcement broadcast whether in return for payment or for similar consideration by a public or private undertaking or by a natural person for self-promotional purposes in connection with a trade, business, craft or profession in order to promote the supply of goods or services, including immovable property, rights and obligations, in return for payment.

25. Gender-based discrimination encompasses any act, whether through action, gesture, visual representation, written or verbal communication in audiovisual media, practice, or behaviour. It is rooted in the belief that an individual or a group is inferior due to their gender, and it occurs both in public and private spheres, online or offline. The primary aim is to infringe upon human dignity, fundamental rights, and freedoms, leading to physical, sexual, psychological, social, or economic harm or suffering. This discrimination can target Albanian citizens, foreigners, or stateless individuals, fostering an environment that induces fear, hostility, degradation, insult, or humiliation. Furthermore, it contributes to the creation or reinforcement of gender stereotypes.
26. "Stigma" shall mean associating a group of people in a negative way.
27. "Gender stereotype" shall mean the prejudice, according to which women and men are arbitrarily assigned characteristics and roles limited by gender.
28. "Announcement" shall include words and publications in any form, including those through electronic media, as well as their dissemination and storage. "Announcement" shall also include the use of conduct - such as gestures - to communicate an idea, message or thought or other forms such as pictures, images, signs, symbols, music, stage work or video.
29. "Audiovisual media service provider (AMSP)" shall mean a natural or legal entity that has the editorial responsibility for the choice of the content of broadcasting services and that decides how to organize it.
30. "Audiovisual media service" shall mean a service under the editorial responsibility of a media service operator, whose main goal is to provide informational, entertaining or educative programmes, to the wide public through electronic communications networks. One audiovisual media service is a television broadcast or an on-demand audiovisual media service and/or an audiovisual commercial communication, as defined by the applicable legislation for audiovisual media.
31. "Principle of justice" is the AMSPs' guarantee of avoiding injustices and unfair treatment of individuals, communities and organizations in audio and audiovisual broadcasts.

Other definitions in the Broadcasting Code shall have the same meaning as in Law No. 97/2013 ,“On audio-visual media in the Republic of Albania”, as amended.

SECTION 1

FUNDAMENTAL PRINCIPLES

The fundamental principles that form the basis of the development of audio and audiovisual activity, which relies on guaranteeing the freedom and pluralism of audio and audiovisual means of communication, are as follows:

- 1.1 Audiovisual media service operators, during the development of their activity, shall respect, guarantee and promote human freedoms and rights, freedom of expression, the right to information, the principle of non-discrimination and the protection of personal data.
- 1.2 The activity of audio and audiovisual broadcasts shall respects the constitutional order, sovereignty and national integrity.
- 1.3 The activity of audio and audiovisual broadcasting is conducted freely and impartially, respecting the right to information, political and religious beliefs, personal dignity, societal moral and ethical standards, as well as professional ethical requirements. Audiovisual media service operators shall be open to ideas, opinions, trends and different political, social, cultural and religious directions.
- 1.4 The activity of audio and audiovisual broadcasts shall respect, protect and promote the children rights, their well-being, health, harmonious moral and physical development. The principle of the children best interest of must be paramount in any decision-making about programming, broadcasting, informing them and information about them.
- 1.5 Audio and audiovisual broadcasts containing elements of pornography or extreme violence must be subject to special rules of a control system, such as conditional access or encrypted programs.
- 1.6 Audio and audiovisual broadcasts must avoid using expressions that contain hate speech, denigration, or stigmatization against any person or group. They must not use language that promotes, incites, or justifies violence, whether general or gender-based, nor language that fosters radicalism, extremism, terrorism, or incites hatred and conflict based on nationality, ethnicity, religious belief, gender, gender identity, or sexual orientation. In audio and audiovisual broadcasts, all necessary measures must be taken to prohibit, counteract, oppose and reject any such expression.
- 1.7 Audio and audiovisual broadcasting activities uphold and advance the rights and freedoms of individuals with disabilities, particularly those with hearing and visual impairments, to access, acquire, and disseminate information and ideas through accessible communication forms and technologies suitable for various disabilities. This should be provided in a timely manner, without additional costs, and progressively moving towards a state where these rights are enjoyed on equal terms with other members of society.
- 1.8 The activity of audio-visual broadcasting ensures objective and impartial information of the public, presenting accurately facts and events, and also by respecting the free formation of the opinion.

- 1.9 AMSPs must refrain from intentionally manipulating or misleading their audience through the misuse or misinterpretation of statements made in specific contexts.
- 1.10 Broadcasting rights, copyright, and related rights shall be observed in both audio and audiovisual broadcasts.
- 1.11 The standard Albanian language shall be observed in any type of audio and audiovisual broadcasts.
- 1.12 Audio and audiovisual broadcasts shall observe privacy, personal data and guarantee the right of reply.
- 1.13 Audio and audiovisual broadcasts provide a variety of content and information, respecting the freedom of competition and exploiting the potential of technological development.
- 1.14 The activity of audio and audiovisual broadcasts shall ensure every citizen's right to receive audio and/or audiovisual broadcast services provided by operators of audio and audiovisual services operating within the territory of the Republic of Albania.
- 1.15 AMSPs shall observe good neighbourliness among populations. Audio and audiovisual broadcasts shall preserve, develop and promote cultural diversity, especially the culture, identity, traditions, cultural, artistic and environmental heritage of national minorities, at the national and local level.
- 1.16 Audio and audiovisual broadcasts shall promote the culture of tolerance, dialogue and non-discrimination, reinforce positive messages, mutual respect, understanding and cooperation without distinction on the basis of ethnic, cultural, linguistic or religious identity.

SECTION 2

RIGHT TO PRIVACY AND PROTECTION OF PERSONAL DATA

- 2.1 AMSPs shall respect the private and family life, home, health and correspondence of each person.
- 2.2 AMSPs shall respect the right of every person to protect their personal data during their processing for journalistic, literary or artistic purposes.
- 2.3 Sharing information with the public, including photographs or images from a person's private life without their consent, is acceptable only if the public interest outweighs their right to privacy and/or the protection of personal data.
- 2.4 The processing and publishing of a person's personal data must be related to the purpose for which it is processed and published and not exceed it throughout the coverage of the matter.
- 2.5 When broadcasting, the journalist shall ensure that the information is accurate, presented fairly and objectively, especially when it involves revealing aspects of a person's private life or personal data.

- 2.6 Involvement in public life shall not exempt a person from the right to privacy, unless private circumstances affect his performance or adaptation to the public roles he holds or seeks.
- 2.7 The direct or incidental identification of a business or person during the coverage of an event shall be justified only in the public interest. When documenting the news facts, which take place in public places, the focus on the person/s or his/her details shall be avoided, if the publication of these images is not related to or exceeds the purpose of the news and/or the deontology of the the journalist profession.
- 2.8 Except in cases of high public interest, AMSPs shall not publish images or photographs of the detainee, without his prior consent.
- 2.9 AMSPs shall not publish the identity of the person who lost their life or was involved in the accident, unless it is confirmed in advance that the family members are informed and aware of the case or when the victim identity is crucial for the investigation. Exceptional cases shall be dictated only by the public interest.
- 2.10 AMSPs shall respect the person's right to privacy when reporting on vulnerable groups or on cases of illness, disaster or tragedy. The journalist shall avoid any form of harassment, free interference, speculation and unreasonable exposure, which may escalate the pain and discomfort of the person(s) involved.
- 2.11 AMSPs shall respect the principle of presumption of innocence, until the person shall be sentenced by a final decision. This shall not prevent AMSPs from reporting professionally by respecting the principle of presumption of innocence on matters of public interest. "Public interest" includes, but is not limited to:
 - g) disclosing or exposing criminal offence or serious injustice;
 - h) matters of urgent and immediate public health and safety concern;
 - i) identifying, preventing and publishing serious crimes, scandals and abuses of power;
 - j) protecting the public from the risk of serious misconduct/manipulation;
 - k) preventing the public from being deceived by the action or statement of an individual or organization;
 - l) guaranteeing access to information that facilitates the creation of citizens' opinion on political, economic and social issues.
- 2.12. AMSPs observe the right to privacy when providing data and information related to the suspected or accused person as well as for other subjects related to him in the court proceeding.
- 2.13 AMSPs shall, while reporting a crime, avoid identifying the relatives or acquaintances of the accused or convicted person without their prior consent, unless this contributes to clarifying the case.
- 2.14 AMSPs shall not disclose the witnesses' identity, except in cases where the latter have previously given their consent, when the identification of witnesses is of public interest, or when the testimony

has previously been made public. AMSPs shall not reveal the identity of the witness, when it poses a risk to his life or safety.

- 2.15 Journalists report on persons being subject to imprisonment, without hindering the proper functioning of the justice system, while respecting the rights of convicts, the privacy of prison staff, and the security of the institution serving the sentence.
- 2.16 AMSPs shall be deliberate in publishing images that document the actions of detaining or arresting a person, in order not to violate his dignity. Images and photos may be lawfully used and disseminated only to provide the essence of information about the news being broadcast using the necessary masking technique.
- 2.17 AMSPs shall be deliberate in cases of communication of information related to a crime or accident, verifying in advance and carefully the name of the victim/s and images of the scene, to avoid focusing public attention on the victim and his/her relatives.
- 2.18 AMSPs shall protect health data and other sensitive data of persons in any type of audio and audiovisual formats and avoid the publication of unnecessary details.
- 2.19 Journalists shall not provide data about gender identity, sexual orientation, other data of a person's sex life and do not publish "before" and "after" images of intersex people without their prior consent or if they are not related to directly with the program purpose. Before the interview, the journalist shall ask the guest how he/she prefers to be addressed.
- 2.20 AMSPs shall not publish identifying information about LGBTI+ members such as place of work, residence, school or making descriptions that indirectly identify them, without their consent.
- 2.21 AMSPs shall hide a person's appearance or modification of their voice when interviewing convicted persons, for issues related to domestic violence, sexuality, sexual orientation, gender identity.
- 2.23 AMSPs must not use photographs or images of LGBTI+ people without their consent. If there is public interest, measures are taken to ensure that the presentation of images without the person's consent does not pose them to risk.
- 2.24 AMSPs shall be deliberate when interviewing the LGBTI+ member not to impel him/her to tell his/her life story or identify his/her family. AMSPs shall be deliberate when covering events involving LGBTI+ members, avoiding homophobic/transphobic comments and identifying data in cases of covering support services received by LGBTI+ member.
- 2.25 AMSPs shall observe the legislation for the protection of personal data and the guidelines approved by the Commissioner for the Right to Information and Protection of Personal Data, applicable to the processing of personal data for journalistic, literary or artistic purposes. Data archived by AMSPs shall be accessed, modified and deleted in accordance with legal requirements. AMSPs shall be permitted to retain such data for historical purposes, as part of their broadcast information and for reporting on matters of public interest.

- 2.26 In cases of complaints related to the violation of the individual's privacy, the responsible AMSP shall handle the relevant complaint. In event of rejection, the Council of Complaints shall review them in accordance with the applicable legislation for audio and audiovisual media.

SECTION 3

BROADCAST OF INFORMATIVE PROGRAMS

The audio and audiovisual informative activity, regardless of the operator profile of the audiovisual media service that performs it, shall constitute in any case a service of general public interest and shall be developed in accordance with the following principles and requirements:

- 3.1. AMSPs shall, during their informative activity, observe the freedom of expression and information in the framework of basic human rights and freedoms, provided for in the Constitution, international legal acts, applicable legislation in the Republic of Albania as well as the standards drafted by international institutions and organizations that develop activity in this field.
- 3.2. AMSPs shall exercise their informative activity in accordance with the principles provided by the Constitution, the applicable legislation and the rules provided in this Code.
- 3.3. The information communicated shall be fact-based, accurate, assessed and verified. In the event that an inaccuracy in the communicated information, an incorrect statement or a distortion of a known fact is identified, AMSP shall improve it without unreasonable delay to the same standard of delivery.
- 3.4. The information communicated shall observe pluralism, diversity of opinions and the free opinion.
- 3.5. All news shall be provided objectively and impartially.
- 3.6. Audio and audiovisual media professionals shall have the right to maintain the information sources confidentiality, except when the court decides to publish the source of information.
- 3.7. AMSPs shall not broadcast news violating the rules of ethics and public morals, as well as news that may incite criminal acts, hatred or attitudes that violate the constitutional order, sovereignty and national integrity.
- 3.8. Informative audio and audiovisual broadcasts shall not directly or implicitly contain biased messages for the following reasons: gender, race, age, colour, ethnicity, language, gender identity, sexual orientation, political, religious or philosophical beliefs, economic status, educational or social or for any other reason, provided by the applicable legislation.
- 3.9. AMSPs shall not, directly or indirectly, promote, in informative programs, violence for sensational purposes, shall not broadcast images, calls for hatred or extremist messages, shall not use sensational, provoking or stigmatizing language.

- 3.10 AMSPs shall be deliberate in respecting the rights of child victims of crime, including victims of crime in the family, when reporting cases in which children are victims or perpetrators of bullying, sexual violence and other criminal offences.
- 3.11 AMSPs shall not be allowed to broadcast programs that show, communicate or encourage children to behave in a violent, pornographic and inappropriate way for their age, their participation in conflicts and so on.
- 3.12 AMSPs shall not broadcast dramatic and distorted images of mental illnesses in informative and entertainment programs, models that encourage negative behaviour to people with mental health problems, including fear, rejection, stigma and discrimination against them.
- 3.13 AMSPs shall protect and promote mental health, contribute to informing about the importance of mental health problems early detection, with the aim of preventing and fighting public bias and their social acceptance, fight discrimination and stigma in the social environment and promote positive role models with mental illness.
- 3.14 AMSPs shall not publish confidential data due to the health condition of persons with disabilities, including mental health issues.
- 3.15 AMSPs shall be led by universally accepted international standards of reporting or coverage in informative programs of mental health issues, suicides, etc., which may be of concern to the public or may exert influence, directly or indirectly, on persons affected by them. AMSPs shall be encouraged to include more detailed rules in their codes of conduct regarding the reporting and handling of such cases.
- 3.16 AMSPs shall be deliberate to take cautionary measures, communicated verbally, before broadcasting a certain material that, given the subject matter and program potential audience, may disturb or seriously offend a significant number of viewers.
- 3.17 AMSPs shall not misuse their access to information in content, procedures and form. Information shall be received in ethically and legally, and it shall be conveyed professionally and linguistically correct, avoiding misuse.
- 3.18 They shall take into consideration the sensitivity of the public in cases of disasters, catastrophes, accidents, giving priority to rescue and support operations. The media shall be deliberate when dealing with photos, amateur videos or footage of disasters, accidents or violence, respecting the dignity of those exposed and the sensitivity of relatives.
- 3.19 The information broadcast shall not be used for personal or other benefits of the owners, managers or journalists of the audio and/or audiovisual media.
- 3.20 AMSPs shall inform audiences about updates in environmental issues, health and other scientific information in a manner that provides appropriate importance to the balance of contemporary scientific know-how.

- 3.21 Scientific information, data, tests, surveys, research results or quotations from technical and scientific literature shall not be broadcast in a misleading or deceitful manner.
- 3.22 AMSPs shall avoid unfair promotion, when broadcasting commercial communications about goods, as well as observe the principle of proportionality and non-discrimination by not favouring specific commercial companies or commercial entities, directly or indirectly related to the partners or shareholders of audio and/or audiovisual companies.
- 3.23 They shall publish the response or amendment in the event that a person's reputation has been directly affected by the publication of factually false or incorrect information, but not for evaluative judgements and critical opinions. Evaluative judgements, which are opinions and may not be proven true or false through objective evidence, do not give rise to a right of reply. Critical opinions shall not be included in the right of reply.
- 3.24 AMSPs shall provide the right of reply, public and free of charge, as a reaction to any information published in the media, which includes inaccurate facts about the individual and violates his/her personal rights. The right of reply shall be applied within the deadlines stipulated by the organic law.

SECTION 4

CHILDREN APPEARING IN AUDIO AND AUDIOVISUAL BROADCASTS

- 4.1 Audio and audiovisual broadcasts for children shall be governed by children's best interests. The best interest of the child shall be paramount in any AMSP activity involving or addressed to children.
- 4.2 AMSPs shall treat all children participating in audio and audiovisual programs with respect, dignity and professionalism.
- 4.3 They shall respect the dignity, honour and personality of children. Children shall be protected from discrimination due to: race, colour, gender, language, belief, national, ethnic or social origin, disability, family background, sexual orientation, gender identity or any other condition of the child, parents or representatives of his legal status or the position, activity, expressed opinions and/or beliefs of his parents, legal representatives or other family members.
- 4.4 AMSPs shall respect the children's private and family life, home and correspondence. The children's privacy shall be protected in any circumstance, except when the children's best interests indicate otherwise. The privacy of the children participating in judicial or administrative proceedings shall be protected in the audiovisual coverage of these proceedings, except in cases where the children's highest interest indicates otherwise and to the extent that it serves this interest.
- 4.5 AMSPs shall protect children from accessing illegal or harmful content in audio and audiovisual programs.

- 4.6 Audio and audiovisual programs provided by AMSPs, which may harm the physical, mental or moral development of children, shall be broadcast only in such a way that ensures that children will not hear or see them, based on the broadcast time frame, use of age verification tools or other technical measures.
- 4.7 AMSPs shall not broadcast images of children with pathological problems or with disabilities for propaganda purposes, profit or for any other abusive purpose violating their rights and dignity.
- 4.8 They shall provide information about the well-being, education, physical and psychological development of children using a friendly and appropriate language, taking into account the children needs, especially children with disabilities and national minorities children.
- 4.9 AMSPs shall enable the right to participate and listen to children's opinion, his right to express freely, individually or in a group, his views and opinion on issues related to children and their well-being as well as encourage consideration of children's opinion in accordance with his age and ability to understand.

Media maintaining children's best interest

- 4.10 AMSPs shall support the media promotion of positive examples of children and for children. They shall not, directly or indirectly, promote examples that have a negative effect on children's education.
- 4.11 AMSPs shall not broadcast programs unfavourable to children between the time frame 06:00 and 22:00.
- 4.12 They shall, in any case, ensure that measures are taken to prohibit the publication of illegal content for children. If they become aware of the broadcast of illegal content, they shall take immediate measures to delete or block the relevant content.
- 4.13 AMSPs shall take measures so that audio and audiovisual programs do not harm the moral, mental and physical development of children and prevent children from accessing programs consisting of violent, pornographic or sexual content.
- 4.14 When publishing online content, AMSPs shall inspect without delay and with priority any case found internally during their activity, as well as any third party report regarding potentially online illegal or harmful content for children and shall measures to delete or block the relevant content.
- 4.15 Participation of children under the age of 14 in audio and audiovisual programs is carried out only with the written consent of the child's parent or guardian, informing them in advance about the purpose of the program and the child's participation in the relevant program.
- 4.16 AMSPs shall hire a psychologist in audio and audiovisual programs where children under the age of 10 participate and are subject to questions.
- 4.17 They shall avoid cases where children are used or exposed by parents, guardians, public or private institutions for personal gain purposes or to influence public authorities' decisions.

- 4.18 AMSPs shall protect children's privacy and personal data in any audio and audiovisual program. Media shall protect children's privacy in any stage of judicial or administrative proceedings, during their audiovisual coverage. There are exceptions to the case only if they maintain the children's best interest and in any case, only to the extent that they maintain this interest.
- 4.19 AMSPs shall provide detailed standards in the Code of Conduct for addressing children's problems and how to treat children that have been subject to violence, physical, psychological, sexual abuse, trafficking, with the aim of protecting children's rights during audio and audiovisual programs.
- 4.20 They shall enable the addition of children's programs and their quality improvement, as well as provide the appropriate and age-appropriate room for children to freely express their opinion.
- 4.21 AMSPs shall provide programs and columns for children, prepared by children or in collaboration with them.
- 4.22 AMSPs shall create opportunities for performing shows or programs for children in ethnic and cultural minorities' languages residing in Albania.
- 4.23 AMSPs shall be encouraged to provide information necessary for the prevention of various forms of sexual exploitation/abuse of children, child violence, child trafficking and other risks, observing children rights and their best interest.

Prohibition of child identification

- 4.24 AMSPs shall not report, broadcast or distribute any data leading, directly or indirectly, to the visual and voice identification, with personal information, address or description of a child, who is or may be a victim or witness in family happening or in other environments, investigated, accused or declared guilty of committing a criminal offence, except for cases provided for in the legislation on the protection of personal data.
- 4.25 AMSPs shall not broadcast any child identification report, who may have been involved in a serious event, especially, but not limited to: removal from family, attempted suicide, trafficking or risk of trafficking, exploitation or use by criminal groups, involvement in prostitution or illegal activity, arrest or punishment of parents or other family members, witnessing violence in the family or in society and so on.
- 4.26 In the cases provided for in Clauses 4.24 and 4.25 above, AMSPs shall use appropriate covering technologies to hide children's visual and voice identification, as well as avoid details that enable indirect identification. In cases where this is confirmed by the children's best interest, the questioning of the child shall be carried out in the presence of the psychologist.
- 4.27 Broadcasting of secret pictures of children shall be prohibited. These pictures shall be taken openly and used only for the purpose explained. AMSPs may take pictures of children only with the approval and consent of the child and his/her parent(s) or the child's legal guardian, after the

purpose and manner of their use have been explained. If the child does not consent, the consent of their parent or guardian shall not be considered sufficient.

- 4.28 AMSPs shall not broadcast any degrading or humiliating images of children for any purpose. They shall be prohibited from broadcasting sexual images of children or images of children in inappropriate positions and clothing.
- 4.29 When publishing events, reporting on the rights of delinquent minors, receiving information about the institution conditions where delinquent minors are kept, AMSPs shall respect the privacy and other rights of the convicted minor.
- 4.30 AMSPs shall avoid negative stereotypes and stigmatization of children with convicted parents.
- 4.31 Children's personal data collected or generated by audio and audiovisual media service providers shall not be processed for commercial purposes, such as: direct marketing, profiling and behavioural advertising or for any other reason.
- 4.32 AMSPs shall adopt and apply clear and detailed rules for the collection, processing, archiving, use and distribution of materials and footage involving children, in order to prevent and prohibit their misuse.

Interviewing children

- 4.33 AMSPs shall interview the child under the age of 14 in the presence of the parent, legal representative or designated adult, as well as with the child consent.
- 4.34 The purpose of the interview shall be explained to the child and the legal representative before the interview. In any case, the right of the child and the legal representative to refuse the interview shall be respected. If the child does not agree, the interview shall not be conducted.
- 4.35 In the event that the legal representative refuses the child to be interviewed, while the child expresses consent to be interviewed, the interview shall be conducted in the presence of the psychologist, child rights worker, school teacher or educator, when the interview is in the best interest of the child.
- 4.36 Any promise, gift or pressure to the child or his legal representative, in order to facilitate the interview, shall be prohibited.
- 4.37 If necessary, during the interview of the child, in addition to the legal representative, the journalist may request the assistance of a psychologist or a specialized social worker.

- 4.38 The child shall be interviewed in an appropriate and favourable environment for him/her. Interviews and videos, which fatigue and have an adverse effect to the child, as well as their unreasonable repetition with the same child, shall be avoided.
- 4.39 Questions addressed to children shall be clear, comprehensible and shall not imply the answer to them. During the interview, biased questions or comments that harm the child or that recall unpleasant events to the child shall be avoided.
- 4.40 Provided that, during the interview, the journalist becomes aware of a criminal offence committed or posing a risk to the child, the journalist and AMSP shall immediately notify the relevant bodies.
- 4.41 Provided that, during the interview, the journalist becomes aware of facts, the publication of which could risk the life, health, physical, emotional, moral well-being and education of the child, the interview or part of it shall not be broadcast.
- 4.42** AMSPs shall not interview children, which are victims of sexual abuse and other forms of abuse, unless this is in the best interest of the child and it constitutes a public interest. In any case, during the interview broadcast, a special concealing technique shall be used. The initials of the first name and last name shall not be published, as well as data and other circumstances that can indirectly reveal the identity of the child.

Advertisements and children

- 4.43 AMSPs shall not broadcast advertisements that may harm the physical, mental or moral development of children. They shall not broadcast advertisements of services and products that pose a risk to the physical, mental and moral development of children.
- 4.44 AMSPs shall not broadcast any form of advertising of alcoholic drinks, energy drinks and carbonated drinks, containing added sugar, which is addressed to children or the event where children are participants. Prohibited products for advertising shall be specified in the applicable by-laws.
- 4.45 AMSPs shall not broadcast advertisements of alcoholic beverages, energy drinks and carbonated beverages containing added sugar within a program addressed to children and 60 minutes before and after this program.
- 4.46 Children, or adults in the presence of children consuming alcoholic beverages, various tobacco products, including electronic cigarettes, shisha, energy drinks, carbonated drinks with added sugar, food products or other harmful substances for shall not appear in advertisements.
- 4.47 AMSPs shall not broadcast advertisements addressed to children that directly encourage them and/or to persuade parents or other adults to purchase such goods or services.
- 4.48 Advertising a service or product shall not be allowed to create the perception that its absence will make the child inferior or vulnerable to others.
- 4.49 AMSPs shall not make product placement in children's programs.

- 4.50 AMSPs shall be prohibited to advertise by any means the promotion, sale or consumption of breast milk substitute products, to advertise or promote milk or milk-like products, industrially prepared to be marketed as infant and baby food as and any other industrial product, which is traded for their nutrition.
- 4.51 Advertisements addressed to children shall use child-friendly language and be tailored to children needs.
- 4.52 AMSPs shall be encouraged to broadcast awareness spots for the benefit of the child, with the aim of promoting breastfeeding, encouraging nutrition and healthy living, the participation of the child in the discussion of problems of interest to him in the field of education, health care, comprehensive education, the environment, innovation, protection of children's rights, methods of addressing mistreatment, abuse, exploitation as well as prevention of risks threatening children.
- 4.53 AMSPs shall draft and implement codes of conduct regarding inappropriate commercial communications broadcast in children's programs, regarding foods and beverages containing substances harmful to children's physical health, such as fat, fatty acids, salt, soda or sugar, which do not comply with healthy diet normal for this age group.
- 4.54 AMSPs shall pre-check the content of advertisements, program promotions and especially advertisements including and addressing children, ensuring that any child or child image used is accompanied by the written permission of the child's parent or legal representative . For children over 14 years, the child's written consent shall be also obtained.
- 4.55 AMSPs shall draft internal rules for the written consent format of the child's parent or guardian in cases of child participation in advertisement.
- 4.56 The broadcast of children's programs may be interrupted by advertising or direct sales spots every 30 minutes, if the program lasts more than 30 minutes.
- 4.57 Audio-visual broadcasting services for children may not be sponsored by companies, persons or firms whose main activity consists in manufacturing or selling of cigarettes or other tobacco products.
- 4.58 During the broadcast of children's programs, the display of sponsorship signs shall be prohibited.

Cultural, entertainment and educational programs, movies and children

- 4.59 AMSPs shall not broadcast programs that could seriously harm the physical, mental or moral development of children, in particular movies or programs that contain pornography and/or extreme violence scenes.
- 4.60 They shall not hurt the public sensibility with the standard of communication ethics, including violent and sexist communication or provoking presentation of leaders and participants of music,

cultural, entertainment and educational programs because of the model they provide to the public and their effect on the moral, mental and physical development of children.

- 4.61 AMSPs shall plan suitable schedules for educational, cultural and entertainment programs for and addressed to children. They shall be encouraged to increase educational programs including children and addressed at children, promoting positive education models.
- 4.62 AMSPs shall strictly implement ethical and moral requirements and protect children's rights in educational, cultural and entertainment programs addressed to children and involving children. The content of such programs shall be assessed by the Board of Ethics at AMSP.
- 4.63 AMSPs shall be deliberate when using for language and ethical communication in educational, entertainment, comedy programs, in shows including and addressed to children, specifically prohibiting bullying and/or stigmatizing children for any reason.
- 4.64 AMSPs shall implement legal obligations regarding the program broadcast schedule that may adversely affect the mental, physical or moral development of children. These programs shall be broadcast during the time frame 22.00 - 06.00.
- 4.65 AMSPs shall take into account the consequences that may be caused by the broadcast of content harmful to children in investigative, programs and mediation programs or programs, which address families in need, including children and/or their parents.
- 4.66 They shall indicate the warning signs for the protection of children, in every broadcast that involves harmful content for children. Programs with harmful content for children shall be preceded by an acoustic warning and accompanied with a visual symbol throughout their time span.
- 4.67 AMSPs shall take into account the interests of children's education in audio and audiovisual broadcasts, avoiding the risk of the children's addiction to television and the transformation of television characters into role models for them.
- 4.68 AMSPs shall , in the case of audiovisual media services based on the user's request, broadcast programs that can seriously damage the physical, mental or moral development of children in coded form. They shall not be allowed to broadcast pornographic programs without ensuring the protection of children, through conditional access devices and parental control.
- 4.69 AMSPs shall not broadcast content including violence, bullying, hate speech, offensive or inappropriate language, uncontrolled and harmful broadcasts for children, including songs and/or videos in times accessible to children.
- 4.70 During broadcasting of movies, AMSP shall comply with the requirements of Law No. 8096, dated 21.03.1996 "On Cinematography", amended, Article 11, regarding age restrictions in the distribution of cinematographic work.

Child protection warning signs in audio and audiovisual programs

- 4.71 AMSPs shall use warning signs for programs that are broadcast in the time frame 06.00 - 22.00 and that may affect or harm children.
- 4.72 They shall broadcast the programs specified in Clauses 4.65 and 4.66, with the corresponding sign, which must appear on the screen, in a visible position and in a clear and distinct colour.
- 4.73 AMSPs shall prepare the broadcast of movies or programs specified in Clause 4.69 with the corresponding sign (when the program does not specify it), relying on the preliminary viewing of the program, according to the criteria, standards and rules of the Broadcasting Code.
- 4.74 The warning sign shall appear on the screen immediately after the start of the program or film and shall continue to display during the broadcast. The warning sign reappears prior to and after all subsequent program interruptions, until its completion.
- 4.75 There shall be three types of warning signs used by AMSPs:
- *Red* warning sign referring to content that is broadcast only after 22.00, with serious scenes of psychological and physical violence, sexual, with offensive language, vocabulary and communication ethics.
 - *Orange* warning sign referring to content which children must follow accompanied by adults.
 - *Green* warning sign referring to content that can be viewed by any person, including children.
- 4.76 AMSPs can use different forms of graphic solution for warning signs, but the colour and clarity of the sign are invariable and mandatory elements for all.

SECTION 5

PREVENTING AND COMBATING GENDER-BASED DISCRIMINATION AND PROMOTING GENDER EQUALITY

- 5.1 AMSPs shall respect human dignity and prohibit any gender-based discrimination and violence in audio and audiovisual broadcasts.
- 5.2 They are prohibited to use exist hate speech in all programs, including advertisements, and to promote, directly or indirectly, gender-based discrimination.

- 5.3 AMSPs shall not broadcast advertisements involving stereotypical images, roles and representations of women and/or men or with sexist language and content, which provoke gender-based discrimination, incitement to hatred and/or gender-based violence.
- 5.4 AMSPs shall avoid promoting sexual objectification or sexualized portrayals of women, men, girls, and boys as well as degrading or trivializing reports about the appearance, dress and behaviour of women and girls.
- 5.5 They shall be committed, through their programming, to raise the public opinion awareness on the fight against gender-based discrimination. During their broadcasts, they shall not violate the privacy of gender-based violence victims, as well as any other violation of rights of women and their children.
- 5.6 AMSPs shall be encouraged to develop broader equality, diversity and inclusion policies.
- 5.7 They shall strive for a balanced gender-based representation in their broadcasts. AMSPs shall promote a balanced gender representation, especially in programs with gender sensitivity and focus on multiple discrimination of the most vulnerable social groups of the society.
- 5.8 AMSPs shall be committed to the balanced, comprehensive and well-informed reflection of general public views aiming to avoiding gender stereotypes by addressing gender-based violence as well as family, social and reproductive relations.
- 5.9 AMSPs shall be encouraged to cooperate with gender equality institutions, media and civil society organizations and institutions specialized in gender equality, to promote non-stereotypical representation of genders in media and advertising as well as to promote gender-based sensitive communication.
- 5.10 AMSPs shall be encouraged to draft, adopt and implement policies and self-regulatory mechanisms for the removal of sexism, including sexist hate speech in audio and audiovisual broadcasts, including advertising and in other sectors of their work, relying on universally accepted international standards , such as UNESCO's gender-sensitive reporting indicators, Council of Europe and OSCE Guidelines.

SECTION 6

RIGHTS AND ACCESS OF PEOPLE WITH DISABILITIES

- 6.1 AMSPs shall take measures for people with disabilities to have access to the content of audio and audiovisual broadcasts, services, devices, systems and applications provided to the public, on the platforms and technology through which it is provided.

- 6.2 AMSPs shall take measures in order to make the programs broadcasted by them gradually and progressively accessible to people with hearing and vision disabilities, through sign language interpretation, subtitling, voice description of subtitles, starting from broadcasts in prime time, informative editions and programs of special interest to people with hearing and vision disabilities.
- 6.3 National AMSPs shall provide sign language or subtitling in at least one of the main news editions every day, in order to guarantee the right to information for people with hearing and vision disabilities.
- 6.4 AMSPs shall ensure that especially emergency information, including public communications and notifications in the event of natural disasters, is accessible to persons with disabilities, including persons with hearing and vision disabilities.
- 6.5 AMSPs shall collaborate with organizations of persons with disabilities to determine priorities for access to programming by persons with hearing and visual disabilities, such as: news broadcasts, information on emergency events and natural disasters, live broadcasts of developments with importance in the political, economic and social life of the country, movies, entertainment programs, and so on.
- 6.6 AMSPs shall inform people with hearing and vision disabilities about their accessible programming and provide guidelines for this purpose.
- 6.7 AMA shall encourage AMSP to cooperate with companies that provide devices that enable users with disabilities to receive, decode, and display accessible services.
- 6.8 AMSPs shall not, during audio and audiovisual broadcasts, prejudice, use or identify people with disabilities, in order to protect their rights and not harm their interests.
- 6.9 AMSPs shall handle with utmost ethics and care the images of people with disabilities. Disability should not be indicated in detail and the language of journalists' communication should respect their dignity.
- 6.10 AMSPs shall inform the public about the rights of persons with disabilities, draw attention and raise the society and institutions awareness of the responsibilities towards people with disabilities.
- 6.11 AMSPs shall be encouraged to promote the efforts of associations and people with disabilities for their integration in social life.
- 6.12 They shall ensure fair and unbiased treatment of people with disabilities in their programs. AMSPs shall, in accordance with their programming, evaluate, encourage and promote positive role models of people with disabilities.

- 6.13 AMSPs shall not allow the use of the image of people with disabilities for publicity or advertising purposes, except in cases where this is done to raise the community awareness to respect and/or promote their rights.
- 6.14 AMSPs shall not exploit the public's sensitivity towards people with disabilities for commercial gain or purposes.
- 6.15 AMSPs shall be encouraged to draft, in cooperation with organizations representing people with hearing and vision disabilities, plans for their progressive accessibility in audio and audiovisual broadcasts.
- 6.16 They shall periodically inform the AMA about the measures taken to fulfil the legal obligations, that the programs broadcast by them are gradually and progressively accessible to people with hearing and vision disabilities, as well as about the action plans, drafted in this field.

SECTION 7

PREVENTING AND FIGHTING HATE SPEECH

- 7.1 AMSPs shall respect and promote diversity, dialogue, mutual respect and community understanding.
- 7.2 Hate speech content shall not be included in audio and audiovisual programs. Exceptional cases are determined by the professional circumstances.
- 7.3 Abusive or degrading treatment content of individuals, groups, religions or communities shall not be included in audio and audiovisual programs. Exceptional cases are determined by the professional circumstances.
- 7.4 Journalists and hosts of audio and audiovisual programs produced by AMSPs shall not engage in announcements that insult or denigrate individuals because of gender, age, race, colour, language, religion, national or ethnic origin, disability, gender identity or sexual orientation.
- 7.5 Journalists and hosts of audio and audiovisual programs, produced by AMSPs, shall oppose and reject announcements of guests or participants, who insult or denigrate invited people or participants according to the features described in paragraph 7.4.
- 7.6 Personal features described in paragraph 7.4 of individuals or groups that are the subject of news reports or programs shall be referred only if they are of public interest.
- 7.7 In the framework of providing accurate and reliable information, AMSPs shall not make stereotypical and derogatory description of people, groups and communities and give voice to different social groups and communities, especially when reporting on issues of special public interest.

- 7.8 AMSPs shall not identify nationality, religion and ethnicity, unless it is necessary and relevant in a report or during the broadcast of audio and audiovisual programs. The use of terms that could insult or offend a person belonging to a certain religion, citizenship or nationality shall be avoided during their informative activity.
- 7.9 AMSPs shall prohibit the misuse of audio and audiovisual programs by persons who incite hatred, racist, xenophobic, homophobic/transphobic, radicalist and extremist violence and who promote extremist views or hate speech.
- 7.10 They shall prevent and prohibit negative stereotyping and stigmatization of certain social groups.
- 7.11 Furthermore, they shall not broadcast violent images or activities that call for extreme violence, radicalism, etc.
- 7.12 AMSPs shall encourage and broadcast the immediate reaction of public figures and especially political, religious and community leaders towards hate speech, not only to condemn it, but also to guide it towards strengthening the values that hate speech threatens.
- 7.13 AMSPs shall promote actions to combat the use of hate speech and challenge its inappropriate nature, respecting freedom of expression and opinion.
- 7.14 AMSPs shall establish self-regulatory mechanisms, review codes of conduct and adopt the necessary changes to address the prevention of hate speech in the course of their activities.
- 7.15 AMA shall support the appropriate training of editors, journalists and other audio and audiovisual media professionals on hate speech and how to refrain from it.
- 7.16 AMSPs shall enable effective hate speech reporting channels and internally monitor the use and spread of hate speech. In case of identifying hate speech during the audio/audiovisual activity, they must respond, condemn it and promote values and principles.
- 7.17 AMSPs shall promote and facilitate the functioning of complaint mechanisms as well as strengthen internal standards in favour of ethical journalism.

SECTION 8

ADVERTISING IN AUDIO AND AUDIOVISUAL BROADCASTS

- 8.1 Broadcasting of advertisements by AMSPs must take into account the requirements of the applicable legislation, especially for prohibited and hidden advertisements.
- 8.2 AMSPs shall not accept or broadcast advertisements promoting discrimination for any of the reasons provided by the applicable legislation or advertisements that do not respect human dignity and rights.

- 8.3 AMSPs shall not broadcast advertisements, which lure or influence viewers unconsciously and/or techniques that suggest them.
- 8.4 Advertisements shall not encourage or induce children to buy or receive products or services, by encouraging them directly to require from parents or relatives to receive the advertised goods or services, or by utilizing the position children position in relation to parents, teachers or other relatives of them.
- 8.5 Audio and audiovisual media advertising of gambling in an adapted method to children or presenting gambling as a solution to financial problems shall be prohibited.
- 8.6 AMSPs shall not broadcast in children's audio and audiovisual programs promotional materials related to gambling or advertisements that offer, support or induce gambling.
- 8.7 Audio and audiovisual advertisement broadcasts for pharmaceutical products or medical products, which are given only by doctor's prescription, shall be prohibited.
- 8.8 Audio and audiovisual advertisement broadcasts for medical treatments shall be prohibited. The doctor shall be prohibited to make any kind of advertisement, except in cases where these have a raising awareness, scientific or educational purpose.
- 8.9 Interruptions for commercial communications in different programs must observe the time set for advertising as well as the norms and requirements of communication ethics.
- 8.10 Advertising and promotion of tobacco products (cigarettes, electronic cigarettes and refills) in audio and audiovisual broadcasts shall be prohibited.
- 8.11 Any form of advertising of tobacco products shall be prohibited, including indirect promotion through colours representing company logos or promotion through placement and display of products copy the outer packaging of a tobacco product.
- 8.12 It is prohibited to broadcast or promote photographs, drawings, etc. for advertising purposes or promote, in which smokers appear, as well as images that create a wrong impression on the public about the characteristics and effects of tobacco products.
- 8.13 It is prohibited to sponsor audio and audiovisual programs by companies whose scope of activity includes the production, import or marketing of tobacco products, even in cases where this sponsorship aims to promote or advertise tobacco products.

SECTION 9

TRANSITIONAL PROVISION

- 9.1 AMA shall draft a guidance for the implementation of the Broadcasting Code within 12 months following its approval.

- 9.2 AMSPs shall draft/update the Code of Conduct within 12 months following the approval of the Broadcasting Code.
- 9.3 AMSPs shall, according to Article 42 of the applicable legislation on audio and audiovisual media and paragraphs 4.19 and 4.54 of this Code, draft/review codes of conduct and approve standards for the protection of children victims' rights in audio and audiovisual broadcasts and the format of granting permission for the participation of children in advertisements, within 12 months following the approval of this Code.

SECTION 10

ENTRY INTO FORCE AND PUBLICATION

- 10.1 The Broadcasting Code shall enter into force on the date of its approval by the Audiovisual Media Authority.
- 10.2 The Broadcasting Code approved by AMA Decision No. 228, dated 11.12.2017 shall be repealed.
- 10.3 Broadcasting Code shall be immediately published by the Audiovisual Media Authority on its official website.