

Practice Guidelines

Guideline 12.1 of the Press Code

With paragraph 12 of the press code, the German print and online media are committed to the ban on discrimination. In the associated new guideline 12.1 and the following guiding principles, the press council gives a recommendation for the implementation of this voluntary commitment when reporting on crime. Paragraph 12 and the associated guideline 12.1 do not contain a ban on mentioning the belonging of offenders and suspects to minorities. However, they oblige the editors to decide responsibly in each individual case whether there is a justified public interest in naming a group membership or whether the risk of discriminatory generalization prevails.

Pure curiosity - whether accepted or actually available, whether individual or collective - is not a suitable benchmark for press-related decisions. The naming of a group affiliation by sources, for example by authorities, does not release the editorial staff from their independent responsibility for press ethics.

Assumptions about the connection between group membership and deeds must be supported by facts. In this respect, sheer speculation and hearsay are no basis for responsible reporting.

However, one can speak for a justified public interest in naming the perpetrators or suspects belonging to a group or minority if at least one of the following facts is present:

- The crime is particularly serious or unusual in nature or dimension.

Examples: terrorism, organized crime, murder, torture, explosives (e.g. on the BVB team bus 2017).

- A crime is committed from a larger group, of which a not inconsiderable proportion is linked by common characteristics such as ethnic, religious, social or national origin.

Example: The events of Cologne's New Year's Eve 2015/16.

- The biography of a perpetrator or suspect is important for reporting the crime

Example: The offender is a refugee and has already committed comparable crimes during his migration.

- The relationship between the form or frequency of a crime and the group membership of perpetrators or suspects themselves is the subject of the reporting.

Example: The editorial team addresses the trade in certain drugs in certain places by perpetrators of a certain group.

- A criminal or suspect used the independent structure of his or her home group to carry out the crime.

Examples: The offender uses foreign sales channels for stolen goods. Special clan structures make it possible to commit crimes (code of honor, obligations to maintain silence, compulsory solidarity, etc.). A suspect uses structures to flee to or from his country of origin.

- The group membership of a suspect results in special treatment in the preliminary investigation.

Example: An investigating judge issues an arrest warrant for the risk of fleeing because the suspect's foreign nationality would make it easier to be transferred abroad. In a comparable case, no arrest warrant would have been issued for a suspect with German citizenship.

- During criminal proceedings, the group membership of a suspect is particularly addressed by those involved in the proceedings.

Example: In a criminal case for serious bodily harm, it is not enough to simply state the defendant's nationality when establishing the personal details. The defense also advocates a mild sentence because the accused used the group's conflict settlement traditions when committing the offense.

On the other hand, there is a risk of a discriminatory generalization of individual misconduct by mentioning belonging if at least one of the following criteria applies:

- By mentioning the group affiliation or origin or by linking to derogatory terms or formulations, only discriminatory stereotypes are served or groups are disparaged.
- Group membership is emphasized inappropriately, for example by mentioning it in the heading or repetitions.
- Group membership is used as a mere stylistic device.

It is always helpful if readers can understand the editorial staff's decision from the article themselves.

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