

Czech Radio Code

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Preamble

In accordance with the mission and definition of radio broadcasting as a public service as adopted by the states of the Council of Europe and of the European Union, Czech Radio especially:

- a) Provides a public service through creation and transmission of radio schedules.
- b) Broadcasts its programmes freely and independently.
- c) Supports cohesion of the society and integration of all individuals, groups and communities; in particular it avoids cultural, sexual, religious, racial or political discrimination and social segregation.
- d) Represents a forum for public discussion, in which a wide scope of opinions and viewpoints may be expressed.
- e) Provides impartial and independent broadcasting, information, commentaries and analyses.
- f) Creates pluralistic, an inventive and varied range of programming that meets high ethical and qualitative standards, and does not subordinate its endeavours for quality outputs to market pressures.
- g) Creates and structures programme schemes and schedules that may attract the general public and remain sensitive to the needs of minority groups at the same time.
- h) Reflects the diversity of philosophical concepts and religions in the society in order to assist mutual understanding and tolerance and to support the cohesion of the multinational and multicultural society.
- i) Actively contributes to better cognition, understanding and spreading of national, European and world cultural events and heritage.
- j) Operates radio broadcasting abroad, thus contributing to promotion of the good standing of the Czech Republic.
- k) Cultivates original radio programme works and makes efforts so that the programme schemes contain original radio works (radio plays and dramatisations, radio documentaries, composed literary and musical programmes.). Czech Radio creates its own musical recordings, and records and archives the best expressions of Czech interpretations of musical as well as literary art.
- l) Extends the choice for its listeners by offering programme services that licensed broadcasters do not commonly provide. Does not prioritise the programme rating criterion over the programme quality.

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Czech Radio must pay attention to openness, impartiality and independence. Nevertheless it must also fulfil its duty to support human dignity, fundamental human rights and freedoms and respect for nature and cultural heritage at all times. Czech Radio schedules are controlled by a creative approach, tolerance and critical thinking.

The purpose of the existence of radio as a public service is to provide the general public with a source of information, critical reflection, artistic works and entertainment protected from lobbyist pressures. Czech Radio contributes to the creation of space for the freedom of speech, thinking and creation, in which democracy may grow.

The schedules and actions of Czech Radio will always be measured using ethical standards as well. Czech Radio takes into account the moral traditions of the European civilisation sphere.

The assumption for the successful fulfilment of the mission generally defined above is to get to know the population's needs; therefore Czech Radio will always seek and strengthen feedback from the general public.

The radio public service fulfils the task of one of the most important cultural institutions in the Czech Republic. This service cannot be performed without development of the production of in-house radio programmes and paying permanent attention to creating original works. Therefore it will monitor Czech arts consistently and systematically and will initiate the creation, processing and rendering of radio and artistic projects so that they may acquire their final form, which it may subsequently present to its listeners. In accordance with articles 5.1 to 5.6, it will create the conditions for presentation of authors of different generations and various artistic trends.

Workers participating in public service broadcasting must also comply with moral requirements in addition to professional requirements. The liability of those addressing hundreds of thousands of people is extraordinary also due to the fact that it is confirmed in a continuous process and under any and all objective as well as subjective circumstances. Working as a team, they assist in development of a democratic society, enrich the general public with new pieces of knowledge, provide space for free exchanges of opinions, help to preserve traditional values of human life, develop cultural identity and contribute to orientation in the world every day.

For the Code, the top and non-omissible criterion, which is binding due to humanistic tradition in the widest sense of the word, is respect for human dignity based on appreciation for any and all expressions of existence.

Interpretation of terms

Unless otherwise specified below, the following words and expressions have the following meanings:

- a) The Code means this Czech Radio Code;
- b) Czech Radio worker means an employee of Czech Radio or an external partner, with whom Czech Radio has entered into a relevant contract containing the provision on the Code's binding character;

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- c) Schedule means an intentional time arrangement of individual radio programmes and other parts of Czech Radio broadcasting and flow of programme elements within one broadcasted schedule;
- d) Programme means an integral and time-limited part of the radio broadcasting or a programme element continuous from the viewpoint of its content;
- e) Public interest for the needs of this Code means such an interest that expresses generally beneficial needs and interests of the society unlike an individual or group interest. The public interest relates to the provisions of public law as well as to the position, mission and tasks of the executive power authorities. It is developed in the process of a democratic discussion and decision-making.

Chapter I. Public service providers in the field of radio broadcasting

Art. 1 Czech Radio as an institution

- 1.1** Czech Radio has been established through the Act on Czech Radio as a radio broadcaster providing a public service through creation and transmission of radio schedules. It develops its activities independently, impartially and neutrally in accordance with the legal regulations and public inspection institutes entrenched therein.
- 1.2** Czech Radio will not allow anybody out of its valid organisational structure to decide that a certain piece of information or material is or is not to be included in the schedule. The jurisdiction of courts or administrative authorities or any other entities created by operation of law remains unaffected. Czech Radio workers will not submit to pressures (if any) to include or not to include a certain piece of information or material in the schedule if the inclusion would be contrary to this provision or any other provisions of the Code.
- 1.3** Czech Radio is obliged to assess carefully whether programmes or their parts are not focused, in an open or hidden manner, on promotion of certain business or political interests.
- 1.4** In order to observe its impartiality and neutrality, Czech Radio as an institution must refrain from publishing its own opinions concerning public interest matters, except for matters concerning the activities defined for it by law and matters of radio broadcasting regulation. This provision does not concern publication of value judgements, which do not represent the opinion of Czech Radio as an institution and are included within individual programmes in accordance with their dramaturgical conception while the rules contained in the Code are complied with.
- 1.5** Czech Radio must not abuse its broadcasting, especially news or journalistic programmes to assert its own institutional interests.
- 1.6** The news reporting and journalism related to the matters of Czech Radio must respect the rules contained in articles 6.1 to 6.18 without any exception. While they are being prepared, the same procedure must be applied as in a case where a piece of information is presented about any other institution or a company in the Czech Republic. If Czech Radio is involved in any dispute, it may not be provided with the advantage of provision of space which should be devoted to its opinion or presentation of its viewpoint in the news item.

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1.7 Articles 1.1 to 1.5 do not prevent Czech Radio from including, in its broadcasting, trailers of its programmes or other activities related to fulfilment of the public service obligation.

Art. 2 The listener comes first

2.1 Czech Radio provides a public service in the field of radio broadcasting through creation and transmission of radio programmes in the whole territory of the Czech Republic and abroad in the scope of the Act on Czech Radio.

2.2 The schedules of Czech Radio enable free transmission, exchange or also confrontation of information, opinions and viewpoints. The basic meaning of its activities lies in creation of an open space for a public discussion of public interest issues and for communication of various experience or events concerning the perception of the world.

2.3 While fulfilling the obligation of a public service imposed by law and by the Code, Czech Radio pays attention to satisfaction of the needs of each inhabitant – radio listener. For this purpose, it systematically and regularly analyses the data on the needs and wishes of individual listener groups as well as on their assessment of the programmes broadcasted. Each programme decision, except for programme decisions related to the broadcasting for minorities and to the broadcasting of minority genres, must take into account the results of such representative research performed in this way; at the same time a rather different manner in collection and assessment of available data as compared with licensed radio broadcaster is applied, however, i.e. above all through a focus on qualitative indicators. Nevertheless the rule mentioned above does not prevent creative experiments, the objective of which is to try to or to arouse interest in a certain genre or a method of preparation of a programme, or in a topic, and does not prevent Czech Radio from monitoring, creating and storing works that are not in full compliance with current social priorities.

2.4 Czech Radio tries to achieve that the maximum number of listeners can find topics in the radio broadcasting that they are interested in. It does not exclude any population group or any topic relevant to such a group from its schedules as a whole. Nevertheless, at the same time it lays an emphasis on the time in its programme composition for minority genres and for topics which the other radio broadcasters in the Czech Republic do not offer within their schedules at all or offer them only in a limited scope. Therefore it is also obliged to deal with topics or genres taking into account the needs and interests of seniors, the ill or the disabled, people in a difficult social situation, young families, national or ethnic minorities and other minority groups living in the territory of the Czech Republic.

2.5 Czech Radio may not interfere with personal rights of its listeners; above all it is not permissible to resort to degradation of human dignity, to offend, or to develop feelings of anxiety or fear without any justified reason.

2.6 During contacts with listeners, Czech Radio pays attention to protection of their privacy. It will not publish any data disclosing the programmes which a particular individual listens to or how they enjoy or assess these programmes if not granted the listener's consent.

2.7 Czech Radio includes programmes and programme elements in its broadcasting to which the listeners may respond immediately.

2.8 Czech Radio deals with any seriously meant initiative or complaint submitted by a listener and will send a reply to it without any unnecessary delay if the return address is specified.

2.9 Czech Radio always examines any complaints concerning reduced technical quality of broadcasting or mistakes in the programme content processing so that the listener may

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receive a reply without any unnecessary delay, whether a fault has appeared on the part of Czech Radio or its contractual partner and, if so, which remedial measures have been taken.

- 2.10** Czech Radio will remove, even without prior notification, significant mistakes or inaccuracies it has made during broadcasting. It will do so without any delay after they are found out, if possible even in the relevant edition of the programme or immediately after it ends and/or in the next edition of the programme. During protection of persons affected by the radio broadcasting content, it will proceed in accordance with the Act on radio and television broadcasting.
- 2.11** Czech Radio is obliged to inform its listeners about the origin and sources of information and materials used in the broadcasted programmes. The method of presentation of such information will depend on the nature of the programme. The peculiarities of this rule in force for news and journalistic programmes are regulated in art. 6.11.
- 2.12** Czech Radio monitors the radio broadcasting level achieved in this field in the world as well as radio broadcasting innovations both in the technical and genre, content and formal meaning, with the aim of ensuring the best quality of services possible, taking into account the financial possibilities available, and in particular it will not delay, without any serious reason, implementation of new technologies having direct impact on the quality of services offered to listeners.
- 2.13** Czech Radio provides its listeners with a possibility of becoming informed about the background of radio broadcasting, its history and development trends. In order to fulfil this task, it especially offers virtual visits on the Internet and organises open days in a scope not interfering with its usual activities on a regular basis.

Art. 3 Special attention paid to child listeners

- 3.1** Czech Radio is of the opinion that it is its duty with regard to child listeners to help them above all to discover and accept the basic ethical values of a democratic society. To this end, it adapts the composition and character of programmes intended for child listeners.
- 3.2** Czech Radio offers child listeners above all provision of the tradition of Czech and international fairy tales, radio plays for children and young people, competitions, and educational and formative programmes. It also contributes to cultural orientation and popularisation of sports among children and teenagers. It considers creation of conditions for development of the original works addressed to children and young people to be an important obligation in this field. This obligation is even stronger as Czech Radio is aware of the fact that it is the main and actually the single permanent producer of radio works for children and young people in the country.
- 3.3** When preparing programmes for children and young people, Czech Radio presents examples of integrated coexistence of healthy children with handicapped ones and supports national and ethnic tolerance.
- 3.4** If commercial parts of the broadcasting (art. 14.1 to 14.8) are included at a time immediately before or after programmes for children and young people, Czech Radio will not allow presentation of any content that could unfavourably affect development of children or teenagers or that would develop, directly or indirectly, inferiority complexes in children if they do not obtain goods or services promoted.

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Art. 4 Radio fee payer – open relationship

- 4.1 Czech Radio is bound in relation to radio fee payers to manage the funds remitted as well as other assets with the care of a due manager. Detailed regulations of basic duties connected with economic management of Czech Radio are specified in art. 26.1 to 26.6.
- 4.2 Czech Radio will provide any physical person or legal entity, upon request, with true information attached to the rights and duties to pay the radio fee. In order to fulfil this duty, it will publish clearly arranged information including necessary samples of forms on the Internet among other things.
- 4.3 Czech Radio will provide, upon request, information on management of radio fees and other assets in the scope of data in accordance with the Act on free access to information.
- 4.4 While enforcing payment of radio fees, Czech Radio will apply an equal approach to payers of the fees, in particular it will not provide any of the payers with preferential treatment unless a reason foreseen by law for this occurs. Czech Radio will enforce payment of radio fees from all debtors. Enforcement of payment of radio fees may only be waived if it is shown that costs of such enforcement exceed the probable benefit.

Art. 5 Author – basic condition for success

- 5.1 Programme authors, no matter whether they are employees or external partners of Czech Radio, are considered by Czech Radio to be a decisive precondition for successful fulfilment of the public service. Therefore Czech Radio universally creates a good creative background and conditions for free competition of ideas and their implementation based on equal opportunities that must be predetermined by clear and just rules for cooperation with Czech Radio defined in advance.
- 5.2 Czech Radio will be engaged in protection of freedom of speech of authors regardless of whether or not they are just cooperating with it because disputing the freedom of speech illegally in the case of one of them may result in disputing the same right to others in the future. Czech Radio will act in a sympathetic way appropriately to its possibilities if an author appears endangered in connection with fulfilment of their professional duties through no fault of their own. In the interest of workers who appear in a danger or in a difficult life situation due to performance of their work in Czech Radio, Czech Radio will make efforts to ensure security and legal assistance and also material support for the necessary period.
- 5.3 Czech Radio respects an author's right to the integrity of their own conscience. If an employee informs their superior or if an external partner informs the person acting with them on behalf of Czech Radio in advance that their conscience does not allow them to work on a certain topic, this author will be released from work on the given topic without being penalised for it. The author will not receive any remuneration for work that is not done. An author may not even later be forced to engage themselves in a programme in a manner that is inconsistent with their conscience or that would change the intention and meaning of their work. If an author appears in a dispute with their superior, which arises in the possibility of a conflict with conscience, Czech Radio is obliged to discuss a settlement of the existing disputes together with the author or with the professional organisation representing them with their consent, in a manner similar to that regulated in par. 5.6.

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- 5.4** Czech Radio is obliged to protect authors' intellectual property. Czech Radio is obliged to ensure that topics or scenarios submitted are not misused so that the copyright thereto is infringed.
- 5.5** Czech Radio distinguishes, in accordance with the Copyright Act, between an author's work created by an employee and any other work. The decision on use and possible modification of an author's work created by an employee during performance of working tasks is regulated by the Czech Radio organisational structure and a superior worker is authorised to decide on modifications to the author's work if its value is not decreased thereby. Treatment of works other than those created by employees will be regulated by the contract entered into between Czech Radio and the external partners sufficiently in advance. Czech Radio is obliged to ensure that the contents of such contracts are clear to the contracting parties in advance and that disputes concerning the use of the rights to the work are avoided. This provision does not affect art. 6.16.
- 5.6** All authors working for Czech Radio as employees of external partners must comply with the Code. In the case of any conflict between the principles arising for an author from self-regulating professional norms and a provision of the Code or an internal regulation of Czech Radio, the author is obliged to notify the responsible worker acting on behalf of Czech Radio of this fact in advance. In this case, the employee must inform their superior. Czech Radio is obliged to discuss the overcoming of such disputes together with the author or with a professional organisation representing them with their consent. While the existing disputes are being settled, first of all it is necessary to check the compliance of disputable norms with legal regulations and basic values on which the Code is based. In the interest of using all tools to overcome the disputes, Czech Radio and the author (or the professional organisation representing them) will use a possibility to agree on a middleman for an agreement from among personalities generally recognised in the field, or on institutions independent of both parties.

Chapter II. Specific types of programmes and some other activities of Czech Radio

Art. 6 News and journalistic programmes and attention paid to information in these programmes

- 6.1** One of the primary tasks of Czech Radio is provision of information in news and journalistic programmes. Czech Radio provides listeners with information important for their universal orientation and free formation of opinions. Regional reporting occupies a firm position in the schedule.
- 6.2** In the case of an emergency, Czech Radio is ready to interrupt the planned schedule with extraordinary news reporting.
- 6.3** Czech Radio's journalistic programmes offer, above all, critical reflection of the reality, they must try to find out the real causes of phenomena and describe the scope of consequences. Journalistic programmes also provide the participants in the events with a possibility to express the arguments they use to support their viewpoints. While the development of a democratic society is being monitored, investigative journalism programmes dealing with serious breaches of law, corruption and protection of the population's rights and interests should be presented. Journalistic programmes also deal with problems of the environment,

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ethnic minorities, handicapped people or other groups, such as seniors, people in difficult social situations, or consumers. The range of the aforementioned programmes is based on current needs of the society found out e.g. through socio-demographic surveys performed by renowned institutions.

- 6.4** Inclusion and order of information in a news programme broadcasted by nationwide stations is based on the expected impact on the life of the population Czech Republic, and in the case of regional broadcasting on the basis of the impact on the life of people living in the region. When editorial decisions are made, international impacts and relations affecting states, continents and cultures cannot be neglected, however. News reporting and current journalism show the Czech Republic and its regions within the European and world events in this meaning.
- 6.5** Czech Radio handles the information provided to listeners as a value which it is not entitled to appropriate, do business with it or make a subject of speculation at the expense of listeners. Czech Radio must always apply a preferential procedure in order to prepare a particular piece of information for broadcasting with professional care and to deliver it to its listeners readily this way.
- 6.6** In news and journalistic programmes, Czech Radio pays attention to accuracy and impartiality lying above all in the finding and verification of facts.
- 6.7** Czech Radio strictly distinguishes between information of a news character (news item) and value judgements (commentary). A news item means information on a certain action or event containing also, as a rule, a piece of information on the viewpoint of the main participants in the event the news refers to. Mere assumptions are not allowed to be presented as news items. A value judgement expresses opinions, viewpoints or feelings. In its broadcasting, Czech Radio unambiguously distinguishes between news items and value judgements in a manner that is clear to its listeners. In particular, it is not allowed to mix a news item and a value judgement in one sentence of the editor.
- 6.8** The news item must be based on facts found out and verified. While obtaining and processing information, Czech Radio is fully obliged to find out and provide its listeners with an objectively correct picture of the reality. Where it is not entirely feasible due to an impossibility to obtain any or all information, it must proceed so that it can get as close to the truth as possible. Concealing an important piece of information or suppressing an important aspect thereof is always a material breach of this duty.
- 6.9** Czech Radio may broadcast a news item verified from at least two trustworthy and mutually independent sources; one official source is only sufficient in the case of information officially made available by public authorities and institutions unless it is clear from the circumstances that the data are incorrect or inaccurate. Czech Radio receives, under the conditions stipulated in a contract, news services from renowned agencies which are responsible for truthfulness and correctness of their information. Unless a reason to have doubts about the information in a news item is clear, the editor does not have to check any news item received by Czech Radio from the agency service. When any, even very little, doubt exists as to whether or not the data from an agency service are correct, the editor must verify such information immediately from at least two mutually independent sources. If it is exceptionally necessary to broadcast a piece of information received from only one source due to the impossibility to verify the information at another source and with respect to the importance of the public interest to which the news refers, the listener must be informed of such.
- 6.10** Czech Radio must not broadcast any information the origin of which is unknown. It must inform listeners about the source of the information broadcasted except for generally known facts and

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information received from renowned news agencies providing Czech Radio with information on the basis of a valid contract. The editor-in-chief of the relevant station must permit use of a concealed source on conditions referred to in art. 21.11 and 21.12. The statutory right of editors to protect the source is not affected.

- 6.11** Czech Radio must ensure that all recordings used in news and journalistic broadcasting contribute to the objective correctness and accuracy of the information presented. Humorous and satirical programmes, in the course of the broadcasting of which it must be clear that the montage creates a work of fiction, are exceptions.
- 6.12** Czech Radio may only obtain information on condition that fair procedures allowed by legal regulations are applied; it will not permit any pressure, especially requiring presentation of false or partially true information.
- 6.13** While presenting news and political journalism programmes – except for commentaries, Czech Radio editors must act so that the listener cannot recognise which opinion they have of the issue they are informing about. They must not factually deviate from the reality in commentaries containing the author's personal viewpoint.
- 6.14** A value judgement is always subjective and cannot be subject to any proof of the truth due to its nature. Nevertheless this does not release Czech Radio from its duty to include in its news and journalistic programme broadcasting only such value judgements that are presented in an honest manner and without any misleading treatment of facts which are to justify the judgement. This duty does not prevent the listener from being provided with value judgements of participants in events, however. In this case, Czech Radio will let the listener form their own opinion on whether the participants in events present their value judgements in an honest manner.
- 6.15** If it is possible and purposeful, Czech Radio accompanies a presentation of news with identification of editors held responsible for its preparation.
- 6.16** While the contents of news and journalistic broadcasting of Czech Radio are being prepared, the autonomy of stations is applied, which lies above all in the duty of managers to exclude outer influences that could affect inclusion, order or contents of information during broadcasting. Out of the station's organisational structure it is only the Director General, director of the relevant station or Czech Radio managers authorised by him that may affect the content of a particular news item or the decision on its inclusion or order, and only if the circumstances clearly indicate that a breach of law has been caused or is imminent if the news item is published. The station's editor-in-chief must be given a written instruction on the basis of which the intervention is performed. The powers of the Director General and other managers to manage stations in personnel and operating matters are not affected by this article.
- 6.17** Editorial decision-making in stations follows the criteria resulting from the Code above all. The editor-in-chief of the relevant station is responsible for the contents of news and journalistic programmes above all.
- 6.18** If information or material processed by a person or an institution engaged in business in the field of public relations (PR agency) is also used for preparation of a news item, Czech Radio is obliged to accompany the presentation of the news item with a notice about the origin of such information or material. The provision of art. 6.10 remains unaffected.

Art. 7 Discussion programmes and plurality

- 7.1** Czech Radio creates space for programmes representing discussion confrontation of ideas and concepts relating to important issues of public interest. Dramaturgy of discussion programmes must take into account the experience that people may perceive nearly any issue from different angles and that opinion clashes are typical of the development of society. Czech Radio pays attention to the fact that the main opinion streams in a dispute should be given a uniform space to present their ideas. If this cannot be ensured, the role of a qualified opponent must be played by the moderator or by a guest invited by him/her, above all by giving opposing arguments not represented in the discussion. Guests and topics are chosen by Czech Radio as a matter of principle, namely on the basis of independent editorial consideration. If a guest refuses to answer important questions in advance, they are not invited to participate in the programme.
- 7.2** Fulfilment of art. 7.1 also assumes broadcasting of discussions of politicians within the democratic competition of political parties and movements. Czech Radio pays attention to the principles of balance so that no political party or movement or their ideas are unilaterally provided with preferential treatment within the whole scope of the broadcasted schedule. It will allocate space for them, taking into account their real positions in political and social life.
- 7.3** In discussions dealing with political and social topics Czech Radio must also ensure, in addition to politicians, participation of a wide range of experts, personalities from civil life, but also common people so that relevant ideas and opinions may be heard and so that politicians are confronted with those ideas and opinions.
- 7.4** Moderators of discussion programmes of Czech Radio are obliged to comply with impartiality. The listener should not recognise from their performance in the programme which opinion they have about the problem discussed or about the persons engaged in the discussion. Moderators always aim at open exchange of opinions between the participants invited to the discussion, nevertheless they pay attention to the fact that the rules of honestly conducted discussion are complied with.
- 7.5** The invited participants in discussion programmes are entitled to require that the editor should inform them about the participants and topics of the discussion in advance (with respect to the time stage of the programme preparation). Czech Radio never accepts any conditions through which one of the discussing participants or any part of them would seek to achieve an advantage at the expense of the others, and it never provides any participant with any preferential treatment on the basis of its own initiative.
- 7.6** If any of the main participants in a certain dispute refuses to take part in the discussion, Czech Radio will inform listeners about the reasons why this has happened. In negotiations about participation of discussants Czech Radio will apply a procedure according to similar principles as in negotiations with respondents (art. 21.3 to 21.10).
- 7.7** In its broadcasting, Czech Radio pays special attention to the period before elections of members of representative bodies on all levels. It publishes the detailed rules and plan of pre-election broadcasting as soon as it is possible with respect to announcement of the election term and the number of contesting entities.

Art. 8 Artistic programmes

- 8.1** Czech Radio contributes to the support and development of culture and art in the Czech Republic. Its duty is therefore to provide its listeners with programmes that are varied from the viewpoint of the genre and contents, which may enrich listeners culturally and artistically. In the whole of its schedule, it brings a comprehensive summary of artistic traditions and current cultural events in this country as well as abroad. It provides its listeners with artistically valuable musical, literary and dramatic works with origins in this country or in the world. Documentary works are also a part of the composition of artistic programmes.
- 8.2** Czech Radio pays special attention to current art and current culture as a whole as a co-author and producer of original literary and musical works. These activities are extremely important above all in the current stage of development of modern culture, which permanently seeks concentrated and systematic care and support.
- 8.3** Czech Radio is aware of the fact that listeners or individual listener groups differ from one another due to their cultural and artistic feelings and genres or artistic styles that they prefer. Czech Radio is obliged to satisfy the whole range of listener groups if possible.

Art. 9 Educational and teaching programmes

- 9.1** Czech Radio creates and allocates a firm position in its broadcasting for educational and teaching programmes intended for various age and interest groups. It makes use of advantages and forms provided by radio communication, and appropriately enhances the sources from which people can obtain knowledge. Where it is possible and appropriate, it completes the presentation of an educational or teaching programme with an offer of other sources of information concerning the topic, including educational information published on its own Internet pages.
- 9.2** Czech Radio participates in generally beneficial campaigns focused on enlightenment through broadcasting of trailers, informative materials (spots) free of charge or through processing of such information in an editorial manner. While making decisions on selection of topics and partners of such campaigns, Czech Radio applies the procedure according to art. 15.1 to 15.7.

Art. 10 Entertainment programmes

- 10.1** Czech Radio must also satisfy listeners' interest in programmes focused on entertainment and leisure. When selecting entertainment programmes, Czech Radio applies such procedures so that no deviations from standards of the programme quality typical of the overall programme offer are avoided, and creates, above all, such entertainment programmes that provide listeners with artistic values or develop knowledge. Czech Radio must also be engaged in exclusive forms of entertainment, so-called alternative entertainment. It also promotes original works and a varied range of programmes in the field of entertainment.
- 10.2** Czech Radio will not participate in presentation of entertainment programmes which would become inconsistent with the principle according to art. 1.3. In particular, it will always refuse any performance primarily serving to promote a certain kind of consumer behaviour or any other treatment of listeners.

Art. 11 Sports broadcasting

- 11.1** In programmes focused on sport and physical training, Czech Radio provides information on top domestic and foreign events, and also brings information about other forms of sports including children's and junior categories, professional and recreational sports or new kinds of sports. The time spent within the broadcasting on information about individual kinds of sports corresponds to the interests of the general public, which is also measured by the number of officially registered sportsmen in the given kind of sport in the Czech Republic. Nevertheless, Czech Radio does not omit events in the so-called minority sports appropriately to its programming possibilities, however.
- 11.2** Czech Radio traditionally devotes a large amount of time to the Olympic Games and Olympic movement.
- 11.3** Czech Radio also pays regular attention to paralympic sports including information about competitions in paralympic games. On the nationwide and regional level, it also informs about sport activities of clubs and associations of handicapped sportsmen.
- 11.4** Presentation of sports within broadcasting of Czech Radio must comply with the values of fair play, regardless of the rivals or the starting field of the competitors. It is not permissible to emphasise or tolerate a breach of the rules as a manner of achieving a successful result. Authors of sports broadcasting must take into account the fact that sporting events often provide children and young people with a model of behaviour and that Czech Radio sports broadcasting listeners often include a large number of children and teenagers.
- 11.5** Czech Radio informs about sports above all as entertainment or a game, but also as an important part of culture and economics.
- 11.6** The sports broadcasting of Czech Radio must refrain from incitement or support of intolerance among sports fans. In particular, Czech Radio does not allow nationalism, racism or other extreme opinions to penetrate into its sports broadcasting. The duty to provide listeners with news on occurrence of such actions in connection with a sporting event is not thereby affected.
- 11.7** Czech Radio does not make listeners feel that it favours, contrary to sporting viewpoints, a certain sports club or a commercial interest connected with sport. Czech Radio must apply a particularly sensitive approach to the issues of club rivalry and must remain a radio station for sports fans regardless of the clubs they support.
- 11.8** The provisions contained in art. 6.1 to 6.18 appropriately apply to the information provision (news reports) concerning sports and physical training. Sports editors must respect the rules for due and ethical performance of the journalistic profession. Czech Radio does not conceal from its listeners any information about the reverse side of sports, which may result from a death of a person or an animal, permanent damage to health, doping or damage to nature.
- 11.9** If a sports editor or commentator shows their favour to sportsmen from the Czech Republic, this does not mean any inconsistency with art. 11.7 and 11.8 with respect to a special character of sports programmes. But even in this case the demonstration of support may not prevail entirely over the provision of factual information to listeners and critical judgement.

Art. 12 Radio broadcasting abroad

- 12.1** Czech Radio operates radio broadcasting abroad. The radio broadcasting abroad provides objective, verified and generally balanced information with a special consideration of the compatriotic community abroad in particular.

- 12.2** Czech Radio broadcasting abroad contributes to promotion of the good name of the Czech Republic and participates in creation of an objective image of the Czech Republic abroad.

Art. 13 Care for the archive fund

- 13.1** The Czech Radio archives are a unique part of the national cultural heritage. In its archives Czech Radio files the broadcasted programmes as well as original sound and written records and abides by the Act on Archiving and other legal regulations while performing these activities. Czech Radio files the broadcasted programmes in its archives above the scope of its legal duties unless this is prevented by a legal regulation or a concluded contract. Czech Radio is obliged to take universal care of the archive fund collected so far, above all to protect the materials in files from becoming lost, damaged or misused, and to sort them systematically. If it is possible without any reduction of the quality of materials in the archives, Czech Radio ensures gradual re-recording of the sound works in the archives using new sound recording technologies.
- 13.2** Czech Radio makes efforts appropriate to its possibilities aimed at completing the archive fund with missing materials or materials related to parts already filed in the archives.
- 13.3** Upon request, Czech Radio provides other persons with access to the archived materials for studying and scientific purposes if there is no risk of damage to or any other loss of the value of the material made accessible. If Czech Radio makes any archived materials accessible for the purposes specified above, it is exclusively entitled to require compensation for the costs incurred.
- 13.4** Czech Radio reserves the right to carefully review any request for provision of a copy or conclusion of a licence contract to materials creating the archive fund if such a request aims at a commercial purpose. Czech Radio will not lend its archive fund for the purposes of advertising or for any other purpose if this could reduce the value of the archived work or the good reputation of Czech Radio.
- 13.5** In its schedules, Czech Radio makes use of the wealth of its archive fund.

Art. 14 Commercial parts of the broadcasting

- 14.1** Czech Radio uses the forms permitted by law for broadcasting of programme commercial parts it reserves for advertisers as one of the sources of income for fulfilment of the duty to provide the public service. The relationship with the advertiser may only be based on these business grounds and agreements which would be contrary to these grounds and to the usual business relationship between the advertiser and the promotion time provider are forbidden to make. Czech Radio especially refrains from participation in the advertiser's business activities or transactions.
- 14.2** Czech Radio does not allow a possibility for the advertiser to influence the contents of programmes. It must not give any promises that would be contrary to this rule. The fact that a certain entity has been and should only become an advertiser of Czech Radio or is a partner in another business relationship with Czech Radio cannot constitute preferential or other treatment in relation to the contents of programmes except for the commercial part of the schedule the broadcasting of which the advertiser has ordered.

Czech Radio Code

- 14.3** Czech Radio is obliged to apply the procedure in order to achieve the maximum profit possible from the sale of commercial times to advertisers. Therefore it especially excludes any decision-making criteria other than commercial ones without other duties resulting from the Code being affected.
- 14.4** Advertisements and other forms of business presentations (sponsoring and sale) permitted by law may only be broadcasted so that the listener can clearly recognise that these are commercial presentations of persons different from Czech Radio. Presentation (if any) of commercial offers of Czech Radio (e.g. souvenirs, audio-carriers, etc.) must be advertised so that the listener may clearly recognise that this is a case of commercial presentation separated from the other schedule.
- 14.5** In all programmes Czech Radio must avoid hidden and subliminal advertising.
- 14.6** Czech Radio will not include in its broadcasting any advertising about which it is aware that it is contrary to law.
- 14.7** Czech Radio will not knowingly participate in hidden presentation of commercial interests through programmes broadcasted; e.g. the arrangement or the course of a show of the performing persons cannot be determined by their commercial effect.
- 14.8** Czech Radio may do business with objects and rights attached to the broadcasted programmes (merchandising) unless the fulfilment of the public service obligation is affected thereby. Nevertheless Czech Radio will not let the interpretation of programmes produced by it be determined by an interest in future use of elements of such interpretation to the detriment of the professional quality.

Art. 15 Charitable and philanthropic activity

- 15.1** Czech Radio supports cultural and generally beneficial activities above all within the media partnership, which lies in provision of opportunities of collection, enlightenment and non-commercial trailers and in editorial processing of information on such activities. The number of accepted projects depends on priorities the determination of which is based on the mission of Czech Radio as a public service radio station. In this respect, charitable, humanitarian, cultural and enlightenment projects are preferential.
- 15.2** Persons interested in media partnership will submit an application to Czech Radio to broadcast collection, cultural, enlightenment and non-commercial trailers together with the project to which the trailers are to be related. Before the contract is concluded, Czech Radio is obliged to verify the non-commercial character of the project and the applicant's ability to fulfil the project. For this purpose it will also require information on personnel, organisational and financial safeguarding of the project implementation.
- 15.3** The submitted applications for media partnership are assessed by Czech Radio managers in accordance with art. 15.1 and 15.2.
- 15.4** The content and technical interpretation of the trailers included in the broadcasting must comply with the quality criteria typical of the other schedules of Czech Radio and must not provide listeners with a misleading idea about the objective and purpose of the project. Presentation of untrue or distorting information on the purpose and the manner of disposal of financial funds obtained through a public collection may not be allowed in particular.
- 15.5** Czech Radio also seeks other possibilities of informing about charitable projects and activities of non-governmental non-profit organisations that form an integral part of the open civil society.

Czech Radio Code

- 15.6** In justified extraordinary cases Czech Radio is entitled to donate financial funds or material means or to provide needy people with a free or advantageous service of humanitarian help, either directly or through a generally beneficial organisation in the authorised bodies of which it has its representatives. Nevertheless only funds from revenues Czech Radio has from its business activities may be provided in this manner in the amount appropriate to its economic standing.
- 15.7** Furthermore Czech Radio may, in suitable cases and in the manner appropriate to its possibilities, promote generally beneficial cultural, educational or humanitarian projects through advantageous provision of its services, nevertheless only on the basis of a written contract accessible to the general public.

Chapter III. Professional and ethical issues and certain procedures for dealing with them

Art. 16 Use of language

- 16.1** Czech Radio is obliged to pay attention to the cultivated use of language. The manner of speech of reporters, moderators and editors in broadcasting must work as a model of the correct use of language, with respect to the fact that listeners may attach a standard-setting importance to such use of speech.
- 16.2** Czech Radio is obliged to prudently select and carefully use the means of language, always with respect to the topic and genre. Announcers, moderators and editors of news and journalistic programmes are obliged to use, as a matter of principle, literary language unless they cite or interpret a statement or behaviour of another person or if the use of a non-literary expression is in line with the situation (e.g. preservation of authenticity of an interview or use of a report licence according to art. 21.17 etc.).
- 16.3** The verbal formulations used by announcers, moderators and editors in the course of broadcasting should avoid empty phrases, clichés or any other oversimplification of the language. When information is presented, expressions or phrases popular in the given period should not be used to the detriment of accuracy and factual content of the information. Czech Radio makes efforts to avoid stereotypical repetition of expressions where other variants of such may be ensured while accuracy is observed.
- 16.4** Czech Radio systematically cooperates with language experts and is obliged to request their opinion if in doubt about the use of a correct expression, before recording if possible. Corrections of language mistakes are appropriately regulated by art. 2.10.

Art. 17 Religious items

- 17.1** In relation to religious issues, the Czech Radio schedule is based on the principle of openness and tolerance of various religions of registered churches and religious societies of believers as well as people without any religion. Czech Radio especially refrains from broadcasting of programmes which would spread intolerance among people or groups with different religious orientation, or between people with and without a religion.
- 17.2** The programme space devoted to religion is based on stratification of the society and its current relation to the spiritual sphere. The data of the last census report provide an aid here.

Czech Radio Code

- 17.3** Aware of the European cultural and historical traditions, Czech Radio pays attention, in various genres and programmes, to biblical topics and their importance for cultural development and moral attitudes including various viewpoints of their historical and contemporary interpretation. Czech Radio programmes also provide details of intellectual and cultural bases of other world religions, namely with respect to the spreading of mutual awareness, understanding and tolerance between different religions and cultures.
- 17.4** Czech Radio is obliged to take into account the fact that its listeners consist of various population groups some of which may understand the contents of certain programmes as an attack on their religious or ethical beliefs. Members of national or ethnic minorities must be considered especially. Czech Radio is obliged to inform listeners in advance about considerably controversial contents of the programme from the ethical or religious viewpoint, which it may do by providing its listeners with factual information about the character of the content of such a programme in an appropriate form.

Art. 18 Prohibition of discrimination

- 18.1** Czech Radio must avoid doing anything to make its listeners create and confirm ideas that people belonging to a certain racial, national, ethnic or social group deserve a position in the society different from the position of others due to their membership of such group. Czech Radio must refrain from stereotypes in description of particular groups or their members.
- 18.2** During its broadcasting or in a schedule, Czech Radio will not discriminate against anybody, especially not due to reasons of sex, age, race, sexual orientation, nationality, ethnic membership, religion, opinions or membership in a certain social group.
- 18.3** Czech Radio pays special attention to equality of men and women, both in Czech Radio broadcasting and in the schedule composition.
- 18.4** The reception service in the premises intended to be visited by cooperating partners and the general public must ensure assistance for physically handicapped people as well as for elderly people with reduced mobility.

Art. 19 Respect for privacy

- 19.1** Czech Radio respects the fact that everybody has a right to protection of their personality, especially life and health, civic honour and human dignity as well as privacy, their names and expression of a personal nature. Czech Radio respects the right of any person to decide freely what of their private life they want to make available to others. Nevertheless, if an originally private action may affect issues of a public interest (e.g. discharge of an office or compliance with legal standards), it may inform about such actions after considering all circumstances, especially in relation to persons subject to public interest.
- 19.2** Czech Radio will refrain from recording and using sound materials before it obtains the consent to such recording and use from the person who is authorised to grant such consent unless there is a justified assumption in matters of a public interest that otherwise certain action will not be possible to record. The rules for use of a hidden microphone in art. 21.13 to 21.17 are not affected thereby.

Czech Radio Code

- 19.3** Czech Radio applies a similar procedure to that in art. 19.2 while making a decision on creation or use of recordings of telephone calls till the moment the respondent gets to know the editor's identity and the reason why he is contacting them.
- 19.4** In live broadcasting Czech Radio will refrain from making nuisance telephone calls which it has not agreed to make with the called participant in advance. Similarly it is not permitted to interfere with privacy without prior consent in otherwise live broadcasting.
- 19.5** Czech Radio assesses, with special attention, presentation of recordings with victims of violent crimes, accidents or natural disasters. Although the inclusion of a recording in a programme can have an important informative value in justified cases, it holds good that recordings of people injured or in shock may be included only exceptionally on the basis of consent granted by the relevant station editor-in-chief. Groups and individuals who cannot or are unable to reserve the scope in which they permit access of a radio microphone to their suffering, e.g. people in deep shock, people affected by profound grief, or children, have a right to special protection and consideration.
- 19.6** Czech Radio will not proceed to identify living victims of serious violent crimes or relatives of victims of such crimes (especially in the cases of an attempted murder, aggravated bodily injury, rape or sexual abuse) if the people affected do not agree to it. Czech Radio is obliged to explain to the victim any possible impact if their identification is published. In exceptional cases, if the full identity of such people is already well known to the general public, the editor-in-chief of the relevant station may permit an exception from this rule due to extraordinary importance of public interest.

Art. 20 Presumption of innocence

- 20.1** Czech Radio is obliged to respect the principle of presumption of innocence, from which it follows that any person is considered to be innocent until a legally effective statement on their guilt is made. In the first place, the principle of presumption of innocence is binding on state authorities and may not be interpreted in relation to the duties of Czech Radio as preventing it from informing its listeners about any suspicion of a criminal act committed by a particular person, or from publishing a testimony of persons or information about a procedure applied by state authorities within criminal or offence proceedings. Such interpretation would prevent Czech Radio from giving true information about matters of public interest. Nevertheless Czech Radio is always obliged to refrain from making any statements as a result of which a suspected, accused or indicted person may be considered to be already convicted in a legally effective manner.
- 20.2** On condition that publishing a certain piece information that has not been obtained in a manner independent of investigating, prosecuting and adjudicating bodies could endanger searching for or detention of the offender who has committed an especially serious crime, Czech Radio will submit, on the basis of a decision made by the relevant station editor-in-chief, to the information embargo imposed on the case by the investigating, prosecuting and adjudicating bodies and will not publish this information for the necessary period of time. In this case it will always inform its listeners on its accession to the information embargo, however.
- 20.3** If Czech Radio informs about suspicion that a certain person has committed a crime for which they have not been indicted yet in a legally effective manner, it will broadcast such person's viewpoint if it may be obtained or published with regard to the proceedings in progress. The

Czech Radio Code

manager in the editorial board authorised by the editor-in-chief will decide on non-publishing of such person's viewpoint due to impossibility to obtain or publish it.

- 20.4** If Czech Radio informs about suspicion of a less serious offence, it will refrain, while identifying suspected, accused, indicted or sentenced persons, from publishing the full surname unless the public interest in the given case requires full identification of the suspected person. Nevertheless it will not publish, as a matter of principle, the full identification of a suspected, accused, indicted or sentenced person in the case of less serious offences committed by juvenile persons or if the safety of the aforementioned persons might be endangered.
- 20.5** While informing about criminal activities or offences, Czech Radio will refrain from identifying relatives of a suspected, accused, indicted or sentenced person unless they are not concealing their identity from the general public or have been participating in improper activities, have profited from them or might affect the course of the criminal or offence proceedings. On condition that a direct or close relative of such a person is a person subject to a public interest (e.g. politicians or public officials), the station's editor-in-chief may decide on identification of such a person in the broadcasting even if some of the aforementioned conditions are not met, provided that the criminal or offence proceedings could be important for assessment of acts of that person in a certain position, office or occupation.
- 20.6** While broadcasting programmes or information about criminal activities, Czech Radio will refrain from creating or supporting an atmosphere focused on revenge or illegal ostracism of suspected, accused, indicted or sentenced persons. Furthermore, it will not present programmes the contents of which would place pressure on judges to decide on guilt or punishment in a certain manner.

Art. 21 Rules for recording

General rules

- 21.1** While making (recording) sound materials, Czech Radio workers act in a manner clearly indicating that they belong to Czech Radio. Editors do not conceal their first names and surnames, professional identifications or their membership in Czech Radio and working positions unless the procedure according to art. 21.13 to 21.16 is justified.
- 21.2** Czech Radio makes every effort to avoid any illegal infringement of third persons' rights or any disturbance of the public order during recording. Before recording, which is subject to prior consent or a contract, it is obliged to comply with the prescribed procedure or to enter into a relevant contract in advance.

Respondents

- 21.3** Before a recording with a respondent is started, Czech Radio workers are obliged to provide the respondent with true information about their identity and the character of the programme for which the recording is to be performed. Exceptions to this rule are regulated by art. 21.13 to 21.16. The editor does not have to give the questions to the respondent in advance. He/she will inform the respondent about topics so that they can prepare, and about the expected manner in which the interview is to be used in the broadcasting. The editor pays attention to the respondents' dignity and other personal rights. The editor is entitled to refuse the requirement of additional authorisation of the interview.

Czech Radio Code

- 21.4** While a telephone call to be used in the broadcasting is being made, Czech Radio is first obliged to apply a procedure similar to that in art. 21.3 and then to ask the respondent whether they agree with the interview and its recording. If the respondent refuses, the call may not be recorded any longer unless the conditions for the procedure according to art. 21.13 to 21.16 occur.
- 21.5** The respondent may disagree with the recording. Czech Radio is not entitled to use any pressure on the respondent to make them agree with the recording; it will especially refrain from any threats or other forms of duress or flattery. Nevertheless in the case of people subject to public interest, it may inform these persons with respect to the situation that the general public, considering their position in society, rightfully expects them to adopt a viewpoint or to provide information concerning a public interest matter with regard to the situation. If the respondent's opinion is important for the programme, Czech Radio may, after having been refused by the respondent, use their previous statements concerning the case if available to Czech Radio and if no distortion is imminent with regard to the time delay; otherwise it will inform listeners briefly that the respondent has refused to give his/her opinion and the reasons he/she has given for that.
- 21.6** Czech Radio will not accept, as a matter of principle, any additional conditions or duress related to a material recorded in accordance with the Code. In justified cases it may accept a proposal of an agreement on authorisation of the interview even before the recording is started. The agreed authorisation may only lie in the respondent's right to receive a recording or transcript of parts of the interview to be used in the programme before it is broadcasted, however. If Czech Radio accepts this agreement, it is obliged to comply with it. Objections (if any) submitted by the respondent referring to distortion of their statement will be assessed by a manager in the editorial board authorised by the editor-in-chief. Czech Radio will not accept, as a matter of principle, any agreement which would provide the respondent with a privilege to agree with use of his statement only depending on the finishing impact of the whole programme.
- 21.7** Czech Radio does not provide one or more respondents with any advantage to the detriment of the other respondents participating in the programme; in particular it does not enable a respondent to give their opinion after they have been replayed or reproduced another respondent's opinion concerning the topic in the full extent. Nevertheless this provision does not prevent it from requiring a respondent to give his/her opinion concerning another person's viewpoint or statement. The respondent must be informed about the nature of the relay in the case of critical reports in news and journalistic broadcasting, with any and all essential objections raised against them or given by other respondents on the basis of facts. The respondent must be provided with a possibility to give their opinion concerning the essential objections.
- 21.8** All recordings used in the broadcasting must correctly express the reality from the objectively correct viewpoint, and must not be edited so that the meaning and context of the information becomes changed or distorted. The only exceptions are humoristic and satirical programmes. Nevertheless during their broadcasting the editor must indicate clearly that the montage creates a work of fiction.
- 21.9** Czech Radio is obliged to clarify in advance whether or not the respondent is expecting any remuneration or compensation for the costs incurred and to inform them whether or not their expectation is to be satisfied. An agreement (if any) on financial benefit must be entered into before the respondent's performance. Czech Radio does not provide any financial benefit to

Czech Radio Code

respondents – politicians and respondents in public offices if they are to perform in connection with their political, public or official activities. It is not permitted to pay any remuneration to respondents who are to provide information about their criminal activities.

- 21.10** While information is being obtained from experts, it should be clarified in advance whether this is a case of an informal interview or an expert opinion for the programme. Czech Radio applies a very careful procedure to select experts that appear or are cited in programmes, and is especially obliged to ensure that the addressed respondents are changed where it is possible with regard to the number of expert community members in a certain field or specialisation, including representation of expert supporters of various streams of opinions and experts coming from different regions of the Czech Republic. Czech Radio never requires and never receives any economic benefit in consideration of including a certain expert's presentation or quotation in a programme.

Protection of the source and origin of information

- 21.11** If this is required due to serious reasons, Czech Radio is entitled to guarantee anonymity to persons who have provided information or data for recording if the topic to which the information relates is the subject of public interest. A serious reason in the meaning of this rule may especially be justified fears about safety, subsistence or observance of dignity of the source or people close to them. If Czech Radio gives such a guarantee after instructing the source about the statutory limits of this entitlement in advance, it is obliged to comply with its obligation not to disclose the source in the scope of the entitlement, which the radio broadcaster has by virtue of law unless it is proven that the source has acted in relation to Czech Radio in a fraudulent manner. Czech Radio must instruct the source on the scope and conditions for this guarantee in advance.
- 21.12** Under the conditions contained in art. 21.11, Czech Radio will not disclose any data and will not give out any documents or other information or things on the basis of which the source could be identified. The right of individual editors to protect their sources in the extent stipulated by law is not affected by art. 21.11 and 21.12.

Hidden microphone

- 21.13** Czech Radio is entitled to make recordings if the recorded people are not aware of this fact only in the cases and under the conditions stipulated in the following articles defining the use of a hidden microphone in news and journalistic broadcasting and also in preparation of entertainment and artistic programmes.
- 21.14** Czech Radio is entitled to use a hidden microphone for news purposes or in a news form for journalistic purposes while dealing with a topic seriously affecting public interest if the materials to be recorded cannot be obtained in any other manner even if increased effort is made and if this material is necessary for the topic being processed at the same time. Nevertheless even this use may not be contrary to the justified interests of an individual. While a hidden microphone is being used, the restrictions concerning protection of privacy (art. 19.1 to 19.4) must be observed extremely carefully. The selection of parts of the materials recorded using a hidden microphone, which are to be used in the programme, may only include passages with a direct relationship to the topic. Czech Radio ensures that the parts of the material not used in the programme cannot be misused or made available. The relevant

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station's editor-in-chief decides on use of a hidden microphone. When recordings made in this way are being presented, the listener must be informed about the use of a hidden microphone.

- 21.15** Czech Radio may use a hidden microphone while recording entertainment or artistic programmes if this does not cause any inconvenience or any other infringement of personal rights of the persons being recorded. Any use of the recorded material in a programme is subject to consent granted by the persons whose recordings made using a hidden microphone are to be used in the programme. In the case of artistic documentary production, a similar procedure may be applied as in the case of news and journalistic production (art. 21.13 and 21.14).
- 21.16** Czech Radio is entitled to make sound recordings in public areas for the purposes of illustration. If the illustrating recordings are included in a programme, a sensitive procedure should be applied and the characterisation of a certain person in a manner creating in listeners a misleading impression that this person is connected with a certain topic (e.g. illegal or non-ethical behaviour) must be avoided. Czech Radio applies a similar procedure when selecting recordings from the archives that are to be used newly.

Report production legend

- 21.17** In exceptional cases while issues of a public interest are being monitored in news and journalistic programmes when information cannot be obtained or verified in any other manner, Czech Radio may perform a test of the reality which lies in presentation of fictitious information or simulation of a non-existing situation on condition that these acts do not result in any breach of legal duties or any detriment to third persons' rights. As soon as the conditions occur under which the disclosure of the fact cannot endanger the test result, Czech Radio must rectify the issue above all with regard to people who have been outlined the report production legend.
- 21.18** While entertainment or artistic programmes are being recorded, a report production legend may be used under conditions similar to those contained in art. 21.15 unless a legal duty is breached.

Participants in a programme

- 21.19** Czech Radio is obliged to pay attention to the dignity and other personal rights of persons participating in programmes. It is not permitted to expose these persons to any pressure or unfair treatment and to make them lose the possibility to make free decisions as to whether they will participate in the programme recording. Czech Radio will always instruct the participants in a programme about its character and about the demands made on them by the recording in advance.

Recording with participation of children and people who are under age

- 21.20** An under age person may be capable of assessing their participation in recording depending on the level of intellectual and will abilities they have reached, taking into account the age and individual maturity. The decision as to whether their consent is sufficient to make the recording or whether the consent of a legal guardian should be required depends above all on the programme's character or on the conditions for the recording. If an under age person is not able to entirely consider all important aspects of their participation with respect to the programme character or the conditions for the recording or if any doubt appears in this context,

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Czech Radio must require the consent of a legal guardian. As a rule, it is allowed to make recordings with people under age without the consent given by their legal guardians in news and journalistic programmes if the sphere of problems is appropriate to the child's intellectual and will development; on the other hand consent must be required when artistic programmes are to be recorded. Czech Radio will always require the consent of a legal guardian of a person under the age of 18 if the recording is to take place in Czech Radio studios or in special premises not accessible to the general public at the moment of recording and agreed for the purposes of recording.

- 21.21** When an interview with children is recorded, any pressure – even indirect, arising e.g. from the environment in which the interview is to take place – should be avoided. Czech Radio is not allowed to expose children to any unfair treatment.
- 21.22** Czech Radio must ensure that the children participating in the programme being recorded do not become a subject of psychical or even psychological violence. It plans the recording so that the children participating in the programme are not overloaded and are not exposed to impacts that might negatively affect their development.
- 21.23** Czech Radio will always promptly provide legal guardians of people under age with information on children participating in the recording. Only if the conditions foreseen in art. 21.11 occur (e.g. a battered child) exist, will it refuse to provide such information even without a prior agreement with the child.

Recording abroad

- 21.24** In the course of recording abroad, Czech Radio workers are obliged to comply with local regulations and to avoid any acts that might be considered offensive with respect to local customs, religion or culture.

Non-standard conditions

- 21.25** If Czech Radio is forced, while processing the topic, to submit itself to censorship or any other non-standard conditions that have affected the processing of the topic, the relevant station's editor-in-chief will decide whether the recorded material may be used. At the same time he/she will especially take into account the importance the material may have for listeners. If it is decided that the material may be used, Czech Radio is obliged to accompany the programme or its relevant part with a notification of the circumstances that have prevented the top-quality processing of the topic. The provision mentioned above also applies to received materials.

Art. 22 Live broadcasting

- 22.1** Czech Radio must pay particular attention to preparation of live broadcasting as events that cannot be planned in advance may occur during its course. The guide (moderator) to the live broadcasting must maintain control of the situation and be ready to respond to unplanned facts. Czech Radio pays increased attention to participants in live broadcasting – non-professionals.
- 22.2** If it is feasible, Czech Radio will not allow any person, who can be reasonably expected to behave in an offensive or vulgar manner or is under the influence of alcohol or intoxicating substances, to take part in live broadcasting.

Czech Radio Code

22.3 If a certain person acts in live broadcasting in such a way that Czech Radio is unable to comply with its duties imposed upon it by law or by the Code, the moderator (guide) to the live broadcasting is entitled to interrupt that person or make them stop speaking. If the behaviour or acts of such person seriously exceed tolerable limits, the moderator is obliged to distance himself from such person's behaviour or statements on behalf of Czech Radio.

Art. 23 Critical situations

23.1 Czech Radio must provide listeners with information about extraordinary events seriously endangering or disturbing common life of the population in this country as well as abroad. Such events include in particular war conflicts, terrorist acts, violent clashes, natural disasters, and technological or transport accidents (hereinafter referred to as critical situations). The decision to include information on critical situations in the broadcasting including the time reserved for them depends above all on the importance of impacts on the community in a certain place or in the whole country. Therefore Czech Radio does not attach extraordinary importance in this meaning to events that only have individual impacts on the sphere of the injured people (e.g. a common traffic accident) unless there is another reason to provide information about such events from the viewpoint of public interest (e.g. to provide a warning about a dangerous road section).

23.2 In the case of a serious danger to safety, health or property of the population Czech Radio must preferably contribute with its broadcasting in order to help save human lives, health, property values and the environment, namely till the acute danger ceases to exist.

23.3 While news reporting on critical situations is being prepared, it is necessary, in the period for which the situation occurs, to pay preferential attention to the prognosis and current development of the event including the consequences that have occurred or may occur and only then to the analysis of causes and the consequences that may be deduced from these causes. The manner used by Czech Radio to provide information about critical situations must be factual. Emotions must not prevail in the editor's information. Czech Radio must inform about critical situations promptly, accurately, but also in a realistic manner, and does not use them to increase the programme rating or to draw greater attention to editors. The commentary must not cause any panic.

23.4 While informing about war or armed conflicts in the news and journalistic broadcasting, Czech Radio will not forget to pay attention to humanitarian issues including the methods of treatment of civil population, captives and refugees, regardless of the parties to the conflict.

23.5 While Czech Radio workers are engaged at the location of a critical situation, the activities performed by Czech Radio workers must not hinder them from provision of help to afflicted people or from removal of other consequences. If a Czech Radio worker appears at the place before help comes, their duty is to provide afflicted people with necessary help and to prioritise this duty over processing the event.

23.6 Czech Radio workers are obliged to take care of their safety, and if their lives are endangered in an unclear situation, to prioritise the search for shelter over the recording.

23.7 If a sound material that is known to Czech Radio to be incomplete or modified by authorities or a third person before is used for the processing of a critical situation due to its topical character or the impossibility to record our own material, the presentation of that material must be accompanied with information that the material has been created or processed beyond Czech Radio's control. The provision of art. 21.25 remains unaffected.

Czech Radio Code

Art. 24 Depiction of violence, victims, sexually explicit behaviour and use of recordings from archives

Violence

- 24.1** Czech Radio is aware of the danger brought about by violence depicted more and more often. Therefore it does not provide such depiction with a time space longer than necessary from the viewpoint of artistic interpretation of a certain topic or news or journalistic description of the reality in the programmes broadcasted by it. Czech Radio will not broadcast any statements that could incite violence because they could be deemed, for good reasons, to be statements promoting and spreading violence, hatred, race intolerance or other forms of discrimination or hatred based on a lack of tolerance.
- 24.2** When violence is depicted due to justified reasons, it is necessary to search for a balance between the requirements of the truth or authentic artistic interpretation and the danger that listeners become apathetic with respect to violence. While programmes on violent acts are being prepared, archive materials informing about events of a similar kind must be handled very carefully. Their use must not result in distortion of the reality and development of confused ideas. Last but not least, it should be taken into account that certain information may provide unstable individuals or children with instigation.
- 24.3** Czech Radio informs about violence committed in distant countries according to the same principle as those for violence that occurs in the close vicinity of listeners. Human life and suffering have the same, generally valid value regardless of the place and time.

Sexually explicit behaviour

- 24.4** The procedure applied to depict openly demonstrated sexual (sexually explicit) behaviour depends on the character of the programme prepared to be broadcasted by Czech Radio.
- 24.5** Criteria must exist to depict sexually explicit behaviour lying, depending on the programme nature, either in artistic or professionally editorial criteria.

Use of archive recordings

- 24.6** Archive recordings may be used to illustrate current events or problems only on condition they do not confuse the listener. They must not create an idea that listeners are witnesses to something that they cannot in fact witness at all.

Art. 25 Conflict of interests

- 25.1** No conflict of interest of Czech Radio workers is permitted. Persons working for Czech Radio must exclude the possibility of a personal interest affecting the broadcasting or non-broadcasting of certain statements or programmes. Anybody that could be exposed to any doubt about a conflict of interests in a certain issue is obliged to notify their superior of this fact and to wait for him to decide. In the case of his/her own person, the Director General informs the Czech Radio Council about this fact and will wait for their recommendation. A conflict of interests occurs even if any doubt may appear on impartiality or prejudice of a person participating in preparation of a programme's content, regardless of whether among the listeners or subjects about which information is being obtained. Doubts about impartiality or

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prejudice appear in particular when a certain person has been connected with a subject which is to be informed about through a family, friendly, working, membership, contractual or conflicting relationship or has received certain advantages or benefits from such subject or has otherwise participated in their activities. The aforementioned connection also occurs if it may relate to the close human circle of a person participating in programme preparation (e.g. family members, life partner, or close friends). The acting by a Czech Radio worker in the position of a citizen or a consumer is not considered to be a conflict of interest if such acting does not exceed the usual limits.

- 25.2** Czech Radio workers may not even later receive, from any third person, any gift, another economic advantage, services or any other benefits, which would affect their work in favour or to the detriment of a subject, recording or broadcasting of a certain programme or its part, or a failure to record or broadcast the same if this may cause any doubt about impartiality in the meaning of art. 25.1.
- 25.3** Using internal information for one's own economic benefit is strictly forbidden. Czech Radio workers must also refrain from using any information advance they may have due to their work for Czech Radio. In particular, it is not permitted to use a new report for one's own benefit or for the benefit of related persons (e.g. to enter into a certain business transaction) before it is released by broadcasting.
- 25.4** Czech Radio means may not be misused for any personal or group interests.
- 25.5** Czech Radio workers must apply a procedure similar to that in 25.1 if a conflict of interests occurs while a contract is being entered into, or while any other business decision is being made, as a result of which the parties concerned may have a certain benefit.
- 25.6** Cooperation of Czech Radio workers with other media is subject to the prior written consent granted by their superior who can grant the consent on condition that this activity does not interfere with duties and obligations arising for employees from their employment with Czech Radio and does not create any impression that a particular employee is connected with certain political or religious opinions or business interests. The conditions under which such cooperation has been permitted may be a part of the written consent.
- 25.7** If an editor or another employee of Czech Radio is requested by another medium to provide it with a contribution as an author thereof, their duty is to consider whether the character of that medium is such that possible cooperation does not cause any doubt about their personal professional integrity, impartiality and independence and, as a result, the integrity, impartiality and independence of Czech Radio. Any author's contribution prepared for another medium must comply with the standard of the quality typical of Czech Radio. It is not acceptable if employees acting in Czech Radio programmes appear in other media in a manner not permitted in Czech Radio.

Art. 26 Basic rules for economic management

- 26.1** The duty of management with the care of a due manager arises from valid legal regulations as well as from the obligation specified in art. 4.1 of Czech Radio. When this rule is being used, the term of the "care of a due manager" is always interpreted in the meaning attached to this term by the courts in the Czech Republic when deciding on business disputes.
- 26.2** Czech Radio must apply economic management, use resources in an economical way and act in a thoughtful manner with regard to the environment. Czech Radio workers are obliged to act in a manner that is economically advantageous for Czech Radio. An economic balance is an

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integral part of any operational decision. Any worker must know the price of the material, services and other values used by them in the course of their work and must be motivated to treat them economically. The appropriateness of costs is considered in relation to the quality to be achieved through programmes of Czech Radio and, at the same time, in relation to the financial possibilities of Czech Radio.

- 26.3** Czech Radio's property may be used in the interest of fulfilment of the duty to provide a service to the general public imposed by law; the assets may be used or treated differently only under the conditions specified in the Act on Czech Radio, the Statutes of Czech Radio or in the Code. Czech Radio applies such a procedure that it does not cause any damage to its property due to its acts and does not knowingly reduce its scope and value or yield of this property.
- 26.4** Czech Radio pays attention to preservation of its property and its maintenance and if this is admitted by its nature, to its improvement or enlargement. It protects its property from damage, destruction, theft or misuse.
- 26.5** Czech Radio will make use of all legal possibilities when applying and defending its rights of an owner and when protecting its property against illegal interventions and applies the right for compensation for damage or the right to recover the property obtained as unjust enrichment in time. Czech Radio monitors whether the debtors fulfil their obligations duly and in time, and ensures in particular thorough exercise and enforcement of its rights so that such rights are not subject to time limitation or termination. Unless otherwise specified in a special legal regulation, Czech Radio requires the debtors to pay default interest (penalty on late payment) in the amount stipulated by a special legal regulation and also the contractual penalties agreed.
- 26.6** If any part of the property becomes unnecessary, Czech Radio will always try to sell it for the market price. If a sale for economically advantageous conditions is not feasible, it will include this property in its offer of assets to be made available free of charge for humanitarian or charitable purposes if this procedure does not result in inappropriate costs being borne by Czech Radio. Only if it is impossible to transfer the property to another entity, its liquidation may commence. For these purposes, unnecessary property means any property exceeding the needs of Czech Radio or property or – in the case of things – such things that cannot serve their purpose in Czech Radio due to lost or obsolete technical or functional features or due to inappropriate operational costs.

Art. 27 Actions and administrative proceedings

- 27.1** Czech Radio acts in judicial disputes and administrative proceedings that arise from its activities so that it properly defends its rights and contributes, in accordance with legal regulations, to the defence of freedom of speech and the right to distribute and receive information. Czech Radio workers are obliged to provide necessary cooperation in order to find evidence. The right to protect the source and origin of information referred to in art. 21.11 and 21.12 remains unaffected.
- 27.2** Czech Radio is obliged to act in relation to courts and administrative authorities correctly; in particular it may not knowingly resort to presentation of untrue information or provision of false evidence.
- 27.3** If Czech Radio starts reconciliation settlement with an opposing party, it is obliged to act in good faith in the interest of using all reasonable means, through which judicial or

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administrative proceedings could be avoided without any detriment to Czech Radio rights while the legal regulations as well as the Code are respected. In particular, Czech Radio will not knowingly make the opposing party create a false expectation that an agreement on a certain issue is possible. The possible content of an agreement made with the opposing party may not become contrary to the Code.

Final provisions

While the Code is to be interpreted, the requirement of compliance with legal regulations of the Czech Republic and respect to the rules of professional ethics generally accepted in the branch is applied preferentially. The Code may not affect any of the duties of Czech Radio and its workers arising from generally binding legal regulations.

If any of the generally valid ethical rules is not specified expressly in the Code, it will not be interpreted as permissibility of acts that would be contrary to this rule.

Czech Radio is obliged to inform all its workers, employees newly taken on even before the commencement of employment and external partners already before the relevant contract conclusion about the Code, and to explain the meaning and procedure to be applied in the course of fulfilling individual provisions upon request. The agreement on the binding character of the Code will be contained in labour-law contracts as well as in the other contractual relationships for implementation of which this regulation should apply.

If the Code is to be a real assistant and a criterion for acts of Czech Radio workers, its practical application assumes a regular assessment of experience together with its use in practice and a discussion of proposals to modifications and amendments (if any). For this purpose, Czech Radio management, professional organisations and trade unions will pay attention to regular discussions of issues and problems that arise in practice in connection with the Code application so that this document continues to be a useful and generally respected tool of support of the public service able to keep up with the development of society as well as the branch of radio.