

European Fact-Checking
Standards Network

REPORT ON THE OPEN CONSULTATION RESULTS

May 2022



EFCSN is supported by the European Union under the 2020 work programme on the financing of Pilot Projects and Preparatory Actions in the field of “Communications Networks, Content and Technology”. Agreement number: LC-01740478

This report reflects the answers of the European fact-checking and OSINT organisations, researchers and other stakeholders that participated in the Open Consultation launched by the European Fact-Checking Standards Network (EFCSN) Project in April 2022. EFCSN is supported by the European Union under the 2020 work programme on the financing of Pilot Projects and Preparatory Actions in the field of “Communications Networks, Content and Technology”. Agreement number: LC-01740478



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1. INTRODUCTION AND METHODOLOGY

1.1 INTRODUCTION

On April 4, 2022 the [European Fact-checking Standards Network \(EFCSN\)](#) launched [an Open Consultation](#) to gather insights and opinions from fact-checking and OSINT organisations, academics and researchers, media associations, social media platforms and civil society groups about the standards of independence, transparency and methodological and journalistic quality that should guide fact-checking and OSINT operations efforts to combat disinformation. The results of this Open Consultation, which closed on May 4, will inspire the draft of the Code of Professional Integrity for fact-checking and OSINT organisations that will be published in September 2022.

The aim of this report is to summarise the results of surveys carried out during the Open Consultation. This report also includes the views of 16 other experts (members of the fact-checking and OSINT European community that have joined what, within the EFCSN project, has been called the Wide Group, academics, researchers, participants in the creation of other ethical codes or members of independent press regulators, among others) whom the Consortium has interviewed during the months of April and May 2022.

1.2 METHODOLOGY OF THE OPEN CONSULTATION

Before launching the Open Consultation, the Consortium compiled a [first report](#) summarising research about previous efforts to create codes of ethics for fact-checking organisations, OSINT operations and other journalism entities. This report was shared with those surveyed for the EFCSN project.

The Open Consultation consisted of three types of questionnaires: one for fact-checking and OSINT organisations who make up the Wide Group, one for researchers and academics and one for other stakeholders, including social media platforms, media associations and civil society organisations. Although the questionnaires were tailored to each group, most of the questions covered the same issues.

The three surveys were drawn up by the Consortium and then shared with the Working Committee, which made suggestions, added questions and approved the final questionnaire.

The surveys had approximately 50 questions and were divided in different sections related to the goals of the Code and principles such as methodology, transparency, quality and ethical standards, relevance, public interest, non-partisanship, access and renewal and compliance and enforcement.

In addition, the surveys also asked other questions about the future governance of the Code. These answers will be summarised in a future report and proposal on the creation of the Governance Body that will be discussed, reviewed and amended in September 2022 at a two-day event in Madrid with the Wide Group.

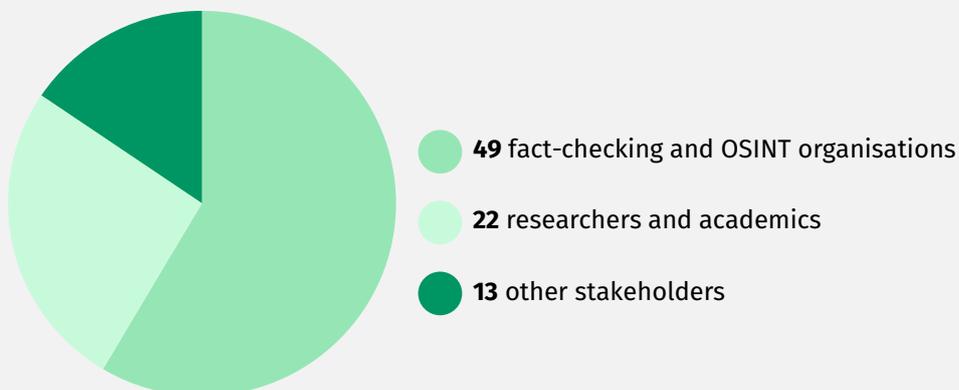
It was mandatory to answer the majority of the questions in the surveys, which used a Likert scale to measure the degree of agreement with the question. The possible answers were: *strongly agree, agree, disagree and strongly disagree*, a format made together with the Working Committee after consultation with several sociologists with expertise in surveys. In addition, the surveys also included several open-ended questions for topics that required further explanation.

The questionnaires of the Open Consultation were assembled in Google Forms and sent by email on April 4 to researchers, academics, fact-checking and OSINT organisations and other stakeholders who had already been contacted in advance by the Consortium and had agreed to join the Open Consultation. The fact-checking and OSINT organisations that make up the Wide Group will ultimately be in charge of amending and voting on the Code of Professional Integrity.

During the month that the Open Consultation was open, the Consortium continued to reach out to other stakeholders, researchers and fact-checking and OSINT organisations in order to get a large number of participants.

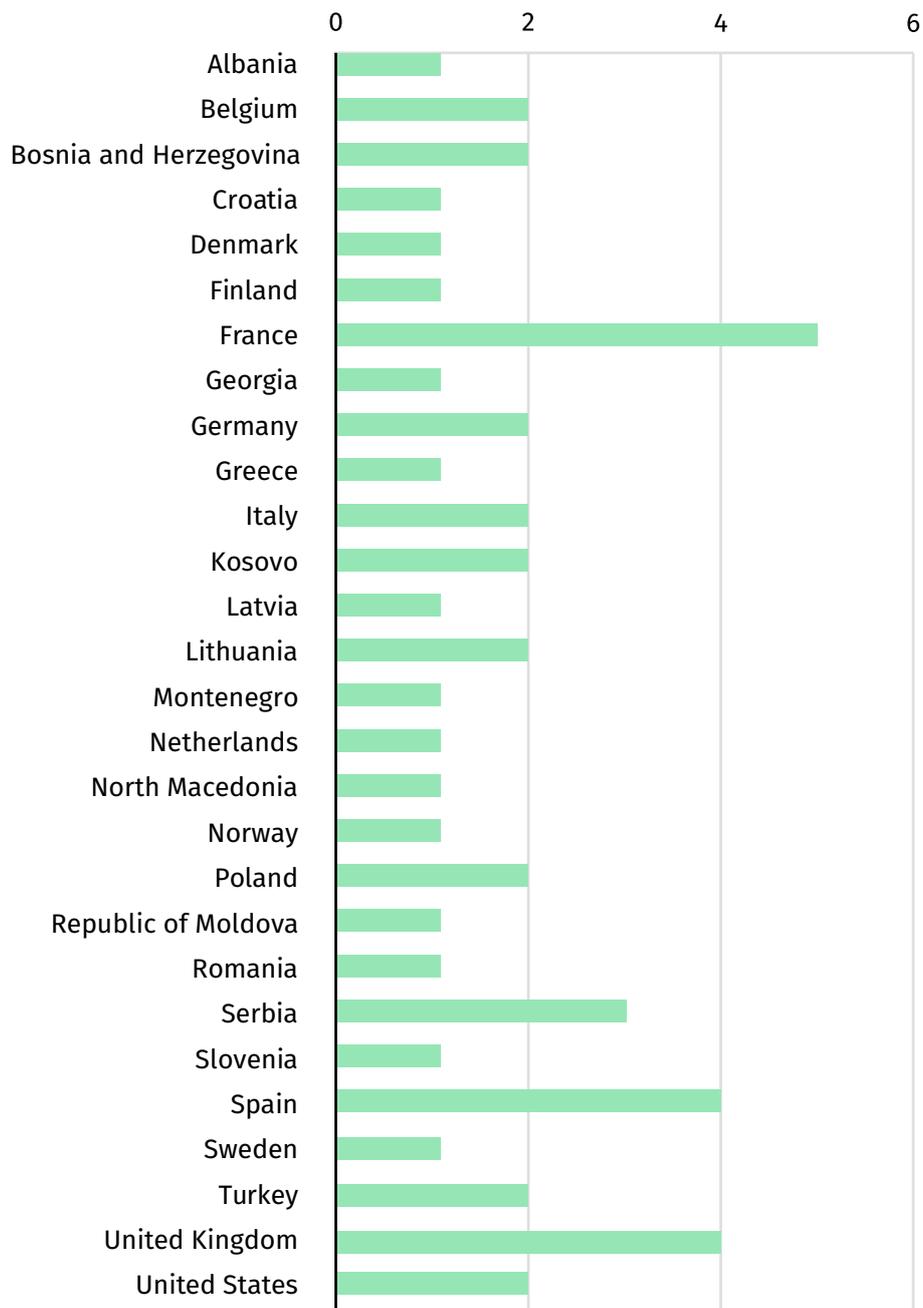
On May 4, the questionnaires were closed. In total the Open Consultation received 84 responses (49 from fact-checking and OSINT organisations, 22 from researchers and academics and 13 from media associations, civil society groups and social media platforms).

Responses to the Open Consultation of each group



The 49 fact-checking and OSINT organisations who participated in the surveys are registered in 28 different countries, the vast majority European (26 countries), although this number is higher if we take into account the countries in which they operate. From these 26 countries where organisations are registered, 16 are part of the European Union (EU).

Countries in which the fact-checking and OSINT organisations that have responded to the Open Consultation are registered



In addition to the results obtained in the Open Consultation, the Consortium has interviewed 17 experts, including disinformation researchers and academics, members of fact-checking and OSINT organisations that are part of the Wide Group, external assessors of the [International Fact-checking Network \(IFCN\)](#) or board members and advisors of press regulators. The aim of these interviews was to dig deeper into questions in the Open Consultation surveys and explore additional questions about the future Code.

While all the experts interviewed for this report, included members of the Wide Group, will be named along with their statements, answers within the survey from fact-checking and OSINT organisations will remain anonymous and their opinions and insights will be reflected in this report with percentages and whole numbers.

At the end of each of the different chapters you will find a section with recommendations that have been written by [the Consortium members](#) (AFP, Pagella Politica, Maldita.es, Demagog, EU DisinfoLab and Correctiv) drawing from the results of the Open Consultation and the experts interviews.

This report also includes some relevant quotes from experts who were earlier consulted for the [Report Informing the Open Consultation](#) (April, 2022).

Experts interviewed for the report on the results of the Open Consultation:

Andrea Wills: Board member at [IMPRESS](#), an independent press regulator in the UK. Andrea has experience in broadcasting regulation, standard setting, and investigating editorial failings in the United Kingdom and Australia. She was Independent Editorial Adviser to the BBC Trust.

Mehmet Fatih Çömlekçi: [Associate professor of Media and Communication studies](#) at Kırklareli University (Turkey).

Aidan White: Founder and director of the [Ethical Journalism Network](#). In 2014 Aidan served on the appointments panel of [IMPRESS](#).

Lindsay Freeman: Director of Technology, Law, and Policy at the Human Rights Center, UC Berkeley School of Law. She led the drafting team of the [Berkeley Protocol on Digital Open Source Investigations](#), which the Center co-published with the UN Office of the High Commissioner for Human Rights.

Hanno Fenech: Senior Policy and Communications Officer at [Independent Press Standards Organisation](#) (IPSO), an independent regulator of the UK's newspapers and magazines.

Ramón Salaverría: Full professor of Journalism and director of [Digitalunav](#) – Center for Internet Studies and Digital Life at University of Navarra (Pamplona, Spain). He is an expert of the Council of Europe on sustainability of news media. His research focuses on digital journalism and disinformation. He is currently principal investigator of [IBERIFIER](#) – Iberian Digital Media Research and Fact-Checking Hub, funded by the European Commission. [IFCN external assessor.](#)

Sam Dubberley: Head of [Amnesty's Evidence Lab](#), a space for researchers, investigators, students, journalists and others to explore and share cutting-edge investigative techniques in human rights.

Mathias Vedeler: Advisor of the Professional Committee (PFU) at the [Norwegian Press Association](#).

Laurens Lauer: a [Post-doctoral research](#) fellow at the Faculty of Social Sciences of the University of Duisburg-Essen (Germany) and a member of the Centre for Global Cooperation Research in Duisburg (Germany). [IFCN external assessor.](#)

Laura Ranca and Wael Eskandar ([Tactical Tech](#), Germany). Laura leads Tactical Tech's Exposing the Invisible project which provides techniques, tools and methods of digital and non-digital investigations and Wael is a Project Developer for Tactical Tech's Exposing the Invisible project.

**Marilín
Gonzalo:**

Public Policy Manager at the fact-checking media outlet, [Newtral](#) (Spain).

**Thanos
Sitistas and
Theodoros
Daniilidis:**

Thanos Sitistas is the senior editor and Theodoros Daniilidis the founder of [Ellinika Hoaxes](#) (Greece), a fact-checking media outlet.

Ana Brakus:

Executive director of [Faktograf](#), an investigative and fact-checking media outlet (Croatia).

**Desirée
García:**

Head of Digital at Agencia EFE. She was formerly head of EFE's Fact-checking unit, [EFE Verifica](#) (Spain).

**Emmanuel
Vincent:**

He is a scientist researcher and head of [ScienceFeedback](#) and [ClimateFeedback](#), a not-for-profit organisation verifying the credibility of influential claims and media coverage that claims to be scientific, starting with the topics of climate and health (France).

**Lukas
Andriukaitis:**

The Associate Director at the [Atlantic Council's Digital Forensic Research Lab](#) (DFRLab), a global network of digital forensic analysts to combat disinformation (USA).

**Jessica
Gabriele
Walter:**

Postdoc at [Aarhus University](#), coordinating the [SOMA](#) (Social Observatory for Disinformation and Social Media Analysis) and the [EDMO](#) (European Digital Media Observatory) project.

2. EXPECTATIONS FOR THE CODE

The questionnaires asked members of the Wide Group, which includes 49 fact-checking and OSINT operations, to reflect on what they believed the role and purpose of the Code should be; what would make it beneficial to their organisations and their missions; and how the Code should interact with other existing Codes of Principles.

2.1 EXPECTATIONS AND CONSTITUENCIES

Nearly all – 96% – of fact-checking and OSINT operations surveyed **agree that the future Code should be a set of general guidelines that define best practices in relation to their operations.** There was also strong agreement that the European Code should act as **guarantor of quality** (96% agree) among its members and **become the basis for establishing standards for this group of organisations.** Moreover, there is unanimous agreement (100%) that those **standards should be built in a manner that works towards strengthening citizens’ trust in these organisations.**

Over 90% of the respondents also believe **the Code should clarify for citizens, institutions and other stakeholders (e.g. social media platforms) what is and what is not a fact-checking or OSINT operation,** based on which organisations comply with its minimum standards. A fact-checking organisation, for instance, believes the European Code “*should mitigate the risks of unreliable or politicized fact-checking or OSINT operations aimed to disrupt the work of reliable and trusted organisations (i.e. the risks to fact-checking and OSINT community from false Russian “fact-checking” operations)*”.

The development of a clear set of standards in the Code could help make this differentiation. Whether the Code ultimately employs a seal or badge for citizens to more easily recognise which organisations meet its standards remains an open question. Nick Waters, an open source analyst from [Bellingcat](#), notes this could be helpful for the OSINT community as well, as the field evolves from work done mainly by individuals to organisations who would want to establish their credibility with the public.



Over 90% of the respondents believe building credibility depends notably on employing the Code as a tool to clarify for citizens, institutions and other stakeholders what is and what is not a fact-checking or OSINT operation.

What this Code should bring to the fact-checking and OSINT communities, according to the operations asked, is more collaboration. Over 95% of the respondents from the Wide Group hope that it **will ensure better cooperation in the region.** This cooperation, they say, can happen in different areas: for instance, 85% of fact checkers and OSINT operations agree that **the European Code should give them the capacity to have a joint voice regarding policy issues related to disinformation**

and also in negotiations with other relevant stakeholders in the field. There is an interest in **finding common approaches on how to fight disinformation** (76%) and a few respondents mentioned the opportunity for the Code to be more than a set of standards and “provide for mechanisms for solidarity and protection of members exposed to threats, attacks or unjustified lawsuits”.

Asked in a more general form about how the Code could be beneficial to the fact-checking and OSINT communities in Europe, the operations have provided a range of answers. Many of them insist on the idea of the Code building trust across different constituencies (“among its signatory organisations as well as the public”, as a respondent said) and also providing a more unified voice for those communities. Other have more encompassing aims for it, such as this other respondent that said the Code would be beneficial if “it offered training and mentorship to improve the quality of fact-checking in Europe; provided a forum through which common challenges could be discussed and lead to unified action as needed; gave the public a clear indication of which fact-checking/OSINT actors met basic standards of ethics, independence and quality; created a space where new research and insights about best practices could be shared and discussed”.

When asked out the Code could benefit their work, fact-checkers and OSINT operations offered several possibilities:

- *“It enables a public badge/branding which demonstrates organisation’s proven professional integrity”.*
- *“It gives a louder voice in negotiating with platforms, EU institutions, national governments on tackling disinformation and setting up policies.”*
- *“It will help the general public understand easily the checks and balances that make the community a trustworthy source of information.”*
- *“It would set a Europe-wide platform to cross cooperation between fact-checking and OSINT communities”.*
- *“Will periodically monitor the conduct of the fact-checking organisations that have signed this Code”.*
- *“It could also help improve the work of those who may not yet fit the standards it aims for”.*

Several fact-checking and OSINT organisations also stress the necessity of writing the Code in language that is clear and accessible to both the community and the wider public. “Anyone should be able to read and understand the European Code,” one organisation advises.

2.2 A CODE THAT IS EUROPEAN, INCLUSIVE AND FLEXIBLE

How European should the Code be? And how can that “Europeanness” be written into the Code? **Fact Checkers and OSINT organisations agree that addressing European specificities will be key** (84% agree). However, **limiting the focus of the Code only to European-specific issues is opposed by a majority** (69%). In that balance there is an opportunity, according to other stakeholders consulted, such as a representative from Meta: “We believe the EFCSN and the European Code would present added

value because of their unique understanding and expertise of European languages, cultures, trends, and regulations”.

Many fact-checkers and OSINT organisations have also highlighted the necessity of a Code that is inclusive and takes into account the range of different contexts in which European organisations operate. For instance, one fact-checking organisation says the Code would be beneficial if it *“sets standards that can be implemented while respecting the local and regional peculiarities where the operations are taking place”*. A representative of an OSINT operation calls for it to be *“widely inclusive and remain adaptable as the domain and needs evolve”*.

A representative of an OSINT organisation also mentions: *“The European Code should be inclusive - providing a pathway for emerging organisations that aren’t currently able to meet those standards to indicate their intent and be given support to do so - so that it doesn’t act as a barrier which cuts organisations - particularly from more developing OSINT/fact-checking environments - out of discussions and interactions.”*



“The European Code should be inclusive - providing a pathway for emerging organisations that aren’t currently able to meet those standards to indicate their intent and be given support to do so” -A representative of an OSINT organisation

This aim for inclusiveness brings to light the experience of the war in Ukraine. The crisis has raised the question of whether the Code’s standards should be flexible in certain exceptional situations. There could be difficulties and even risks that may arise in times of armed conflict for fact-checking and OSINT operations if they are to strictly follow transparency standards, for example. The same question applies to organisations based in non-democratic or authoritarian regimes. Experts interviewed noted the difficulty of walking this line, like Ramón Salaverría, from [University of Navarra](#), who states: *“The Ukrainian invasion gives us a situation in*

which it’s absolutely clear that you can’t be totally transparent in all and every aspect of fact-checking because otherwise you are putting organisations or even specific people in risk. But at the same time, you have to balance that with some transparency and some accountability, in terms of the way you behave for the rest of the society”.

Yet Wael Eskandar, from [Tactical Tech](#), notes a possible risk of relaxing the Code for organisations working in such situations: *“A lot of governments and the area’s more authoritarian regimes employ seemingly independent organisations to appear as fact-checkers. If you relax it [the Code] for them, then they can spread disinformation. So we cannot relax the Code, but we should write the Code ethically, in such a way that is convincing”.*

2.3 RELATIONSHIP WITH PRE-EXISTING CODES

Although the European Code will have distinctive features, it is not the first initiative of its kind. It is important to establish how it is going to interact with other existing codes and how it is going to differentiate itself from them.

Only 24'4% of the polled fact-checking and OSINT operations say that the **European Code should aim to create an original set of standards not based on existing codes**, and there is almost unanimous agreement that **this Code should reflect on previous experiences**, for instance the International Fact-checking Network's (IFCN) Code of Principles. **89% of respondents believe the European Code should cover the same aspects while improving upon any gaps.**



100% agreed that the Code should aim to become a reference and a standard for European Institutions on what fact checking and OSINT operations are.

In addition, **98% of said operations say the Code should seek to coordinate with IFCN while keeping its own voice**, and it is also unanimously (100%) agreed that **the Code should aim to become a reference and a standard for European Institutions on what fact checking and OSINT operations are**. Nevertheless, the polled organisations are not in agreement about the specific characteristics of this collaboration with IFCN. **Automatic interchangeability between the two codes** (i.e. being certified by one of them would imply automatically being recognised by the other) is supported by 71%, though several organisations wrote that the nature of this needs further elaboration. *"It would be beneficial if the application process to the European Code could reflect the status of the IFCN signatories when the same questions are asked of applicants,"* one fact-checking organisation suggests. On the contrary, the researchers that participated in the survey, 59% disagree with the interchangeability component, though several stressed the importance of "harmonising" the two Codes.

At the same time, 61% of the fact-checking and OSINT operations **do not believe the European Code should seek to be under the umbrella of the IFCN Code of Principles**, with one fact-checker calling for a *"demonstrable, clear and distinct function from the IFCN and other membership bodies, with professional standards that are complementary and not inadvertently in conflict or the source of tensions"*.

Emmanuel Vincent from fact-checker [Science Feedback](#) in France reflects on distinctions with IFCN and expresses his agreement with using the European Code to raise the bar higher: *"I think it has more value if it's a bit harder and more serious maybe in terms of how it's really checking what the fact-checkers are doing, because I think that's what many people criticize fact-checkers; they say, 'who is checking them', something like that. So maybe there is something missing here that we could feel [out], not necessarily the fact-checkers can fact-check themselves."*

Finally, there is a **strong approval (95'9%) regarding cooperating with other existing efforts** like the [Journalism Trust Initiative](#) (JTI) but there is no further information on how that cooperation should be. One fact-checking organisation calls for a *“functional and beneficial relationship with IFCN and/or initiatives like JTI which would contribute to strengthening of individual organisations and improving the ‘craft itself’”*.

3. DEFINING FACT-CHECKING AND OSINT OPERATIONS

The work of fact-checkers and open source investigators has evolved considerably since the fields first emerged. For this reason, we began our surveys with questions about **how to define the scope of these activities and which types of organisations would fall under the purview of the Code**. We also examine how to accommodate both fact-checking and OSINT operations into this project.

3.1 DEFINING FACT-CHECKING

3.1.1 FACT-CHECKING ACTIVITIES

While fact-checking organisations first emerged with a focus on verifying what is true and what is false, in recent years their work has expanded to include explanatory formats, Q&As, media literacy training, ‘pre-bunking’ and more. In Europe, the fact-checking community includes a mix of independent organisations, both non and for profit, as well as units embedded within traditional media outlets or other organisations. Some are dedicated to political fact-checking, while others focus their lens on misinformation circulating on social media platforms. Nevertheless, in our survey of the Wide Group, we found broad consensus on a range of activities that organisations consider appropriate for fact-checkers.

For instance, **verifying claims made by politicians and public figures, debunking claims made on social media, fact-checking content published by other media, and creating explainer formats and Q&As were all agreed upon by at least 90% of participants** (more than 44 out of the 49 organisations) **as acceptable activities**.

There was also **approval of collaborating with social media platforms on content moderation: 80% (39 participants) agreed or strongly agreed**, while the rest –a split between fact-checking and OSINT groups– disagreed or strongly disagreed.

Other areas of agreement include **the inappropriateness of carrying paid commercial ads** (more than 90% of organisations disagreed with this activity, most of them strongly), **paid political advertising** (90% disagreed, most of them strongly) or **carrying branded or sponsored content**, whether it is identified or not (75% of organisations disagreed or strongly disagreed with carrying identified branded content, while 92% disagreed, most of them strongly, **with carrying unidentified branded content**).

There was broad backing for activities such as **advocating on disinformation regulation and other related issues** (94% agreed or strongly agreed), as well as **offering professional training on fact-checking and media literacy training and content for the public** (all agreed, mostly strongly). Most organisations (36 out of 49) also agreed or strongly agreed that **it is acceptable to offer paid advice to commercial companies or public institutions on how to deal with disinformation**.

There were more divided opinions among the Wide Group about **activities such as debunking claims about sports entertainment or gossip, with around half approving and half disapproving**. One fact-checking organisation qualified their responses about the various activities: *“We view some of these activities more as a matter of what FC [fact-checking] operations could do, than of what they “should” do, in that these answers would depend on specific circumstances and contexts.”*

Other areas of debate included whether **fact-checking organisations should be able to sell content to third parties** (67% in favour), **offer investigative services to third parties** (61% in favour), and **carry content sponsored by public entities** (35% in favour). **Using a fake alias to enter closed information/disinformation groups** was also approved of by 61% of surveyed operations.

There were mixed responses on whether it is acceptable to advocate on issues unrelated to disinformation with 63% of the Wide Group disagreeing. One organisation explained that it depends “how someone defines “issues unrelated to disinformation. For us, it is ok that fact-checking outlets and their publishers are engaged, in a transparent manner, in advocacy related to misinformation as well, but more broadly to transparency, openness and other policies relevant to regulation of media and the public sphere. Additionally: cooperation with political candidates is not acceptable. Also, nontransparent lobbying is not acceptable.”

3.1.2 DISQUALIFYING ACTIVITIES FOR FACT-CHECKING

When asked if **there were any other activities that could disqualify a fact-checking organisation from being considered independent**, the most common answer among the Wide Group was collaborating with political actors or advocating for a specific political party or cause. Researchers and academics also raised this point. *“Being a voice of a state or political organisation”* would discredit a fact-checking organisation, said Mehmet Fatih Çömlekçi, an assistant professor of Media and Communication studies at [Kirkklareli University in Turkey](#).

A researcher who filled out the survey considered *“Financial dependency or affiliation with political parties”* and *“associations with authoritarian or proto-authoritarian governments”* factors that would exclude an organisation from being considered independent or credible.

Peter Cunliffe-Jones, a researcher at [University of Westminster](#) and Member of the Advisory Board to the IFCN, noted other possible disqualifying factors, such as intentionally spreading false information or avoiding certain topics for any reason other than safety: *“I think a fact-checking operation would be neither independent nor credible if: (i) it can be shown to intentionally disseminate false information or restrict its fact-checking of particular topics for any reason other than the safety of its team (ii) any activity or relationship that would either distort their findings or restrict the fields of their fact-checking work”*.

Lucas Graves, Associate Professor at the School of Journalism and Mass Communication at the [University of Wisconsin](#), also stressed the core principle of a fact-checker’s commitment to the public, deeming any failures on this front a

possible disqualifier. *“A fact-checker’s primary commitment must be to the public; any pattern of activity that calls that into question may be disqualifying. This includes evidence of 1) failing to gather and assess evidence in good faith, 2) failing to publicly disclose activities, organisational ties, or funding sources, but also 3) advocacy for specific groups or campaigns beyond sharing relevant fact-checks, with the exception of campaigns directly related to e.g. press freedom, disinformation regulation, open records, etc.”*



“A fact-checker’s primary commitment must be to the public; any pattern of activity that calls that into question may be disqualifying.” – Lucas Graves, Researcher University of Wisconsin

3.1.3 PREVIOUS DEFINITIONS OF FACT-CHECKING

There are already existing definitions for the distinctive field of fact-checking. The IFCN, for instance, describes its signatories as *“legally registered organisations set up for the purpose of fact-checking that regularly publish non-partisan reports on the factual accuracy of statements by public figures and prominent institutions and widely circulated claims in text, visual and other formats focused primarily on claims related to public interest issues.”*

The [Duke Reporters’ Lab](#), which maintains a database of fact-checking projects around the world, defines fact-checkers as non-partisan organisations that regularly publish reports which:

- verify the accuracy of claims made by prominent public figures and institutions;
- debunk rumors, hoaxes and other forms of misinformation that spread online;
- or review the status of political promises made by candidates and political parties.

We also asked researchers and academics for help defining fact-checking. Below are several suggestions:

“There is a narrow, literal definition of fact-checking and a broader one. The narrow or literal definition would be “publishing or broadcasting content that assesses the factual accuracy of factual statements made by public figures and prominent institutions and/or claims widely circulated online in text, visual and other formats”. The broader definition would encompass the wider range of counter-mis/disinformation activity that many ‘fact-checking’ organisations undertake. This includes activities such as liaising with individuals and organisations to secure corrections or withdrawal of false information, improving access to accurate information and promoting understanding of mis/disinformation (‘media literacy’ or ‘misinformation literacy’).” – Peter Cunliffe-Jones, current researcher at [University of Westminster](#) and Member of the Advisory Board to the IFCN, founder of [Africa Check](#) and involved in writing the first IFCN Code in 2015 and in charge of conducting its review in 2019.

“I would define fact-checking as an systematic approach to assess the truthfulness/ accuracy of information spreading in media outlets by investigating statements that were made by public or private persons that reach a larger audience and potentially impact others’ lives. Fact-checkers thereby work without partisanship, advocacy or rhetoric and focus on factual statements and not expressions or opinions, use official or academic sources for fact-checking and are transparent regarding sources, evidence and method.” - Jessica Gabriele Walter, postdoc at [Aarhus University](#), coordinating the [SOMA](#) (Social Observatory for Disinformation and Social Media Analysis) and the [EDMO](#) (European Digital Media Observatory) project.

“[A] professional activity carried out in accordance with specific standards aimed at checking information present in the media and publishing the results of this verification (along with information about the methods used, which strengthens the educational aspect); a specific profession within modern journalism; a specialist necessary in every editorial office.” -Karina Stasiuk-Krajewska, a media expert and professor at Poland’s University of Social Sciences and Humanities (SWPS) who is part of the [CEDMO](#) (Central European Digital Media Observatory) hub.

“Here’s one definition I like: “External fact-checking consists in publishing an evidence-based assessment of the truthfulness or accuracy of a political claim, a news report, an online rumor, or any other public text.” -Lucas Graves, Associate Professor at the School of Journalism and Mass Communication at the [University of Wisconsin](#).

“Fact-checking = the journalistic effort to use of scientific evidence (i.e., secured facts) to determine whether allegations made publicly are true or not.” -Viorela Dan, a Research Associate at the Institute for Media and Communication Studies of the Free University of Berlin, Germany.

3.1.4 SHORT-TERMS OPERATIONS

One question we asked interviewees was whether the Code should only be open to full-time dedicated fact-checking organisations, or if media outlets that launch temporary fact-checking operations could apply to be signatories. Aidan White, founder and President of the [Ethical Journalism Network](#), noted that it would be beneficial to include and support traditional media that contribute to the fact-checking community. Lukas Andriukaitis, Associate Director at the [Atlantic Council’s DFRLab](#), also supported inclusion in this way, noting that fact-checking departments within major media companies are an *“important part of the community”* and should be allowed to join. Andrea Wills, a board member at [IMPRESS](#), encouraged bringing such outlets in the fold to help *“get them on the right road”* and *“stop making mistakes.”*

“If your core aim is to try and prevent disinformation, you should be opening the doors to others,” Wills said, while cautioning that it may not be feasible for such operations – which sometimes consist of only a single fact-checking journalist in a media outlet - to meet all of the standards.

One complication of including short-term fact-checking projects would be that “you can’t possibly evaluate them in such a short notice and keep an eye on their activities,” said Thanos Sitistas from the Greek fact-checking organisation [Ellinika Hoaxes](#). Desirée García, former Head of [EFE Verifica](#), agreed: “I think you should think this goal should be mostly for members that want to fact check on a permanent basis.” A temporary initiative may already be finished by the time it takes to evaluate their compliance with the standards, she noted.

For this reason, Laura Ranca, from [Tactical Tech](#), posited that there may need to be some regularity in the fact-checking unit’s output in order to consider them as possible signatories. “Regular can be weekly, if it’s not daily, of course not everybody does that daily....I think random fact checking probably is not necessarily representative.” It also depends on what such organisations “do in other times in between the fact checks,” she added.

In conclusion, fact-checking and OSINT operations are in almost complete alignment (90% or more agree) about some of the tasks that they consider appropriate for their organisations: verifying claims by politicians, media, and public figures; creating explainer formats and Q&As; and even some activities that have not been traditionally considered fact-checking ‘per se’ such as doing advocacy on disinformation regulation or providing professional trainings on fact-checking and media literacy. There is also wide consensus regarding some activities that are found to be inappropriate by the organisations: over 90% reject running paid commercial ads, political advertising or unidentified branded content.

Also widely supported but not unanimously (between 70-80% agreement) is **collaborating with social media platforms on content moderation or offering paid advice to commercial companies or public institutions on how to deal with disinformation**. On a third level (still with support of a majority but between 60% and 70% agreeing) are activities such as selling content or offering investigative services to third parties.

Many respondents have linked what they consider unacceptable practices with their notion of behaviour that would endanger the non-partisanship of an operation, a concern which will be addressed in the Ethics section. Operations will also have to address during the adoption of the Code if short-term projects in OSINT or fact-checking (for example, those circumscribed to a war or an electoral period) should be under its scope.

3.2 DEFINING OSINT

3.2.1 OPEN SOURCE INVESTIGATION’S ACTIVITIES

In the survey of the Wide Group, there was strong consensus on a range of activities that an OSINT operation could be involved in, with more than 97% of organisations agreeing or strongly agreeing with the following activities:

- **Complying with all applicable legal and regulatory requirements.**
- **Carrying out appropriate witness and source protection.**
- **Employing privacy-by-design and data minimization research and investigation strategies.**
- **Verifying crowd-sourced information.**

One fact-checking organisation also noted a caveat to the first point: *“Compliance with legal /regulatory requirements goes without saying, unless the requirements themselves are unethical (i.e. in [a] repressive political climate).”*

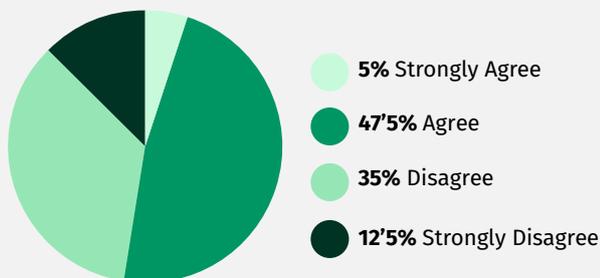
Offering subjects the ‘right to reply’ in advance of publication was also agreed upon by the majority of organisations (86%), as was using leaked data, which drew approval from all OSINT organisations and 88% of fact-checkers. **Purchasing a dataset deemed necessary to carry out the investigation** was approved of by 75% of fact-checkers and all but one OSINT operation. **The use of sock puppets for safety purposes was approved by 90% of fact-checkers and all but one OSINT operation.**

One fact-checking organisation added more context about the use of purchased or leaked data: *“Purchasing data (if related to personal data, not harmless stuff) doesn’t seem acceptable under any circumstances, to the best of our knowledge (given the low or no transparency of such entities and transactions). Leaked data is a gray zone where origin, context and implications would have to determine if it’s acceptable.”*

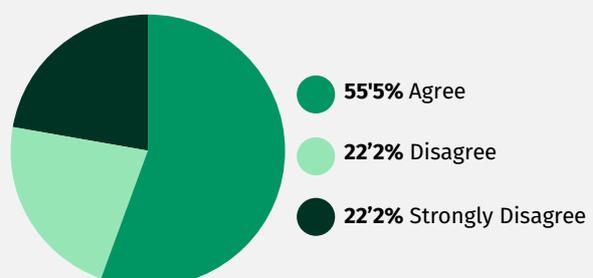
There was more disagreement about the possibility of OSINT actors collaborating with governance agencies. In total, only slightly over half (53%, 26 organisations) agreed with this activity. **This 50/50 divide was similar among both fact-checking and OSINT operations.**

Which activities should an OSINT operation be involved in? Please indicate if you strongly agree, agree, disagree, or strongly disagree with the following statements: [Collaboration with government agencies]

Answers from Fact-checking organisations:



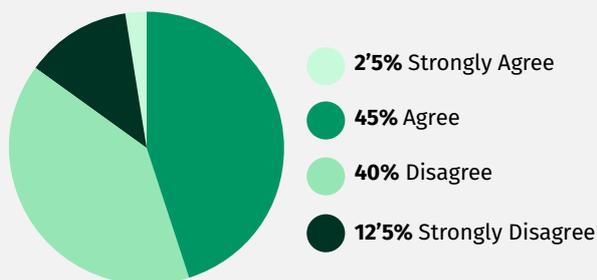
Answers from OSINT operations:



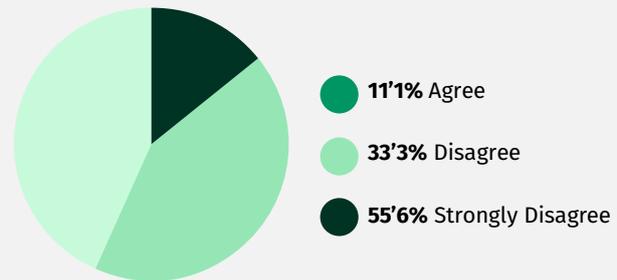
With regards to collaborating with government intelligence agencies, half of fact-checkers disagreed, as did the vast majority - all but one - of OSINT operations.

Which activities should an OSINT operation be involved in? Please indicate if you strongly agree, agree, disagree, or strongly disagree with the following statements: [Collaboration with government intelligence agencies]

Answers from Fact-checking organisations:



Answers from OSINT operations:



As one fact-checking organisation put it: *“The collaboration with government agencies thing would need some careful discussion.”* Others commented:

- “Collaborating with government organisations and intelligence organisations in any way has to be made public for the readers/users to know”.
- “Matters such as collaboration with intelligence, law enforcement or other government agencies are understood as acceptable in specific circumstances (like helping to stop a crime, protect potential victims etc.) and probably not by default and definitely not in repressive regimes and/or to such purposes.”

One researcher stressed the necessity to consider such a decision in its proper context, and to evaluate any collaborative relationships against the quality of the work produced: *“Determining appropriate collaborations depends on context; collaborations and the results they produce should be public (with necessary safeguards for protecting sources and others incidentally affected)”.*

In terms of collaborating with private intelligence agencies, all nine OSINT operations disagreed or strongly disagreed with this activity, while fact-checkers were split (19 in favour, 21 against).

3.2.2 DISQUALIFYING ACTIVITIES FOR OPEN SOURCE INVESTIGATIONS

When asked if there were any other activities that an OSINT operation could carry out that would make them incompatible with the Code, representatives of OSINT operations left the following comments:

- “Not being transparent about your sources, your methodology and potential biases and omissions. Not having sufficient safeguards in place to protect your sources or those exposed (advertently or inadvertently) in your investigations. Not peer-reviewing investigations. Commitment towards diversity (OSINT investigations tend to be largely male, white and Western which can create inequalities and gaps in representations and biases). Openness to collaboration and the spirit of open-source.”
- “Hacking operations”.

Fact-checking organisations also added:

- “Any non-independent behaviour that jeopardizes trust in the fact-checking world”.
- “Hacking, platform manipulation/running botnets (for illustrative purposes, say).”
- “Not using sufficient fact-proofing. For example, basing their conclusions on one source.”
- “There should be some kind of high journalistic professionalism when communicating to the public. That also counts for fact-checking organisations”.

3.2.3 EXISTING DEFINITIONS

As we have already been warned in earlier stages of this project, defining OSINT is a tricky task. There is a strong and growing community of organisations working in this space, but there is debate about what constitutes OSINT – and what is the best term for this type to work. The term OSINT is also not widely known outside of the industry.

For guidance, we have looked at existing definitions. The [Berkeley protocol](#), a set of guidelines on how to process digital open source information for international criminal and human rights investigations, starts by defining **open source information** as “publicly available information that any member of the public can observe, purchase or request without requiring special legal status or unauthorized access.” **Open source intelligence** (OSINT) is defined as “a subcategory of open source information that is collected and used for the specific purpose of aiding policymaking and decision-making, most often in a military or political context.” According to their terminology, **open source investigation** concerns “the use of open source information for information- and evidence-gathering functions”.

In a [primer](#) on how to learn to do this type of work, [Bellingcat](#), an investigative group that specialises in open source methods, offers a similar review the terminology: *Some people use the term “online open source investigations” (OOSI), while others*

use “open source investigations” (OSI), but the term that’s been around the longest and is used most often on social media is “open source intelligence” (OSINT). These terms are usually used interchangeably, but there are some differences among them that you might want to consider.

The difference between OOSI and OSI is in the name: while OOSI refers to investigations that only use online sources, you would use OSI to describe an investigation that also used offline open sources. Some who use OOSI or OSI instead of OSINT do so because they feel that the name “OSINT” has direct connotations to intelligence agencies. For these agencies, OSINT is part of an ecosystem of intelligence sources that includes HUMINT (human intelligence), SOCMINT (social media intelligence), IMINT (imagery intelligence), and others. While some independent researchers might be justifiably uncomfortable with that connotation, the term is still widely used and is probably the most recognised.

Of the Wide Group members who identified as OSINT organisations, several of them do not in fact use this term on their websites, but rather describe their work as ‘open source investigations’ or ‘digital investigations’. Several experts urged avoiding the term OSINT altogether.

“OSINT is a type of intelligence. It is a product created by intelligence agencies to inform policy makers and decision makers. The vast majority of OSINT is information or unstructured data,” said Nick Waters, an open source analyst at [Bellingcat](#). He strongly encouraged using the term “open source investigations”.

Eoghan McSweeney, OSINT trainer and founder of [OSINT Essentials](#), also advised against using the term OSINT, and to avoid overly specifying what technical capacities are involved since this evolves so rapidly over time. Lindsay Freeman, who helped draft the Berkeley Protocol, also noted the value of being tool-agnostic in order to create a Code that can endure over time without constant amendments. When surveyed, academics and researchers offered the following definitions of the term OSINT:

- “An OSINT operation is an investigation based on the use of information accessible to all. The approach must be legal, and it must allow the traceability of information and the reversibility of the method.”
- “OSINT refers to collecting and analyzing publicly available data to assess and respond to a public threat, such as a disinformation campaign. OSINT typically combines human and machine analysis.”
- “A verification method that allows, through public and open information/ sources, to verify, deny or give context to a current news event.”

3.2.4 OSINT ACTORS IN EUROPE

After defining open source investigations, it is essential to determine what types of organisations using these methods will fall under the scope of the Code. Europe is now home to a small and diverse mix of organisations that intersect in this space. They include:

- journalistic outfits using open source to probe a variety of news-worthy subjects.
- investigators that focus on unearthing human rights violations or collecting evidence for criminal proceedings.
- research groups that analyse the sources of and flows of disinformation.
- collectives that promote and teach open source investigation methods.

In order to determine which types of groups the Code should strive to include, we refer back to the [Integrity of social media call](#) that this project is intended to fulfil. The project's objective has a clear focus on strengthening efforts to tackle disinformation, with a call to develop the *“European ecosystem of independent fact-checking organisations that monitor, identify, study and counter disinformation campaigns”*. It notes that in addition to fact-checking organisations, the Code should *“consider the role of open source investigation organisations which analyse disinformation campaigns and carry out certain fact-checking activities”*. We therefore recommend that investigating and countering disinformation should be a core tenet of any future signatory of the Code, though not necessarily the sole focus of the organisation's work.

3.3 RISK ASSESSMENT OF A COMMON CODE VS A SPLIT CODE

3.3.1 EXPERTS DISCUSSIONS

One of the key decisions to make in developing this Code is how to accommodate the different work of fact-checking and open source operations. The question arises of whether it is advisable to use a single Code for both types of organisations, or if a two-track system would be more successful. While the focuses and final products of these two types of organisations do differ, many experts noted that the methods and professional values closely align. *“I think there are different*

Snapshot of the mission statements of the Wide Group open source investigators:

Atlantic Council's Digital Forensic Research Lab (Global)

To identify, expose, and explain disinformation where and when it occurs using open source research; to promote objective truth as a foundation of government for and by people; to protect democratic institutions and norms from those who would seek to undermine them in the digital engagement space.

To create a new model of expertise adapted for impact and real-world results.

To forge digital resilience at a time when humans are more interconnected than at any point in history, by building the world's leading hub of digital forensic analysts tracking events in governance, technology, security, and where each intersect as they occur, as well as a network of #DigitalSherlocks.

Centre for Information Resilience (UK)

The Centre for Information Resilience (CIR) is an independent, non-profit social enterprise dedicated to countering disinformation, exposing human rights abuses, and combating online behaviour harmful to women and minorities.

We achieve these goals through research, digital investigations, strategic communications, building the capacity of local partners, and collaborating with media to amplify the impact of our work.

Check First (Finland)

We provide stakeholders of the fight against disinformation methodologies, help them create solutions. We bond them together or in projects, give them access to cutting-edge verification technologies and cooperation methodologies, as well as a secure place to keep all their work. In a nutshell, we are the link/the glue/the binder between those who fight against disinformation in any ways.

processes and different end products, but a lot of the methodology overlaps,” said Nick Waters from [Bellingcat](#).

Despite differences in the organisations’ output, “I don’t think the standards will differ because I don’t think there’s anything that would apply to fact-checkers that doesn’t apply to OSINT organisations or personnel conducting their investigation,” said Wael Eskandar, from [Tactical Tech](#).

Laura Ranca, from [Tactical Tech](#), also noted that “putting them into spaces separately would be very messy for the people who are actually then looking at implementing the Code or following up and monitoring because some organisations do both”. Lukas Andriukaitis from DFRLab added that he did not “see a lot of value in splitting” the Code. “Having one good standard may be more beneficial.”

3.3.2 SURVEY RESULTS AND POSSIBLE POINTS OF FRICTION

An overall alignment of values and principles was also observed in our survey of the Wide Group, where there was broad convergence of views between the two types of organisations. In many cases, disputed points were mirrored in both fact-checking and OSINT groups, as opposed to reflecting a split between the two. Ramón Salaverría, from Universidad de Navarra, also favours this approach: “I tend to think that rules should be the same for everyone. I mean, you can’t do different standards for whether you are a fact-checking organisation or an OSINT, because that will be two different codes of practices. So you need one and maybe just some of the OSINT organisations who applied for that, but not all of them because not all of them are focused on fact-checking or disinformation debunking”.

However, possible areas of friction do exist.

With regards to organisational transparency and the statement that **it is “important that the public knows who works in a fact-checking**

EU DisinfoLab (Belgium)

Our research is multifaceted: we continuously monitor disinformation activities across all social platforms to identify trends and threats. In addition to this, we use open source intelligence techniques (OSINT) to uncover disinformation networks, strategies, as well as inauthentic behaviour. Our findings are then disseminated via our partnerships with the media and leading experts in the field.

Forensic Architecture (UK)

Forensic Architecture (FA) is a research agency, based at Goldsmiths, University of London, investigating human rights violations including violence committed by states, police forces, militaries, and corporations.

Our investigations employ cutting-edge techniques in spatial and architectural analysis, open source investigation, digital modelling, and immersive technologies, as well as documentary research, situated interviews, and academic collaboration.

OpenFacto (France)

OpenFacto is a non-profit association (law 1901), whose objective is to federate and promote the French-speaking OSINT scene. Publications: OpenFacto publishes articles on its site in the form of posts or in-depth articles.

- Training: OpenFacto provides training in open source research, open to all.
- Assistance: OpenFacto also offers its services to support newsrooms and NGOs.
- Projects: OpenFacto aims to organise volunteer training for the benefit of NGOs, newsrooms and hack-tivists from the French-speaking community.

Tactical Tech (Germany)

We work with an international audience of engaged citizens and civil society actors to investigate and mitigate the evolving impact of technologies on society.

organisation, which position each staff member occupies and which jobs of relevance that person had before”, more than 90% of fact-checkers agreed while the OSINT group tilted in the other direction: two thirds disagreed. However both groups agreed that **it is important for the public to easily access information related to the ownership of an organisation.**

There was also divergence on how to navigate a correction. Nearly all fact-checking organisations disagreed that it is OK to correct a mistake without including a note explaining to readers that this has been done. In contrast, four out of nine OSINT organisations did not find this objectionable.

OSINT groups were also generally more favourable of creating a set of minimal standards. For instance, 78% of OSINT operations agreed that **the Code should only establish a bare minimum of standards, together with a rating system of proficiency,** whereas fact-checkers were more divided, with only 42 % agreeing with this vision. Two thirds of OSINT groups supported a **Code that was focused on reinforcement and training instead of accreditation,** compared to around one fifth of fact-checkers. Both groups, however, were similarly divided down the middle on the notion that the **Code should provide different levels of compliance for operations at different maturity levels.**

3.4 RECOMMENDATIONS

For the purpose of the Code, our recommendation is to define fact-checking as the use of an evidence-based method to verify the accuracy of claims in the public sphere. There seems to be a consensus on which activities are acceptable and which aren't. We would not restrict the additional activities of a fact-checking organisation, such offering media literacy training or consultancy, unless

Our work has gone through a number of phases since the organisation was founded in 2003, but the core principle hasn't changed: we examine how issues arise in different contexts, explore what responses are needed and find strategies and tactics to work with and around them in a sustainable way.

Our work can be most easily categorised by the two main audience groups we work with:

The first is a much broader audience, grown from the increased public awareness around these issues and the demand for public education around online privacy and autonomy in a data-driven world. Through projects like The Glass Room and the Data Detox Kit, we find creative and accessible formats to demystify technology and give people actionable, sustainable changes to make in their own digital lives.

The second audience group are made up of civil society actors, such as journalists, other NGOs or human rights defenders, who we work with to create safer, more robust and more informed practices with regard to their use of digital technologies. Projects such as Exposing the Invisible help empower people to use digital investigations to uncover truth or corruption. Similarly our work on Data and Politics, provides a unique contribution to understanding how the misuse of data is impacting negatively on democracies around the world.

Amnesty International's Citizen Evidence Lab

The Citizen Evidence Lab is intended to support human rights organisations, practitioners and others to take better advantage of the digital data-streams critical for modern fact-finding. It is an online space to share best practices, emerging techniques, and tools for conducting investigations, combating mis- and dis-information, and contributing to a better-informed public.

such activity contravenes the principles of the Code itself. Furthermore, we would encourage the principles of the Code to extend to such additional activities. We recommend that organisations who are not dedicated to fact-checking would need to establish some regularity in their fact-checking projects in order to be assessed as a possible signatory to the Code.

With regards to open source investigations, the Code's final form could chose to reflect existing consensuses on what the Wide Group already see as best practices for these operations: almost unanimously they agree with complying with all applicable legal and regulatory requirements, carrying out appropriate witness and source protection, employing privacy-by-design and data minimization research and investigation strategies.

In the same vein, there are also wide agreements (85%-90% agree) on the appropriateness of OSINT activities such as using leaked data, verifying crowd-sourced information, and using sock puppets for safety purposes. Purchasing a dataset deemed necessary to carry out an OSINT investigation was approved by 75% of the fact-checkers, and all but one OSINT operation.

There is a significant divide, however, when assessing the possibility that an OSINT operation collaborates with government agencies (almost 50/50) and a clear rebuke from the OSINT operations themselves on the appropriateness of working with private intelligence agencies – all nine of them disagreed, while fact-checkers are split.

Our recommendation is to use the term “open source investigations” and to define this as an investigation that relies on the collection, verification and analysis of publicly available information. We also believe the Code should apply only to organisations that tackle and investigate disinformation, and, like fact-checkers, to only restrict activities of open source investigators to the extent that they violate the principles of the Code.

When weighing the prospect of one unified Code or a ‘split’ Code that distinguishes between fact-checking and OSINT operations, the recommendation is to strive to create a single Code that would apply to both groups as their methodological and ethical principles are closely aligned. Areas of friction may be smoothed out through debates about the first draft, in which the OSINT representatives will be closely consulted, or with a possible tiered system of accreditation.

4. METHODOLOGY AND PUBLIC SERVICE

Approaching investigations with a consistent and transparent methodology that any reader could reasonably replicate has long been a pillar of fact-checking. In our surveys, we took the temperature of the Wide Group on various methodological practices, including how to determine which claims to investigate and whether the Code should apply only to groups that focus on topics of public interest.

4.1 A CLEAR, CONSISTENT AND PUBLIC METHODOLOGY

There was strong consensus on many aspects of methodology in the survey of the Wide Group, particularly around the core principles of following a clear and public methodology that explains how claims are chosen and investigated, in such a way that a reader or viewer could replicate the process. More than 90% of the Wide Group agreed or strongly agreed with the following statements:



94% of organisations agreed with providing evidence of every factual statement made in an investigation and/or fact-check whenever possible.

- **Having a clear and public methodology on how claims subject to investigation are chosen.**
- **Having a clear and public methodology for debunks/explainers/investigations that is applied in all cases.**
- **If you are using a consistent rating system, publicly explaining it in the methodology.**
- **Explaining a clear and public methodology that enables the user to replicate the fact-checking process or OSINT investigation.**
- **Being transparent and providing evidence, if specifically requested, on why certain claims have been chosen for investigation.**
- **Interpreting the investigated claims fairly, accurately, integrally and in accordance with their context.**
- **Providing evidence of every factual statement made in an investigation and/or fact-check whenever possible.**

In addition, more than 90% of the Wide Group were united in disagreeing with the following statements:

- **Taking experts contacted at their word, without any research on their bona fides.**
- **Relying on anonymous sources to sustain the investigation/fact-check.**

Other areas of strong agreement included **providing a channel through which the public can submit claims for investigation** (86% agreed in total, though only half of OSINT operations did) and **ensuring peer review of conclusions of a fact-check or investigation within the same operation** (88% agreed in total). 81% percent agreed with **providing at least two, though preferably more, sources to verify the central claim of a fact check**, though some noted that this should not be a hard-and-fast rule, but instead a decision left to editors. There was also agreement (78%) on **using a consistent rating system for all claims investigated**.

The three main sources of disagreement concerned **the practices of using anonymous sources, providing the right of reply to spreaders of misinformation and actively seeking corrections after a debunk has been published.**

There was strong agreement – from 86% of the Wide Group– that all **sources should be named and quoted unless doing so puts them in real physical danger.** One organisation noted that other forms of harm – such as doxxing – should however also be considered in that definition.

Meanwhile, only 40% of the Wide Group agreed that **anonymous sources should not be included under any circumstances.** Two fact-checking organisations suggested rare exceptions and only in cases where the information has been verified by other sources as well:

- *“Anonymous sources should be used extremely sparingly, and if necessary, the info they provide would need to be verified / cross-checked by other sources”.*
- *“Anonymous sources are acceptable in extraordinary circumstances and under proper high standards, i.e. only if the information provided by them is independently verified”.*

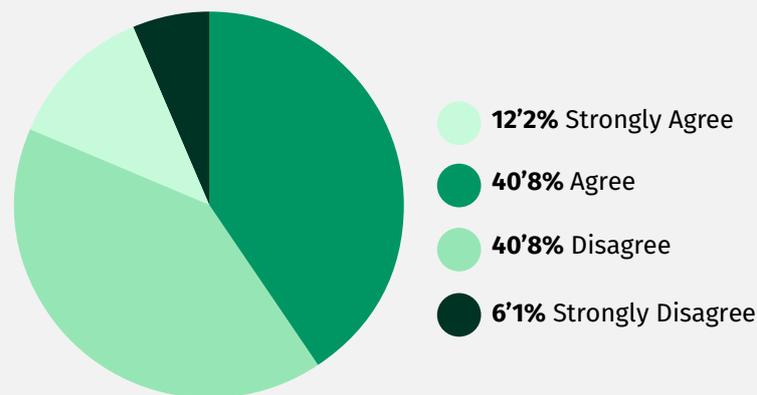
Ramón Salaverría, a journalism professor at the University of Navarra, also advised a general rule of disclosing sources, with room for rare exceptions: *“As a general rule, I believe that transparency is key for any fact-checking activity. So the general rule should be that sources should be disclosed. But obviously there are several cases in some specific circumstances that would allow hiding the identity of sources because if you put sources at risk. But only in those cases, the general procedure should be in any case to be transparent regarding the sources”.*

Wael Eskandar, from [Tactical Tech](#), noted however that it could make sense to mention an anonymous source if they were an important part of the investigation and the information they provided is also verified by other open sources: *“I think part of the transparency of the method, then it goes into conflict with anonymous sources, because if you’re not going to even write about an anonymous source that tipped you off somewhere, then how can you be transparent about your method?”*

There was also robust debate about whether it is necessary to **contact the primary source of a claim before publishing a fact-check or investigation,** which was agreed on by around half of the Wide Group.

Which methodological standards should fact-checking operations and OSINT operations apply? Please indicate if you strongly agree, agree, disagree or strongly disagree with the following statements: [Contacting the person or organisation who made the false claim to actively seek corrections after the investigation has been published]

Answers from Fact-checking and OSINT organisations:



While one organisation posited that “all persons concerned in a negative context should be granted the right of reply”, others commented that this was not always possible or needed.

- “Contacting the primary source of the claim before publishing the factcheck is an evidently valuable principle, but when applied to social media posts not seldom the practical ‘problem’ arises that posts are deleted before the fact-check is ready to publish.”
- “Contacting the primary source before publishing the article is needed, still not always possible or/and useful. For example, if the same claim is published by several sources and the original one cannot be detected.”
- “Contacting fact-checked actors goes without saying in reasonable circumstances, but should not be required in ALL cases, as some can expose fact-checkers to risks or harm (but some can also be redundant - for example, if a claim is a well known, obvious and repeated falsehood).”
- “The editors of the fact-checking operation should be able to decide in which cases it’s necessary to contact the source of misinformation in terms of the right to reply”.
- “The requirement to contact the primary source of the claim before publishing the fact check is counter-productive. In our experience, it is being weaponized by actors who want to actively push misinformation: they use these exchanges to prepare their audience to reject our fact-check, delete their content or modify it to escape consequences,

- waste our time in endless back and forth, threats of lawsuits...”*
- *“Not always feasible or desirable to contact the primary source of false news for limited capacity and safety ground.”*

Around half of the Wide Group agreed with the practice of **actively seeking corrections from people or institutions who have made a false claim after publishing**, though several organisations noted that agreeing with such statements in the survey did not mean they believed such an activity should be obligatory:

- *“Regarding seeking corrections: mainly for public figures and organisations, not individual social media users”.*
- *“In my organisation we deal with a lot of professional disinformers; making a mandatory point contacting the organisation or person to actively seek corrections would be a waste of time in many cases. Furthermore, choosing with whom you do that and with whom you don’t would entail that the fact-checker is making choices and decisions on who is a “professional disinformers” and who is legit which we think goes against the neutral attitude a fact-checker. Lastly, often we deal with claims in which the primary source is impossible to track because the claim started in encrypted apps such as WhatsApp”.*
- *“Even if we would like to contact the publisher of a false information to help him change his mind, we don’t always have the time. So maybe an organisation which centralizes all the fact-checks could do that”.*

Finally, there was a 50/50 split over the practice of **“Making assumptions about terminology used in the claim or the intention of the original claim”** that may need further exploring.

4.2 VIRALITY

In the survey, 78% of the Wide Group agreed that **if an organisation’s methodology for choosing claims to debunk entails virality, they should clearly define how virality is assessed within the operation in relation to their audience, country or region**. But there was also discussion about the drawbacks of using virality as a metric by which to choose claims to investigate. *“Explaining the criteria for claim selections in the publicly available methodology goes without saying. However, defining virality as a static category might not be possible”* given how fluid such numbers can be, one fact-checking organisation commented.

Around half of fact-checkers and one third of OSINT operations agreed that it was okay to focus on viral content that doesn’t necessarily affect the decision making of citizens or have the potential to be harmful. 67% agreed that **it was okay to focus on non-viral content that doesn’t necessarily affect the decision making of citizens but affects the decision making of policymakers**.

Experts also cautioned against leaning too heavily on virality as a deciding factor for how to choose claims. *“I think we should have rules about what we check and how we decide on it. But at the same time, it’s very hard to make a rule that is absolutely objective. So you can’t just say if the content is shared by a person with a million followers. You know, you can’t make a rule because the evaluation of how important*

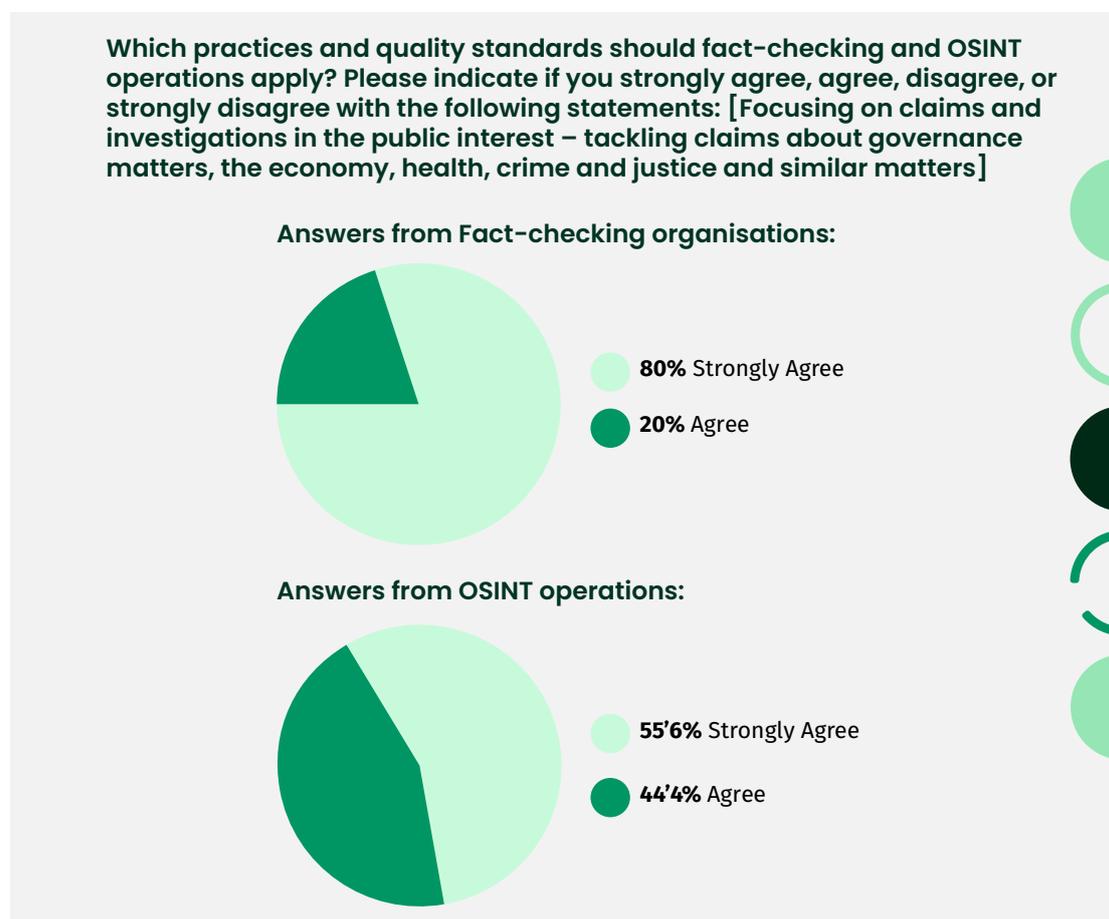
it is a bit subjective. So, for instance, we might check a claim because we have seen it 100 times in the past, and it's not very viral right now, but we just think, this is something people have a question about. So I would just stick to a general description of how we choose," said Emmanuel Vincent, Head of [ScienceFeedback](#).

Ramón Salaverría, a professor of Journalism at University of Navarra, also noted that in many cases "viral content doesn't have any kind of social relevance, they are focused on very irrelevant topics, but at the same time, there are many key issues for society that are not viral in any sense that should be fact-checked or investigated".

Ana Brakus, Executive director of [Faktograf](#), stressed that public interest was more important than the number of shares in some cases: "Our north star is what is in the interest of the public. So basically the main goal here is to have good information that the public wants or needs to hear. That's how we do what we do. We usually give certain explanations about the virality of the content or something like that. But I think it's very hard to create rules about virality because it is constantly shifting... the editorial board of every fact-checking operation needs to have rights to their independence to choose how they do fact-checking."

4.3 PUBLIC INTEREST

A different metric for choosing topics to investigate - and one that was supported by 100% of organisations in the Wide Group - is focusing on claims in the public interest. This was defined in the survey as tackling claims about governance, the economy, health, crime and justice and similar matters (see chart below).



More than 95% of the Wide Group **did not believe organisations should focus only on claims about sports or entertainment.** There was also agreement among more than 95% of the Wide Group about **the importance of making it clear to audiences why a particular claim was chosen for investigation.** But divisions arose on how strictly such decisions on what to investigate should be regulated.

Two thirds of organisations maintained it was important for newsrooms to maintain a level of independence and be able to **“dedicate their investigative efforts on whatever their newsrooms deem appropriate at any time”.**

One organisation commented that a fact-checking operation’s dedication to the public interest should be evaluated holistically, as opposed to requiring every individual debunk to fit this definition. *“I think it is up to each publisher to decide what to write about, and it is the whole experience of the many articles that forms the picture. If a publisher constantly chooses things that don’t affect society or its citizens, that will show and the outlet will not be read as much. I don’t think that there should be any demands from any code or umbrella organisation on individual fact-checking organisations to prove that they’re “useful” or “beneficial”.*

Another organisation also echoed the need for editorial freedom to make decisions about what falls under the public interest: *“The most important thing is the importance to the public - even if it only interests a small group. And it can give a wrong impression of readership. The media must have a publicist and editorial freedom to select allegations for fact-checking. I definitely do not see this as something the code should address.”*

One fact-checking organisation commented that *“click-bait”* fact-checks about sports or entertainment *“should not be an option, but when fact-checking claims relating to sports and entertainment are in the public interest it should be allowed.”*

Another organisation noted that it sometimes fact-checks a claim that falls outside the category of broader public interest, but has been submitted by a member of their audience. *“We generally work on public interest issues but also try to be responsive*



“Fact-checking organisations should have their own (or should rely on existing) definitions of public interest and should clearly and transparently publish these. As part of their fact-checking oversight they should be required to demonstrate the application of the public interest either in response to a complaint or subject to a request from the oversight body; the fact-checking org could include public interest justifications in the fact-checks themselves subject to its own editorial discretion.”

to our community, as it’s little enough to be taken care of at almost individual biases, even if the questions they ask are not necessarily of public interest. We’ve fact-checked memes in the past”

A representative from the Independent Monitor for the Press ([IMPRESS](#)), an independent press regulator in the United Kingdom, added that its Code contains a comprehensive definition of

the public interest and that actions that may otherwise violate the Code – such as intruding on privacy – could be justified if there is a strong case that it was done in the public interest. The representative advised: “Fact-checking organisations should have their own (or should rely on existing) definitions of public interest and should clearly and transparently publish these. As part of their fact-checking oversight they should be required to demonstrate the application of the public interest either in response to a complaint or subject to a request from the oversight body; the fact-checking org could include public interest justifications in the fact-checks themselves subject to its own editorial discretion.”

4.4 MEASURING IMPACT

Strong debate was generated by the question of whether organisations should have strategies in place to measure and publicly report on their work’s impact on issues of public interest. Around 60% of the Wide Group agreed with this in principle, though many noted that such a requirement could be too burdensome for small organisations, and may be better handled by academics or by a project organised by the EFCSN itself.

When asked how impact could be measured, organisations offered the following suggestions:

- *“A lot of public interest / benefit reporting is nonsense because it’s very hard to credibly measure this stuff. Our organisation is legally required to report annually on the public benefit of our work. It’s much easier to describe the impact we are trying to have than measure the impact we are having. Promoting rigorous evaluation is a good thing, but we have to be realistic about how meaningful that can be. It is at least as important that these operations engage with existing evidence as that they generate new evidence”.*
- *“Fighting disinformation is more effective when the impact of fact-checking work is assessed. Analysing the extent of that influence and identifying possible improvements will make us more effective in limiting the growth of misleading content and attempts at manipulation. Measuring the audience for our content to understand which issues are of most concern, knowing the age groups and backgrounds of those who seek our content and trying to reach those who do not is part of our work.”*
- *“I think that being accountable for our work should be a must; and therefore keeping track of the impact of the work we do and how it helps society on public interest issues should be one of the goals that we should aim to achieve. I understand that not every organisation can be mature enough for this but I do think that making this a core value within the community: we do this work for a purpose, it should have an impact and we should be willing to find mechanisms and ways to measure it would be very important. Furthermore, it would be beneficial for the ecosystem to be able to say that what we do matters, and prove it.”*

- *“I think we should try to look for a holistic approach. We need to take in public metrics and social metrics but also we should try to gain more insights in the way it impacted the readers”.*
- *“Ours is an organisation focused on creating social impact and a Social Impact Specialist is working within Teyit. This means that it is beneficial to be able to see and demonstrate our impacts beyond metrics. We always try to take into account the multiplier effect in our work. As we produce information for disadvantaged groups, it is very important to see that we publish content compatible with the SDGs and that non-governmental organisations benefit from them. Apart from these, of course, it is important how many people we can reach. But we want to change the attitudes of actors, especially those who are producers, organisers and disseminators of knowledge. These include educational institutions, social media platforms, non-governmental organisations that can affect society, and even brands. We think that anecdotal data (anecdota) are also important at the individual level impact”.*
- *“There could be separate section incorporated in fact-checking operations where basic metrics on how many readers were reached, on how many platforms the same fact-checking article was shared or which corrections and policy changes were made after publishing a fact-checking article. This section could be updated monthly”.*
- *“The best strategy is engagement to your research. Naturally high level engagement should be counted separately, but overall outreach and engagement is a good metric and strategy”.*
- *“These need not be quantitative but should ensure that they are seeking in good faith to measure the positive impact of their work”.*
- *They should have at least basic measurements in place to assess their own work and audience outreach across various time frames, impact measurements will vary across organisations and types of activities - this is difficult to standardise.*
- *“This is potentially a very high bar for nascent or young organisations to achieve - as to do this well is resource intensive and challenging. At a basic level it could just include gathering data on how people viewed or interacted with fact-checks and investigations - but this shouldn't be seen as representative of impact which could be greater than basic metrics can capture”.*
- *“This is nice to have, but relies on valid research and analytics capacity, which is not always available or affordable”.*
- *Two groups suggested that the EFCSN network would be best placed to organise such a task:*
- *“The Network should aim to provide grants/support/assistance to develop and implement strategies to measure and report on impact by fact-checking organisations”.*

- *“Those strategies would require that media outlets have sufficient knowledge to perform an impact assessment. This would be great, but impact assessment requires a very demanding and skilled methodology... Could there be a general template provided for by EFCSN, which could apply to all fact-checking and OSINT operations?”*
- *“While it should be done in theory, this sounds like it would place a heavy burden on fact-checking organisations in practice. Smaller organisations might not be able to measure the impact of their work on their audience. It could be acceptable if the fact-checking organisations don't have to finance this, so maybe EFCSN could find sponsors who will pay for such impact studies”.*

Others laid out the difficulties of measuring impact and said that this should not be a mandatory requirement of fact-checkers or open source investigators themselves:

- *“As said above, I think this should not be required of fact-checkers. Rather, the new European network would be a great frame to provide skills, resources, trainings or other help necessary for fact-checkers to be able to engage in such activities”.*
- *“Difficult or even impossible to measure the impact”.*
- *“Ours is a B2B- media company. For us it's difficult to measure the impact of our published stories/material”.*
- *“I think it is very difficult to establish a comprehensive methodology that would deal with this issue. We can measure the virality of announcements of fact-checking and OSINT operations, but it is extremely difficult to assess the impact on public opinion and in the public interest. This can be assessed, on a wider sample and with the application of a sophisticated methodology, only by independent researchers, as in this research: <https://www.pnas.org/doi/full/10.1073/pnas.2104235118>”*
- *“I think [this] should not be taken into account, because it's not the fact-checkers' job to measure the impact of their work in the public interest. Of course it's helpful to have that information, to better orient our work, but it shouldn't be a mandatory activity for fact-checking and OSINT operations”.*
- *“Ideally they are taken into account, but if you set this as a standard, valuable smaller fact-checking operations will be forced to drop the towel depending on how this standard is operationalised”.*
- *“It is difficult to have a metric to measure impact that will encompass all cases when fact-checking does make a difference. A methodology would be beneficial that would include anecdotal evidence but also quantitative measurements (nr. of engagement, republishing of fact checks, etc.)”.*
- *“Mentioning (at the beginning of a fact-check) the virality in social media, and dissemination of a claim, for instance, where it was published, should suffice. It's impossible, at least for small organisations, to dedicate resources for determining the impact of the fact-check itself”.*

- *“We believe that impact should be measured from the academic sector and that fact-checkers should be engaged in journalism”.*
- *“We believe that this is useful, and that every fact-checking organisation in some way tries to evaluate its work and measure whether it is successful. However, these valuation methods can vary greatly depending on the size, ownership, operation, funding, environment in which the organisation operates, and the like. Therefore, I believe that adherence to a universal strategy cannot be required”.*
- *“We find it hard to measure impact – we receive much more hate mail than positive feedback; we are not sure why people click on our articles or what they take away from them; we collect mentions of our work in traditional media – however, to compile a real impact report we don’t have the methodology nor the resources, at the moment”.*
- *“We don’t think that fact checking or OSINT operations should measure their impact on the public but should concentrate their efforts and resources on actually pre-bunk and investigate claims. This is one of the rare field where, ideally, the public interest is greater if our operations are not necessary anymore”.*
- *“We think that this work is important but should be done by an independent organisation like academic researchers”.*

[Access Info Europe](#), a Madrid-based group that campaigns for access to information in Europe, also provided advice: *“Being able to test the public interest in a matter is relevant to be able to determine when certain journalistic methods may be justified or if certain information should be disclosed. In our work, we are often faced with the public interest test, where documents and information may be disclosed to us in case we can show why there is a strong public interest in the issue. This is usually balanced against the harm the release of the information could inflict on a person, business or political process. Something similar could be in place for a fact-checking standard, reminding the fact checker to balance the public interest against the potential harm. There could also be an independent advisory body in place within the Governance Body of the Code, where signatories could get advice on matters concerning public interests. Lastly, it should be noted that public interest (as earlier outlined by our definition) could signify slightly different things depending on the context. In this sense, a viral issue may affect large parts of society and warrant the focus of a fact-checking organisation”.*

4.5 OTHER SUGGESTIONS

Wide Group members also posited other good practices that could fall under the category of methodology, such as considering “respect for copyright” of original fact-checks, keeping records of “every action taken during the investigation”,

maintaining transparency for any changes to a methodology and setting standards about how to present information from state institutions.

Researchers raised additional suggestions, such as having a protocol when an investigation determines that a claim is in fact true: *“Establish a standard on cases where the journalist establishes that the suspicious statement is in fact true. I personally believe that such statements should be published”.*

Other ideas mentioned by researchers and academics included the importance of using non-polarizing language, employing a strategy to prevent bias from swaying which claims are chosen for verification and ensuring appropriate professional competence of fact-checkers. The latter was also underlined by the [European Journalism Training Association](#) (EJTA), who called for *“Requirements for fact-checkers (training, diploma’s). Incompany quality assessment and training of fact-checkers.”*

Another researcher stressed the importance of “pre-bunking” to effectively counter disinformation: *“It is important to recognise that fact-checks are unlikely to reach the people who were exposed to the original misinformation, and instead are mostly seen by people who didn’t believe the misinformation to begin with...In my view, it’s of key importance to acknowledge these limitations and take steps to address them head-on (hence my repeated call to include pre-emptive approaches such as inoculation). A useful resource is the Debunking Handbook 2020, which provides a set of best practice guidelines on debunking: <https://sks.to/db2020>.”*



“We recommend openness about how the fact-checking has been done so the audience, as far as possible, themselves can check that the fact-checking is right.” – Mathias Vedeler, Norwegian Press Association

An important consideration is how the Code can encourage methodological rigour without hampering editorial independence, diversity and creativity. Mathias Vedeler, Advisor of the Professional Committee (PFU), Norwegian Press Association, advised focusing on the principle of transparency

instead of advising a strict template: “We recommend openness about how the fact-checking has been done so the audience, as far as possible, themselves can check that the fact-checking is right. We also recommend openness about why the fact-checking has been done, that is, what made the operation choose this exact thing to fact-check. Rules that touch upon these themes, without forcing every operation into the same strict template, will strengthen the reader’s trust in the journalism.

Experts also cautioned that guidelines on something as specific as headline-format could be offered as a recommendation but not an obligation. *“I don’t think it should be compulsory, but I think it should be a recommendation and maybe some training because fact-checkers might not know about what is most effective or what’s best,”* said Emmanuel Vincent, a scientist researcher and head of ScienceFeedback and ClimateFeedback.

“I believe that’s part of freedom,” added Ramón Salaverría, a journalism professor at [University of Navarra](#) and IFCN external assessor: *“I believe that that’s part of the options that fact-checking organisations can take. So as long as [the headline] does not break any value, I think it’s going to be allowed and it’s not necessary to make rules on this field”.*

4.6 RECOMMENDATIONS

The Code should be able to better define issues in need of clarification such as virality, public interest, and impact of the work of fact-checking and OSINT operation. Beyond that, the text could address the appropriate balance on the use of anonymous sources, right of reply and seeking corrections from third parties. The Wide Group is supportive of restrictions on the first issue and of providing ways to exercise the second, but generally opposed to set obligations regarding the third.

The recommendation is to strongly discourage anonymous sources, allowed only in exceptional cases when the information has been corroborated by other sources. Furthermore, actively seeking corrections from third parties should be acknowledged within the Code as a regular good practice, but not be a requirement.

Regarding how to choose which claims to investigate, there is an agreement that public interest should be the overriding motivation, while virality can be a possible reason why something is in the public interest, but not a requirement that needs to be numbered and defined. In relation to this, the Code should only accept signatories that focus mostly on public interest fact-checking and investigations, and organisations should be able to explain why an investigation met this standard or was otherwise editorially chosen to be investigated.

When talking about measuring the impact of an operation’s work, there is a wide range of positions and while the Code can acknowledge the importance of it and help organisations meet standards and provide training on impact assessment, there is not enough agreement as to make it standard. The same goes with restrictions in titles, where the Code can benefit from outlining best practices without necessarily requiring them from all operations.

5. ABOUT ETHICAL STANDARDS

Beyond having adequate methodological standards to ensure the quality of their work, fact-checking and OSINT operations often have to address questions that are ethical in nature. They arise in day-to-day operations, but also when setting up teams or deciding on standard procedures for their activities.

As a respondent pointed out, *“these are often case-by-case decisions that depend on the context”*. We nevertheless consulted the Wide Group and outside experts to find whether there is a consensus on some long-standing ethical issues such as:

- How to ensure non-partisanship.
- How to address privacy concerns when working with user-generated content.
- How to correct mistakes in an honest way.

In addition, those surveyed expressed opinions on the ethical challenges faced in the field, including but not limited to:

- Inadvertently amplifying disinformation by giving it publicity.
- Media codes of conduct.
- Language and intent.
- Staff preparedness to deal with trauma.
- Tools used during investigations, including the use of Artificial Intelligence.

5.1 NON-PARTISANSHIP

Both fact-checkers and OSINT operations are routinely accused of having partisan biases. Many of them have experience with implementing editorial and organisational safeguards to address the risk of acting or even appearing partisan, but we first wanted to ask them about a few general principles regarding the political involvement of the organisations themselves. 94% of fact-checking and OSINT operations believe they **should not be able to publicly endorse candidates or advise the public to vote for them**, a practice that is not only permitted but widely adopted by regular media outlets.

Fact-checking and OSINT operations in Europe also almost unanimously reject the possibility of having organised partnerships in the political arena. Over 90% think the organisations in the Code **cannot have either commercial or non-commercial agreements with political parties**.

The organisations surveyed also want to incorporate the idea of non-partisanship into their daily workflows, with a full 100% of them agreeing that their **investigations should use consistent methodologies in order to refrain from biased decisions**; an opinion that is also supported by 95% of the researchers polled. When asked if an **expert’s bias and/or conflict of interest should be explicitly noted when quoted**

in fact-checking and OSINT investigations, all the consulted operations agree, a position that is also unanimous among the researchers and fact-checking clients polled for this report.

In the same way, almost 90% of the Wide Group say that the **organisations in the Code should not concentrate investigations unduly on any side of a political spectrum**. Yet Emmanuel Vincent of Science Feedback makes an interesting caveat to this with a practical example: *“I think non-partisanship is quite tricky. We check mostly things coming from the US and it turns out that, with climate change, it is mostly one side of the political spectrum that is always publishing some type of misinformation or at least denying climate change. Maybe there is a smaller equivalent to the other side, which is over-claiming the problem. But so you can’t just say you have to fact-check both sides equally, because both sides are not creating content that is of interest to check.”*

Jessica Gabriel Walter, a postdoc at [Aarhus University](#) coordinating the [SOMA](#) (Social Observatory for Disinformation and Social Media Analysis) and the [EDMO](#) (European Digital Media Observatory) project, considered that some organisations may have a specific objective, such as combating false information from a particular government or entity. *“I can see that some organisations have specific aims or objectives that might be in conflict with this regulation, but I think that in the long term independence or non-partisanship is an important aspect, as well as transparency methods and funding.”*

The ethical questions seem more complex when it comes to addressing partisanship within the teams of the fact-checking and OSINT operations. Even with the possibility of having methodological procedures in place to prevent political biases in their work (as supported by the group), most organisations are in favour of concrete ways to prevent links between political activities and the staffing of their own operations. 73% think **it should not be possible for them to hire someone who is currently a member of a political party**, roughly the same number that support that position within the researchers polled. However, there is a practical yet very important issue to have in mind, as Ana Brakus from Faktograf pointed out: *“I understand the tendency, but in our case it is illegal to ask a person [in] a job interview if they are a member of a political party, because they have a constitutional right to be a member of a political party. So, for me, it’s something that kind of sounds good, but it’s first of all, impractical, and second of all, it’s illegal. So you can’t have a Code that is asking you to do illegal things”.*

Fact-checking and OSINT operations seem genuinely divided about the appropriateness of staff being involved even in the most basic forms of political advocacy. Half of the organisations think **their employees should abstain from publicly voicing political positions even if they don’t do it in the name of the operation**. In this, they are more strict than the expert academics consulted: 68% think employees should be able to do that.

As for establishing a quarantine period between working in politics and being employed by a fact-checking or OSINT operation, those organisations do not seem convinced of its usefulness. **73% oppose excluding those candidates for 5 years after they have left their employment at a government or at a political party.**

5.2 USER GENERATED CONTENT

For many fact-checking and OSINT operations, much of the material they work with originates from social media users. The use of that content and its publication poses unique ethical challenges that could be addressed by the Code; mainly the concerns about the author's right to privacy, as well as that of the other people who might be portrayed or otherwise involved in that content. Such cases often require balancing the principles of privacy and transparency.

The Wide Group opposes (71%) the idea of **imposing a general obligation to always conceal the identity of the sources of user-generated content (UGC)**, almost as much as **an obligation to always conceal that information** (77%). When asked for the kind of situations that call for identifying the source of a particular UGC, 65% are in favour of doing it **when the author is a public source or a serial producer of disinformation, an exception supported as well by 68% of the disinformation researchers polled.**

With regards to the privacy of people captured in images related to an investigation, 87% of operations do not think **it is always appropriate to conceal their face or identity** and 79% are **in favour of not concealing it if it is absolutely necessary for the investigation or the image has otherwise already reached a broader public through mass media.** However, **when those depicted are minors, 85% are in favour of always concealing their identity.**

Many respondents have volunteered that they make these decisions on a case-by-case basis, often taking into account if the people depicted might be subject to harm. Nick Waters from Bellingcat explained that he would not consider it necessary to protect the privacy of those pictured in public settings such as at a protest or walking down the street, but that safeguards should be put in place to protect subjects that face any risk to their safety. For example, he explained that when Bellingcat has geolocated videos filmed by ordinary citizens from their flats during the war in Ukraine, the organisation has taken the precaution of obscuring the exact location by around 100 metres. They have also been embedding UGC content so that the person who posted it has the ability to remove it if they decide it could put them at risk. *“So it's not reducing information presentation for the purpose of simply for the purpose of reducing information presentation, but rather directly for personal safety,”* Waters explained. Sam Dubberley, from [Human Rights Watch](#), also noted that it's important to be conscious about how images or data of subjects of investigations are being stored in order to ensure their *“digital safety”*.



95% of fact-checking and OSINT operations are in favour of anonymising part of the data that needs to be cited in an investigation.

The Wide Group was not in favour of unnecessarily divulging personal information. 95% of **fact-checking and OSINT operations are in favour of anonymising part of the data that needs to be cited in an investigation.** For example, if proving a connection

to a phone number, the organisation can show the first 4-5 digits only and not disclose the full phone number. That practice has also almost universal support among the disinformation researchers and clients of fact-checking and OSINT services polled for this report.

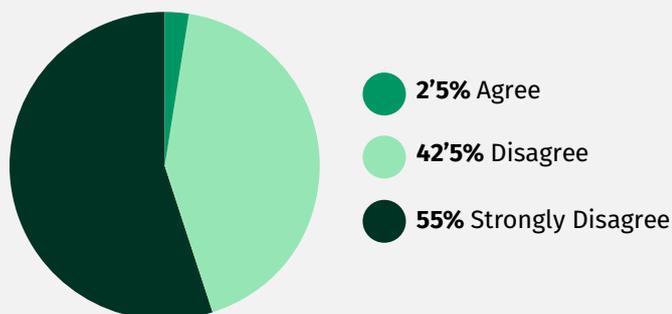
Laurens Lauer, [a Post-doctoral research fellow](#) at the Faculty of Social Sciences of the University of Duisburg-Essen (Germany) and [IFCN external assessor](#), also advised on how to handle the case-by-case nature of ethical decisions: *“Ethical standards are hard to standardise and case-sensitive explanations about how and why the organisation proceeded might serve credibility, even if one disagrees with the way it was handled – such explanations could be required as well”.*

5.3 HONEST CORRECTIONS

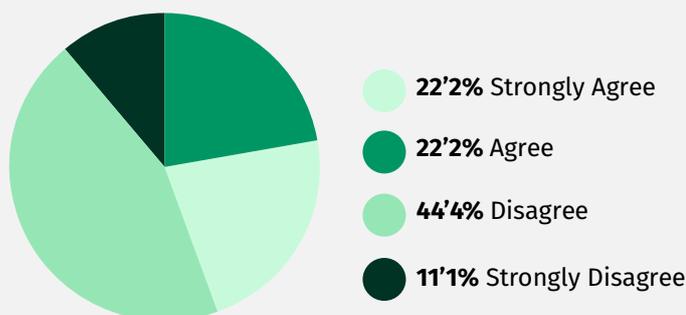
A strict policy on honest corrections is a core practice within the fact-checking community, as part of the requirements of the International Fact-checking Network Code of Principles. When surveyed, 95% of the fact-checking and OSINT operations say **when a mistake has been made, it is not enough to just correct it and update the article without including a note telling users that you have done this**. However, among the 5 organisations that say otherwise, 4 are OSINT operations.

When correcting mistakes in a fact-checking or OSINT investigation, do you strongly agree, agree, disagree or strongly disagree with the following statements? [If a mistake has been made it is ok to just correct it and update the article without including a note telling users that you have done this]

Answers from Fact-checking organisations:



Answers from OSINT operations:



Fact-checking and OSINT operations are nevertheless clear about the difference between substantive mistakes and mere typographical errors, and think such errors should be treated differently. For example 81% favour a **correction in the title of the article if the error completely changes the conclusion of the fact-check or investigation** and 89% agree **users should be alerted of the correction on the same channels the content was shared originally**.

Beyond those opinions, some fact-checkers and OSINT investigators discussed the value of having a common template or general recommendations about corrections as part of the Code. However, many of them warned against a one-size-fits-all model that overlooks the differences among countries and organisations. Marilín Gonzalo, from [Newtral](#) in Spain, said: *“we think mistakes must be corrected and shown in the same post in the same publication. We don’t really think that there should be a template and that we all have to do it the same way, because we think that each country, each organisation, everyone has their own way to do things”*.

The idea of aggregating corrections so they can be checked by users also receives wide support among fact-checking and OSINT operations, with 85% agreeing they should publish those aggregates for transparency reasons. In the same way, **there is also universal support to let users submit corrections (97%) and having a process in place to handle those that is public (95%)**. Both practices also receive broad support from other stakeholders polled for this report.

5.4 OTHER EDITORIAL SAFEGUARDS

We also surveyed fact-checking and OSINT operations (as well as experts, academics and other stakeholders) about other editorial considerations that have an ethical component. For example, we wanted to know **how organisations choose claims to investigate and if they are aware of the possibility of amplifying some low level disinformation that has not reached a wider audience**. We found that a full 100%, 49 operations, thought that risk should be taken into account. There was also unanimous agreement about the importance of using precise language when making observations so as not to overstate intention, causality, or relationship.

Overstating conclusions and exhibiting a lack of humility about one’s expertise risks undermining the credibility of the entire community, notes Lindsay Freeman, director of Technology, Law, and Policy at the Human Rights Center at UC Berkeley’s School of Law. *“When people overstate their findings – for example, definitively saying that a location is an exact match based on visual comparisons of imagery alone – it undermines their credibility and potentially damages the credibility of the OSINT field as a whole.”*

The Wide Group also agreed that **it is important to establish the credibility of the experts they cite in their work**. 93% of them say the credibility of those experts needs to be established and presented to the readers in order to use them for fact-checks or investigations. This opinion was shared by 81% of the researchers surveyed as well.

There are also some newer practices that the survey explored as possible areas in need of ethical regulation. For example, **more than a third of the fact-checking and OSINT operations polled are already using some kind of Artificial Intelligence, though almost all of them do not adhere to any AI-specific ethical code.**

Many of the consulted researchers have specifically advised fact-checking and OSINT operations not to use AI at all or use it sparsely. Others have offered some thoughts on the importance of human oversight and general caution, as Dr. Ramón Salaverría a journalism professor and director of an internet studies lab at University of Navarra: *“If we don’t urge for some accountability in artificial intelligence, we might be losing some of the relevant issues that have to be controlled or analyzed through these codes. I’m not a hundred percent sure, but I believe it’s something that could be addressed in the code as well”.*



More than a third of the fact-checking and OSINT operations polled are already using some kind of Artificial Intelligence, though almost all of them do not adhere to any AI-specific ethical code.

Some experts consulted also raised issues like ensuring digital security and the mental wellbeing of staff of fact-checking and OSINT operations. *“Organisations should have a robust trauma risk mitigation policy and all staff should understand the risks of the content and the situation they’re working with. There should be a means for support for staff who deal with this kind of content as well as the ability for staff to step back from work as required,”* said Nick Waters from [Bellingcat](#). *“It should also be understood that this risk doesn’t simply come from viewing graphic content, but also from interaction with external actors, especially in stressful situations, for example, in doing fact checking, you know, you’re potentially telling quite powerful organisations with people that they’ve done something incorrect and it should be prepared for pushback, both from those organisations as well as from radicalised communities online”,* he added.



“Organisations should have a robust trauma risk mitigation policy and all staff should understand the risks of the content and the situation they’re working with. There should be a means for support for staff who deal with this kind of content as well as the ability for staff to step back from work as required” – Nick Waters, Bellingcat.

As Sam Dubberley from the [Citizen Evidence Lab at Amnesty International](#) put it: *“I think something that will be core to me, which would stop me from signing [the Code].. is about making sure that as an organisation, you’re committed to the wellbeing of the staff doing this work. We’re working as hard as we can to look after each other. And that takes a lot of work”.*

Some of these aspects might not have appeared as a concern just a few years ago, but they deserve our attention and careful consideration now. As with all ethical

debates, new realities will soon come to challenge whatever considerations the Code makes, but the fact-checking and OSINT operations, along with the researchers and clients consulted, have pointed to important questions that need to be addressed even it, as one of the respondents said: *“this will be one of the parts of the Code that will grow in time and will have to be revisited often since technology and cases are always changing”*.

5.5 RECOMMENDATIONS

Based on the consensus expressed in the open consultation, the Code should address the issue of non-partisanship by forbidding operations from endorsing candidates or advising the public to vote for them, as well as restricting agreements with political parties or unduly concentrating on one side of the political spectrum. The Code should also reflect on methodological approaches to prevent political bias within organisations, given the unanimous support for this measure. The Code, however, should be mindful of the legal and ethical implications of ensuring non-partisanship in staffing decisions (i.e. in many countries it will not be legal to ask about partisan adscription during a job interview).

As for the privacy concerns about the use of user-generated content (UGC), our recommendation is to reflect on clear rules and clear exceptions, or otherwise leave those decisions to operations on a case-by-case basis. However, it would be advisable for the Code to establish a widely supported obligation to anonymise parts of data that need to be cited in an investigation to prevent doxxing.

We also recommend drafters follow the consensus of the Wide Group on the importance of honest and explicit corrections when mistakes are made, clearly stating that it will not apply to mere typos and other minor errors, and having a system to receive and act on correction proposals submitted by the public. They should also reflect on whether there should be common rules for both fact-checkers and OSINT operations or if a split in this particular area is more adequate.

Finally, the drafters should consider some issues that are clearly relevant for fact-checking and OSINT operations according to the open consultation: the question of how to avoid amplifying low level disinformation that has not yet reached a wider audience, clearly an unanimous concern; the use of Artificial Intelligence in their work; and the appropriate measures to take to mitigate the risk of trauma among their staffs.

6. ABOUT TRANSPARENCY

6.1 ORGANISATIONAL TRANSPARENCY

When it comes to organisational transparency we need to make a distinction depending on the hierarchy it affects. While there is almost total agreement on transparency affecting ownership and governance structures of fact-checking and OSINT organisations, there's a division of opinions when it comes to the actual researchers and reporters' names and biographies.

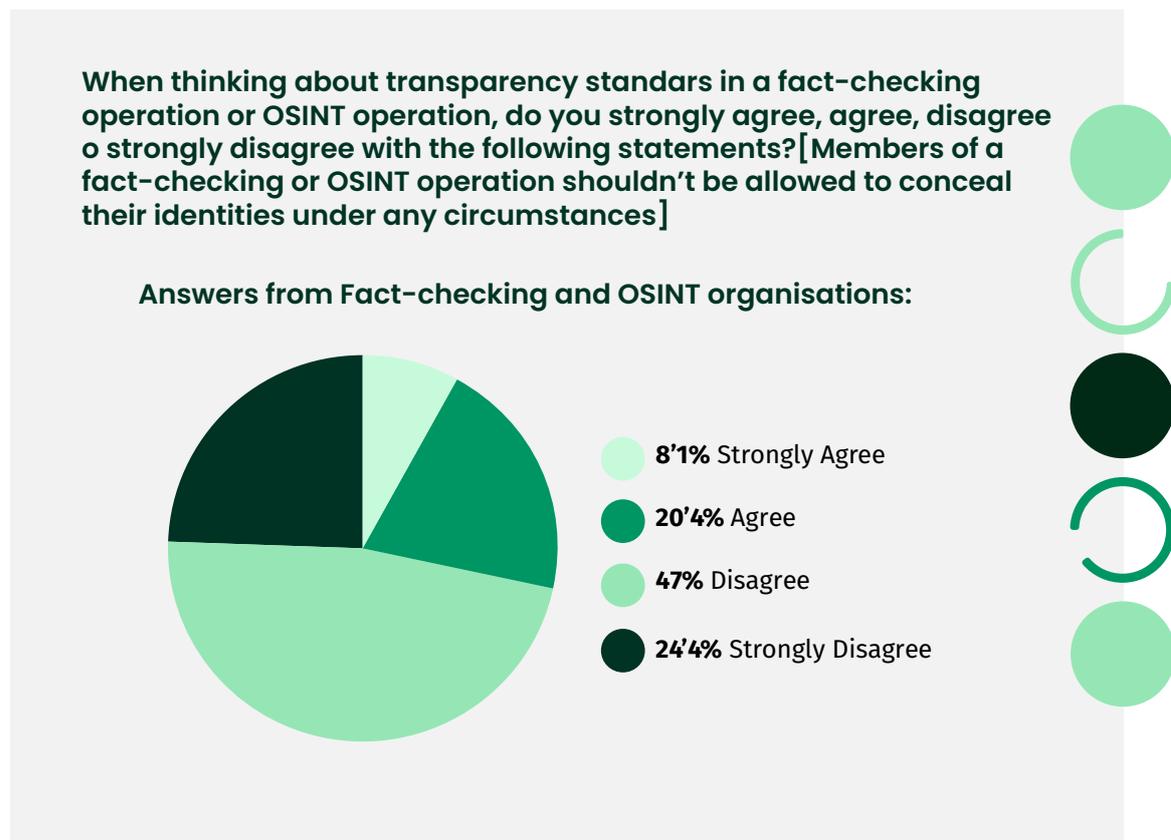
The Open Consultation results show that there is a wide consensus on how organisational transparency is understood not only amongst fact-checking and OSINT operations in Europe, but also by researchers and other parties that engage with this environment regularly. There was strong consensus that **it is important that the public can easily access the information related to the ownership of fact-checking and OSINT organisations** (98% of the Wide Group members) **as well as the governance** (100% of the Researchers) and also the consideration that **it is important that the public can easily access the information about who are the editors or decision makers behind fact-checking and OSINT operations** (91'8% of the Wide Group members).

This aligns with recommendations made by previous efforts such as [the Norwegian Press Association](#): “Full transparency should apply to the ownership of the operation”, said Mathias Pressm, Advisor of the Professional Committee (PFU). This idea is also supported by Full Professor of Journalism Ramon Salaverría from [University of Navarra](#) and by Aidan White, Founder and director of the [Ethical Journalism Network](#), who suggests that fact-checking an OSINT organisations should go further on this matter: “each fact-checking organisation should prepare and publish **a statement of values, setting out their mission, the values they support and the internal guidelines they have in place to protect their independence.** They should also develop internal guidelines that help governance bodies and staff to implement this code of principles. They should publish their governance structure with details of Board, staff and partnerships as appropriate. They should have a public engagement strategy to receive and adjudicate upon external comments and a complaints procedure covering their work and activities. They should publish an annual report on their transparency process and provide a record of public engagement.” In that sense, [Access Info Europe](#) suggests that the Code should encourage proactive, easy-to-access and regular publication of governance structures and ownership structure on websites of organisations and suggests that a role that the prospective Governance body to the Code could have is to provide templates outlining standards and examples for this publication.

A bigger debate arises when considering transparency of staff members such as researchers and fact-checkers. A respondent to the Open Consultation from the Wide Group puts it like this: “While organisations should be transparent about their governance structures, systems and processes, this should not involve

exposing individuals.” While a rather broad consensus supports the affirmation **‘It is important that the public knows who works in a fact-checking organisation, which position each staff member occupies and which jobs of relevance has that person had before’** (81,6% of the Wide Group agrees or strongly agrees), this does not rule out the possibility of exceptions.

When asked if **members of a fact-checking or OSINT operation shouldn’t be allowed to conceal their identities under any circumstances**, 7 out of 10 organisations from the Wide Group either disagree or strongly disagree.



Several members of the Wide Group voiced their concerns on this point in the Open Consultation: *“This policy should be as transparent as possible without endangering the journalists”*; *“Simply: transparency is very important but not at the expense of the safety of journalists”*; *“We should be careful about how transparency requests regarding staff can translate into harassment, threats of lawsuits... Displaying emails or contact details can lead to abuses”*.

Researchers have a similar view on this issue, with **72'7% of surveyed academics disagreeing or strongly disagreeing with the prohibition of concealing the staff’s identity under any circumstances**. Several academics point out the importance of achieving “the maximum level of transparency possible for the public compatible with the physical safety of the teams taking into account the ‘harassment’ fact-checkers endure on a regular basis”. One researcher, however, points out the dangers of giving up this transparency principle too easily: *“This is shifting terrain.*

While personal threats are real, it is important not to abandon the principle of transparency about staff and positions unless absolutely necessary. Once this norm erodes it will be difficult to reestablish.”

These same considerations came up in the interviews performed to fulfill this report. Laura Ranca, from the OSINT operation [Tactical Tech](#), explains that “*there are organisations in the OSINT sphere who don’t publish their members of staff for safety reasons*”. Nevertheless, Ranca also notices that such organisations “*should have all the other standards in place. So not completely anonymous that you can verify, but it’s about again, like protecting the investigators. But I think there should be a list of a minimum information that needs to be available for the public to be able to know who they are reading from.*”

Within the fact-checking and OSINT community but also when asking researchers and other stakeholders that engage with Wide Group members, there is rather wide agreement on the conditional approach of: **If fulfilling organisational transparency requirements can reasonably result in state-sanctioned or politically induced violence against the workers or representatives of an organisation, that fact-checking or OSINT operations may, exceptionally, reveal that information only to the governance body of the European Code.** 94% of the members of the Wide Group agree or strongly agree with this, while only 77’8% of researchers and clients respectively agree. Nevertheless there are some nuances to be noticed.

One fact-checking organisation points out that “*we have to be very careful on how that is evaluated. I can think of such circumstances in very specific cases such as politically prosecuted figures that seek asylum elsewhere but in most European countries this should not be a frequent exception*”. In this regard, another fact-checker noticed that “*sometimes, full transparency backfires. It goes without saying that the EFCNS governing body should have full knowledge of relevant information, however, some organisations may come under fire, for example by politicians, for their identity and background. Therefore, someone’s identity and role should be allowed to be omitted, in the section that mentions the members of an organisation*”.

6.2 FINANCIAL TRANSPARENCY

When it comes to financial transparency of organisations within the Wide Group, there are some wide agreements but further discussion is needed on specificities of what organisations understand as transparency, how it should be made available to the public and in which situations that information should be concealed.

Wide agreement on necessity of financial transparency

Almost 94% of fact-checking and OSINT organisations agree or strongly agree that **for a fact-checking or OSINT operation to have credibility, it needs to be transparent about its funding and publish concrete and easily accessible information about it including detailed revenue sources**, with only one organisation out of 49 supporting the statement “**fact-checking and OSINT operations do not have to be transparent at all about their finances**”.

There is also a wide agreement on the assertion that **despite the type of organisation, fact-checking and OSINT operations should be transparent in their funding in general terms** with the support of 98% of the Wide Group.

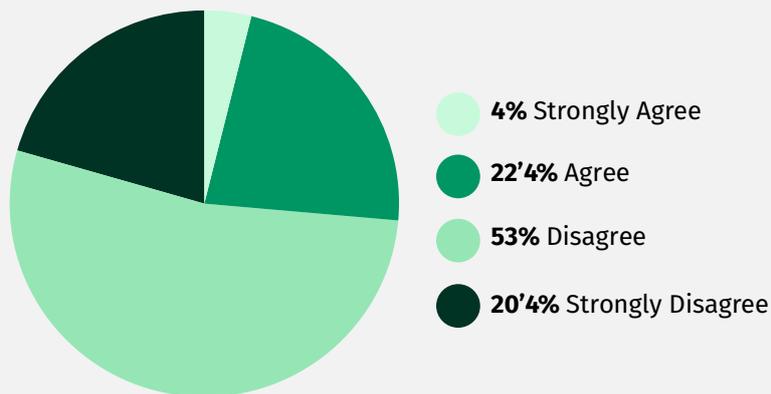
All organisations should be subject to the same transparency standards

When asked if **all fact-checking and OSINT operations joining the European Code should obey the same financial transparency standards** 79'6% agree or strongly agree with the statement. Two other questions in the survey explored this topic : one making a differentiation on for-profit and non- profit and another on the scale of the operation within a larger company.

A majority, 73'4%, of the organisations consulted think that **fact-checking or OSINT operations that are for-profit companies shouldn't be able to have less strict transparency requirements in terms of funding** to be more flexible in commercial negotiations.

When you think of financial transparency in a fact-checking operation or OSINT, do you strongly agree, agree, disagree or strongly disagree with the following statements? [Fact-checking operations that are for-profit companies should be able to have less strict transparency requirements in terms of funding so they can be more flexible in commercial negotiations]

Answers from Fact-checking and OSINT organisations:



In relation to this, a fact-checking organisation notices that the “*European Code should be careful about the equality and fairness among the organisations. If one organisation enjoys certain privileges in terms of financial transparency, it may be unfair to the other institution in the same country. It may lead to becoming a target in the country*”.

Desirée García, former head of EFE’s Fact-checking unit, [EFE Verifica](#) said “*I understand that for a private organisation that’s gonna be more difficult, but, if you want to be transparent we need to encourage them to do that*”. Emmanuel Vincent, from the fact-checking initiative [Science Feedback](#) also agreed that “*the standards should be the same. Otherwise there is kind of a distortion, there should be a bare minimum that both have to fulfill and then from that you can go higher if you feel like*”.

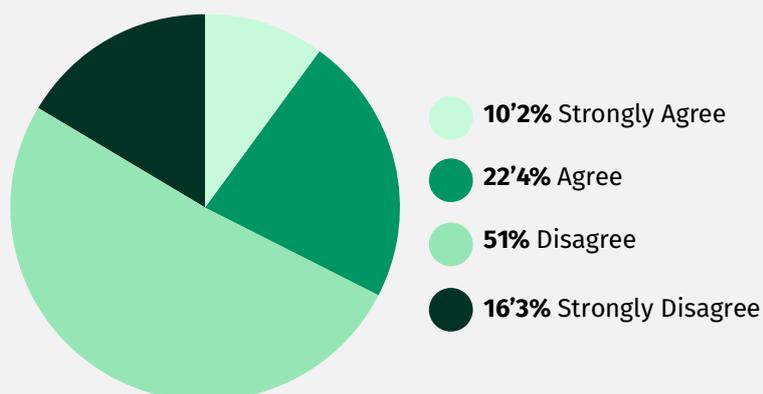
Nevertheless, other organisations claim to be happy with the International Fact-Checking Network (IFCN) system in which there is a difference between what is asked from independent organisations and what is asked from fact-checking sections or units that operate as part of larger parent organisations. There are also different requirements depending on the organisation being a for-profit or a non-profit organisation and how such information is made transparent in the organisation’s website. The rationale is that private companies would be unwilling to publish details that could compromise commercial confidentiality, and that such information is often not available to editorial staff. “*We think the IFCN model is great and it has worked very well [...] There is, for one in one side, you have the nonprofit organisations that are fully dedicated to the fact-checking process. And then you have another model which is a big company or a bigger company with a unit inside of it that it’s dedicated to fact-checking operations*” said Marilín Gonzalo, Public Policy Manager at the fact-checking media outlet, [Newtral](#) (Spain).

In this regard, both researchers and other stakeholders mostly support the idea that **no differentiation should be made between for profits and nonprofits** (61% stakeholders, 77’3% researchers). Ramón Salaverría, IFCN external assessor and full professor of Journalism at University of Navarra, agrees that “*they should be the same for everyone. I understand that in several cases there are circumstances, commercial circumstances that may be difficult to be 100% transparent in terms of the funding that is arriving into an organisation. But if we want to have a really reliable system, I believe that’s a point that should be observed*”. Consulted experts for the [Report Informing the Open Consultation](#) (April, 2022) were also critical of the IFCN system that allows some organisations to conceal their finances by declaring they are part of a larger, parent organisation.

Asked about the capacity of fact-checking and OSINT operations that are part of a broader organisation to disclose their specific income agreement lasts. Only 32’6% of Wide Group members think that **it is impossible for fact-checking or OSINT operations that are part of broader organisations to specify their annual budget** while 67’4% disagrees or strongly disagrees with that statement.

When you think of financial transparency in a fact-checking operation or OSINT, do you strongly agree, agree, disagree or strongly disagree with the following statements? [It is impossible for fact-checking or OSINT operations that are part of broader organisations to specify their annual budget]

Answers from Fact-checking and OSINT organisations:



Less support is given to the statement **'It is impossible for fact-checking or OSINT operations part of broader organisations to specify their specific income on fact-checking products'** with 26'5% of those surveyed supporting or strongly supporting it.

In this regard Peter Cunliffe-Jones, current researcher at [University of Westminster](#) and Member of the Advisory Board to the IFCN, founder of [Africa Check](#) and involved in writing the first IFCN Code in 2015 and in charge of conducting its review in 2019, set out a possible solution in the [Report Informing the Open Consultation](#) (April, 2022). He suggested that all organisations that want to be part of the network should have to:

- (i) Make a declaration of the overall annual budget of their fact-checking operation.
- (ii) Set out their main sources of income (there is room to debate the minimum percentage you use).
- (iii) If their main/only source of income is their parent company you must declare so, and specify what publicly available information about their parent company's sources of income. In his view, they would also then have to make some sort of statement about not allowing any of their funding to influence the findings of their work, and any information that a reasonable person would think necessary for transparency of their operation.

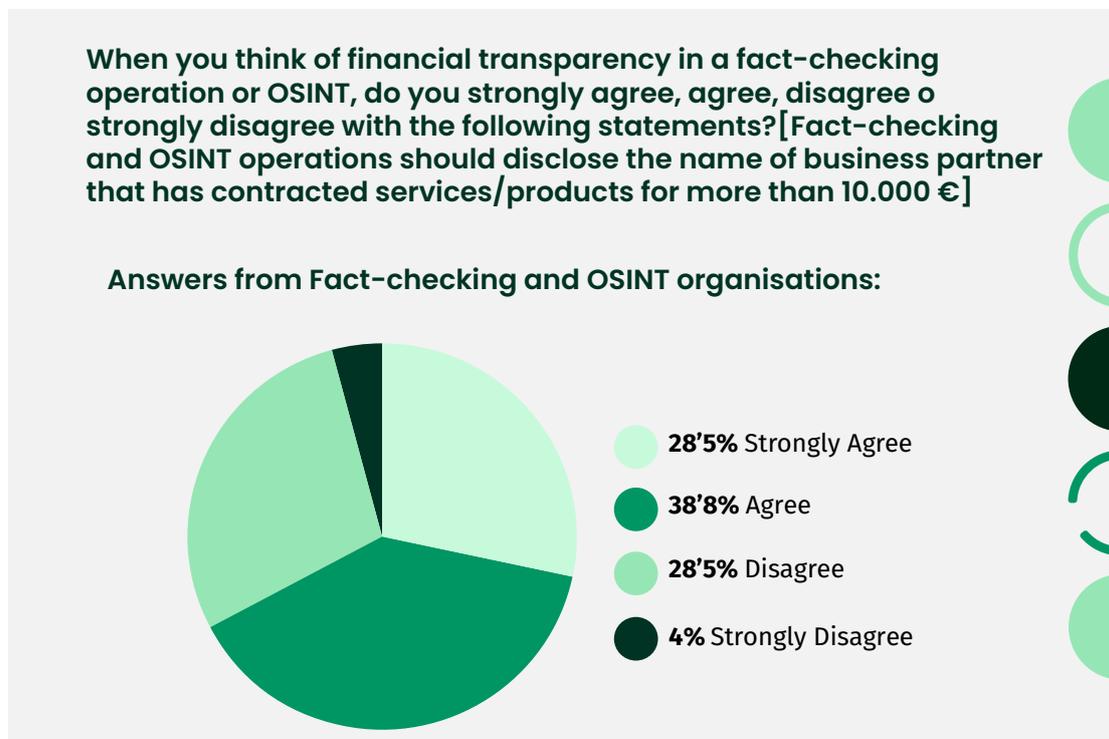
"And you make clear that, though of course the assessors won't have the powers needed to dig through all their finances, if information emerges that proves that any part of the financial transparency statement is less than full and honest, then they lose their approval immediately" says Cunliffe-Jones.

What to disclose and how to do it

The survey approached this issue in different manners to obtain as much information as possible on what were the aims of the Wide Group members when achieving transparency. From their answers, there does not seem to be a straightforward agreement on a specific way to do it although a majority pushes for being transparent not only about donors but also about business partners.

Over 80% of the Wide group members agree or strongly agree with **disclosing the identity of their top 5 income sourcers, be that donors, partners or clients.** A fact-checker said that perhaps *“instead of naming relevant entities, perhaps we could have different categories listed. For eg: 25% of revenue earned is from collaboration with social media companies, 10% of government agencies etc. Confidentiality in contracts would prohibit naming certain clients.”*

Similar numbers appear when asked about **disclosing the name of every donor contributing more than 10.000 €**, with 77’5% agreeing or strongly agreeing. In this instance Bill Adair, Professor of the Practice of Journalism and Public Policy Associate of the [Duke Initiative for Science & Society](#), creator of the Pulitzer Prize-winning website [PolitiFact](#) and co-founder of the [International Fact-Checking Network \(IFCN\)](#), puts the stakes much lower “you should identify every donor above a certain minimum level, such as 100 euros”. While less support but still a majority, 67’3%, agreed with the idea of **disclosing the name of every business partner that has contracted services/ products for more than 10.000 €**.



It is important to note that there is not a specific characteristic within the organisations that said that they disagreed or strongly disagreed with this. Both fact-checking and OSINT operations, for profit and nonprofit, big and small, independent and part of broader organisations can be found. Further along this idea, it is important to note that a wide majority considers it insufficient to only disclose donations: 85'7% disagree or strongly disagree with **disclosing all donations with names and precise figures but not income from business partners**.

For almost 60% of the surveyed organisations **disclosing the total amount of their operating budget and general information on how they obtained the money but without precise figures or names of the donors or business partners** is not enough. Only 40'8% of organisations agree or strongly agree with such a statement.

Another way of looking at this is to set up a minimum contribution upon which the name of the contributor or contractor needs to be disclosed, no matter if it's a donor, a business partner or a client. When asked what that minimum should be 34'7% believe all of **those contributing over 5% of the annual operating budget of the organisations should be disclosed**; while a smaller number of organisations suggest **10% and 20%**, with 18'4% support each. 5% is also the preferred figure by researchers when asked about this matter (50%) followed by a 40% support to disclosing those contributing over 10% of the annual operating budget.

The general differences amongst fact-checking and OSINT organisations participating in the survey suggest that there may be room for a tiered system of adherence within the financial transparency scale. A bare minimum should be set up but organisations could be encouraged and have recognition for going beyond that minimum. A fact-checker suggested that 5 stars on the [Transparify Scale](#) could be a good goal to aim for. [The Transparify Scale](#) rates the extent to which policy-relevant nonprofits (such as think tanks, advocacy groups and non-profit media platforms) disclose who funds them, with how much and for what purposes, publicly on their websites. This includes information contained in annual reports, provided that those reports are available on an organisation's website. Transparify's system rests on the assumption that organisations' voluntary disclosure is accurate and comprehensive. Organisations whose disclosures appear comprehensive but in fact conceal key donor information are rated as "deceptive".

	Five Stars	Highly transparent: all donors listed, clearly identifying funding amounts for, and sources of, particular projects
	Four Stars	Broadly transparent: all donors above USD 5,000 listed in 4+ precise funding brackets, with anonymous donors no more than 15%
	Three Stars	all or most donors listed in 2 or 3 broad contribution brackets, [e.g. "USD 5,000 to 15,000, the following donors"] *
	Two Stars	all or many donors listed, but little or no financial information
	One Star	Highly opaque: some donors listed, but not exhaustive or systematic
	Zero Stars	Highly opaque: no relevant or up-to-date information**
	Deceptive	disclosure appears comprehensive but conceals key donor information

Source: Transparify star rating system

It is important to note that when it comes to acknowledging commercial agreements, 46'9% of organisations think that **all commercial agreements have to be disclosed unless the other party opposes**; while 36'7% of Wide Group organisations agree or strongly agree with the idea of **making public any commercial agreement disregarding if the other party opposes**. In this regard a fact-checker said: *“I think fact-checking and OSINT operations should be willing to disclose their agreements and therefore the idea of “the other partner opposes” should be something that fact-checking and OSINT operations force towards achieving and not use it as an excuse. Many of our contractors oppose and it is part of our negotiation until we are able to do it”*.

Researchers push this matter much further, with 77'3% of surveyed experts supporting the idea of **full disclosure disregarding the opposition of the other party**. As one researcher puts it *“fact-checkers and OSINT operations generally should not enter into commercial contracts with parties who refuse to disclose the relationship”*. Another researcher pointed out that specifically agreements with platforms should be publicly revealed.

Total disclosure to specific parties evaluating the operation

Almost 94% of surveyed organisations agree or strongly agree that if **the Governance Body appreciated that fulfilling financial transparency requirements can reasonably result in state-sanctioned or politically induced violence against the workers or representatives of an operation**, that fact-checking or OSINT operation may, exceptionally, **reveal that information only to the Governance Body of the European Code**. On this, one of the organisations noted that *“the exceptions should only go as far as information not being publicly released (on fact-checkers website and similar), but the governance body should have the same financial information from all applicants”*.

Along similar lines Mathias Vedeler, Advisor of the Professional Committee (PFU) of the Norwegian Press Association declared that *“to ensure independence and unbiasedness (and the audience’s belief in it), we believe the code should have some guidelines that also include the financial model for the operations. How the operations make their income can have an impact on the independence of the operation. It might be a challenging task to find the perfect balance in this area. We can’t demand every fact-checking operation to be non-profit organisations without advertisement or commercial income. At the same time, we don’t want the audience to doubt that the fact-checking has been done with the public interest in mind, rather than to please a certain political or economic aim. Either way, we recommend full transparency when it comes to the income, but with the possibility of only disclosing the information to the Governance Body of the European Code if there is a security risk for people working in the operation.”*

Some organisations propose a system in which “disclosure does not have to be seen as a white and black term since information can be disclosed to a specific audience as well as to the general public. We propose that the official publisher of the fact-checking operation which is a signatory of the Code must provide full financial transparency to the evaluators and the Governance board. However, the obligation to publicly declare and publish detailed revenue sources should cover the specific

fact-checking operation. Also, although full disclosure can be expected towards the fact-checking community and/or its assessors, there are safety-related risks for not providing it fully to the general public". Another fact-checker sees it in a similar way: *"By giving the exact figures and sources of income to the governing body. Less transparency to the public, about the sources, unless they come from government/s, which should be avoided."*

Emmanuel Vincent, Head of the fact-checking operation [Science Feedback](#) insists on the need for transparency to be quite high: *"I know that there are some fact-checking organisations that run as a business now, but I don't think that's good for the trust people can have in them. So I would say even if they are companies, if they decide to be in that field, then they should be more transparent than a normal company should be."* Ana Brakus, Executive director of [Faktograf](#), expressed the point of view that it is understandable that companies might not want to disclose publicly all their accounting *"but the board should have knowledge about the ways that the publisher is being funded"*.

6.3 FUNDING SOURCES

Careful consideration needs to be given to the funding sources for fact-checking and OSINT operations in order to protect their independence. Some of these considerations have been already covered in the definition of operations themselves and what they can and can't do but this section will go deeper into how those activities should be disclosed and how they may affect organisations.

Although it was not specifically one of the questions in the surveys, during research the question arose of whether the Code should establish which entities or people organisations should not receive money from. Wael Eskandar from [Tactical Tech](#) noticed that *"in general, sometimes it's just difficult to kind of put a list of organisations. The way I would approach it in the code of conduct is to think about power and impartiality. So we were talking earlier about the mission and we cannot, you can't take funding from special entities whose interest is to introduce bias. That is the main point. So how you put that in the code, should be a little bit more generic than actually listing certain types. It should be conditions that describe these areas"*. Taking this suggestion into consideration and gathering the thoughts of different interviewees throughout the process, we will divide this section into four types of funding to better explore the agreements and disagreements in different areas: platform funding, political funding, public funding and other funding sources.

Platform funding

Technological platforms are, as of 2022, a big funder of fact-checking and OSINT organisations. Regardless of if this will continue to be the case in the future, it is already being used to criticise fact-checking and OSINT operations and it can jeopardise the appearance of independence.

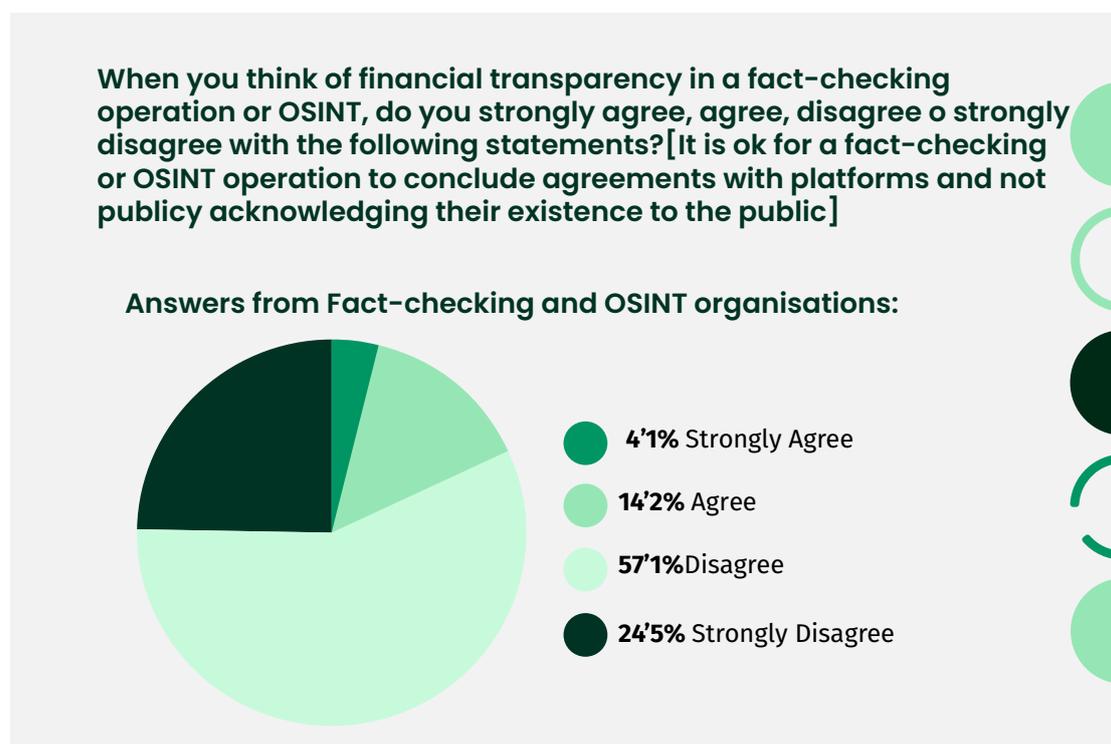
One of the researchers responding to the survey noticed that *"it is not at all good for public trust to be partly funded by a tech giant such as Facebook. I think the IFCN is in trouble in the long run in terms of trust"*. This is applicable to the International Fact-checking Network but also to smaller organisations that are mainly funded by

big tech companies these days, as well as to the future of the EFCSN. As Emmanuel Vicent sees it, *“what we can see from experience is that when fact-checkers receive money from Facebook, I guess they become much less critical of Facebook. You should receive money from some entity, I guess, in some ways you’re going to be a little bit biased in favour of that entity, whatever you want to think. And maybe some fact-checkers don’t, but it’s still a structural problem. So whenever people receive money from some, they are going to be perceived, at least perceived to be biased in favour of. There is nothing we can do against that perception, at least. So now there are rules you say that could make it so that fact-checkers trying to correct that potential bias, appearance of bias”.*

Mehmet Fatih Çömlekçi, an associate professor of Media and Communication studies at [Kirkklareli University \(Turkey\)](#), added that fact-checking organisations can use their voice, especially through a network created by the Code, to establish independence from the platforms despite business relationships.

“The algorithms of social media platforms are one of the reasons why this information is that kind of problem in society. So fact-checking platforms, or some kind of Code, some kind of statement, or manifestation can address this issue,” he said. *“I think we [fact-checkers] can take funds, we can make collaborations, because we as fact checkers have to work with these platforms, because this information spreads [on] their platforms, it’s logical to work with them, it’s logical to take funds, I don’t see any great problem with that – but they have to say something about these algorithms”*, he added.

Transparency seems to be one of the things organisations can do in relation to platforms. 81’6% of Wide Group organisations think that **agreements with platforms have to be publicly acknowledged**.



Political funding

There is a wide agreement that funding coming from political parties is a no go (see section 3.1.1). In Emmanuel Vicent's words *"it's quite obvious that they have an agenda. They are, they're not really trying necessarily to find the truth. They aren't just trying to win some fights with somebody else. So in that case, that's quite clear for me"*. Ana Brakus from Faktograph sees it in a similar way: *"we should not accept money from political parties in any way or form, political parties are no-go"*.

In this regard, Aidan White, founder and director of the [Ethical Journalism Network](#), takes it further: *"This should be applied in particular to groups such as government and state institutions, as well as all from entities with links to political, corporate or cultural centers of power. This test should also examine whether potential funders are engaged in any political, social or commercial activity that is anti-social or compromises principles of democracy and human rights protection."*

Public funding

With national agencies funded with public money together with European Union projects and funding from national governments of their own and from abroad, there is a wide agreement in considering that public funding can be allowed with secure mechanisms in place. Nevertheless many nuances arise when going deeper into these considerations.

81'6% of organisations consider acceptable that **fact-checking and OSINT operations can be funded by their country's public entities/governments as long as they clearly establish mechanisms for their work to remain independent**, while 91'8% agree that **fact-checking and OSINT operations can be funded by international or foreign public entities/governments as long as they clearly establish mechanisms for their work to remain independent**. Anyhow some entities understand that national public money is a no-go: *"We can not accept money from the government. If we are going to fact-check them, from any government. That's what we think"* said Marilín Gonzalo, Public Policy Manager at [Newtral](#). On the other hand, Ana Brakus, Executive director of [Faktograf](#), pointed out that she has no problem with sources of public funding that are open through open goals that have rules and regulations. **"For me, journalism is a public good, and it should be financed by public money because it's a public service in a way for me"** she said.

Nevertheless, organisations do not support the idea that **public money should only be used for non fact-checking or investigative activities**: 65'3% disagree with that limitation in the use of public funding.

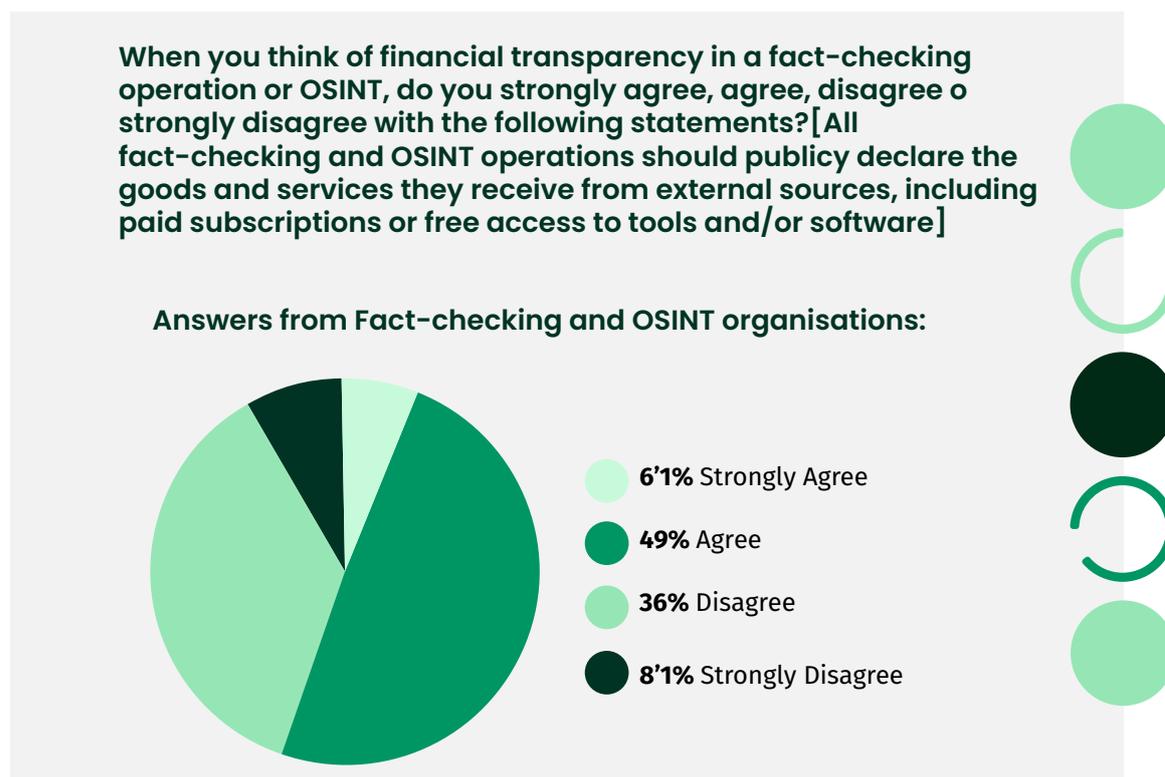
Desirée García, former Head of [EFE Verifica](#), puts it like this: *"you should make it very clear that you are getting finance funds from companies, private companies, or governments or political parties. I think at least you must make it clear and be transparent about that"*. Sam Dubberly, Head of [Amnesty's Evidence Lab](#), agrees with that idea of acknowledging it publicly.

Some find it trickier: *"If we receive money from the French government and they say it's to go and teach fact-checking in schools, we think it's just fine. But maybe if*

somebody gets money from the Russian government, we might have more questions about why it is and what they are going to do with it” said Emmanuel Vincent, Head of Science Feedback. Lukas Andriukaitis, Associate Director at the [Atlantic Council’s Digital Forensic Research Lab](#), thinks it’s impossible to clearly define this. “For example. Would you take money from Singapore? Some might say yes, some might say no. Some might say it’s a democracy. Some might say it’s a complete dictatorship. It’s like these grey zone areas are very problematic. I think the answer is in transparency because if you show where you’re taking the money from them, all the risks can make their own decisions and all the rest can decide whether to work with you, whether to trust you and so on and so on. So I think transparency is better than saying which sources you are not able to take from.”

Other funding sources

The Wide Group members were specifically asked about **the need to publicly declare the goods and services they receive from external sources, including paid subscriptions or free access to tools and/or software**. A tight situation comes up here with 55’1% agreeing or strongly agreeing with this statement.



Another instance that the code needs to explore is **which activities should be considered as part of the fact-checking and OSINT operation and which shouldn’t**. This question came up throughout the Open Consultation several times when considering media literacy and consultancy, for example. A way of looking at it is through the definition of fact-checking and OSINT allowed activities.

6.4 RECOMMENDATIONS

With all the insights gathered throughout the Open Consultation, we can say that there is a **wide agreement on organisational transparency understood as the need to fully disclose ownership, governance and editorial power of the operation.** When it comes to fully disclosing the team members there is an understanding that **newsrooms need to be as transparent as possible without endangering journalists and researchers.** It is important to correctly define this policy and its limits so that the public can clearly understand the reasons for which identities are concealed and don't perceive them as arbitrary.

Financial transparency is trickier and may benefit from a **tiered system of adhesion.** A bare minimum of public financial transparency should be set up but organisations could be encouraged and have recognition for going beyond that minimum. There is an agreement that such **bare minimum should be the same for all operations despite their nature and should include the name of every donor, business partner or client contributing more 5 or 10% of the income of the operation.** On top of that bare minimum, greater transparency could be rewarded with a star system similar to the Transparify scale. **While this is the minimum demandable of public disclosure, there is a wide enough agreement amongst organisations to fully disclose all their contributors to the Governance Body and/or assessors deciding if the operation fits the Code.** Last but not least, it would be advisable to ask organisations to publicly sign a certificate of their declaration and make clear that the assessors/governance body doesn't have the powers needed to dig into their finances.

When it comes to funding sources there seems to be an agreement on **publicly disclosing the ones that may be most controversial such as platforms or public funding** whether it comes from national or international governments or entities. Further discussion may be needed on the disclosure of goods and services from external sources: a suggestion would be to set up a minimum contribution value in goods from which you would have to declare it.

7. ACCESS AND RENEWAL

During the open consultation, participants were asked to comment on the processes of **accessing** and **renewing adherence** to the Code.

With regards to access, there was a **general agreement around the fact that the Code should always assess potential new members, and that the process should ultimately be managed by the Governance Body**. On the other hand, participants shared different views about whether applications and assessments should be made public or remain confidential.

Participants were also asked **how often the Code should undergo a renewal process to make sure it stays up to date with the developments affecting both the world of fact-checking and, more broadly, the landscape of news media, media literacy, and technology**. Answers mostly agreed on a one or two-years time frame.

7.1 ACCESSING THE CODE

The large majority of the interviewed subjects agreed that **all fact-checking and OSINT operations should undergo an assessment to become part of the European Code, regardless of membership to other instruments**, such as the [International Fact-Checking Network \(IFCN\)](#) or the [European Digital Media Observatory \(EDMO\)](#). 86% of respondents belonging to fact-checking and OSINT organisations, together with the totality of respondents from the pool of media organisations, platforms, and civil society representatives, either agreed or strongly agreed with this statement.

Related to the conditions needed in order to apply to the Code as a prospective member, Lukas Andriukaitis, from the [Atlantic Council's DFRLab](#) thinks that *“it should be a list of requirements: how long the organisation has been open for, how many readers is reaching, maybe even the funding, if it's sustainable... I think that a set of criteria should be met and not only one should be used”*. Along the same lines, Aidan White, from the [Ethical Journalism Network](#), considers that *“there should be an admission process that sets a number of standards including time in operation and evidence of public engagement and impact of work”*.

Hanno Fenech, Senior Policy & Communications Officer for the [Independent Press Standards Organisation \(IPSO\)](#) adds: *“There has to be a means of ensuring that the organisation is capable of achieving its own goal, if it is actually being effective, because you don't want to lend legitimacy by membership or by application of your code to an organisation that's actually not doing the things that other organisations within the structure are.”*

When asked about the idea of a model with tiers of adherence and non-negotiable requirements needed to be accepted into the Code, Marilín Gonzalo, from the fact-checking media outlet [Newtral](#), does not *“see anything that justifies that need to be tiered”*. The same opinion was shared by White who proposed that *“all organisations should adhere to the code and its principles”*.

However, Fenech's view, from IPSO, is that *"any progress is better than no progress at all. If at the moment they do not meet all those requirements, I still think that they should be included and brought to the in-group as a means of trying to reach all of the requirements for our regulation. Again, we're press regulators, but every year they have to submit a statement showing how they have followed all of their regulatory obligations"*.

7.2 ASSESSING THE APPLICANTS

In terms of who should be able to evaluate if an organisation has the requirements needed to join the Code, the majority of respondents (84% over the three pools) agreed that **the Governance Body of the Code should have the final say in evaluating and accepting applications**, but it should always take into consideration the opinion of external sources, such as academics and experts.

According to Fenech, the evaluating process should be done *"within the organisation"*, because *"if you farm everything out to other independent bodies, you strip the organisation of its ability to actually follow its remit."* Aidan White, Founder and President of the [Ethical Journalism Network](#), also advised that assessments should be carried out by *"the Board of the Governance Body, or a membership and admissions sub-committee."* Andrea Wills, Board member at [IMPRESS](#), shared the same perspective: *"I think applications should be evaluated by the same set of people,"* meaning either all internal or all external assessors. *"I don't think it should be a mix, because otherwise you would get different opinions."*

On the other hand Claire Wardle, who leads Strategy and Research at [First Draft](#), supported the idea of a hybrid evaluation group, composed by both internal and external members: *"I think that there is value in having an advisory group that represents the different groups within the umbrella"* of the Code, she said during a phone interview. The possibility of a mixed group was also praised by Bill Adair, Knight Professor of the Practice of Journalism & Public Policy at Duke University, and creator of [PolitiFact](#), who defined it as *"a great idea."* A representative from a fact-checking organisation who took part in the survey proposed a *"middle ground"* where the Governance Body *"calls in outside experts for different assessments, and their agreement is required, not just considered."*

Several respondents in the fact-checkers and OSINT organisations' group highlighted the need for transparency when selecting and dealing with external assessors.

Along these lines, Ramón Salaverría, who is an assessor to the [IFCN Code of Principles](#), believes that a peer review process, similar to the one used in academia, could work. Using only one assessment report can be dangerous, while *"the usual procedure in science and in other fields is the peer review, the blind peer review. That means that you don't know who is the author, but in this case, obviously the expert knows the author, but maybe I say blind when there are two reviewers who don't know that they are doing it at the same time, the same review. And, I believe that using that kind of approach, obviously it's more work demanding, more complex to*

develop. But I believe that will give us a more reliable system than the IFCN, because nowadays in the end there is just one person who is deciding and that makes a weak system in the end”.

Furthermore, 80% of fact-checkers and OSINT organisations, along with 90% of responding representatives of the civil society, platforms and media associations (3 organisations out of 13 declined to answer this question) agreed that **the Governance Body should rely on other fact-checking and OSINT operations in the region when evaluating the compliance of new organisations**, in order to take advantage of their knowledge of the media and political landscape. All the researchers who took part in the survey also agreed that **the assessment of an organisation’s integrity needs to be carried out by someone with expertise in the region where the evaluated organisation operates**.

“Every country has a really specific context, and one fact-checker or researcher [tasked with assessing an organisation] should have intense and wide knowledge on the culture, society and political establishment of that country,” said Mehmet Fatih Çömlekçi, an assistant professor of Media and Communication studies at [Kırklareli University in Turkey](#). He added that assessments should be handled by *“one representative should be from this region, who knows the region, and one representative who is not related to the region or the country. It could be a mix of people who know the country best and people who could be more objective”.*

When an application gets rejected, the experts interviewed agreed on the fact that organisations should be able to apply again. *“I think it’s important that, where mistakes or failures are made, you are allowed to continue to try to improve and to meet the standards,”* said Fenech. *“An appeal system is possible,”* confirmed White, adding that *“re-application should be possible at any time once an organisation is able to demonstrate that it is able to meet the admission standards.”*

Salaverría referred to the academic world and suggested that organisations cannot reapply until a certain time has passed after the rejection: *“when you have been rejected, you have to wait sometimes six months, sometimes a year, sometimes even up to two years before you try it again. And I believe that the Code should have a similar approach on that providing, indicating a time that should be observed before going to another trial”.*

On the other hand, the **surveys highlighted different views about whether applications and assessments should be made public, for transparency reasons, or rather should remain confidential, for security concerns**. Platforms, media associations, and civil society representatives were equally divided about transparency (38% in favour and 38% against, with 3 organisations not responding), and also a 38% voted in favour of confidentiality (with 4 organisations not responding). On the other hand, the majority of fact-checkers and OSINT operations voted in favour of transparency (86%), and against confidentiality (77.5 %). Researchers also favoured the need for transparency.

7.3 RENEWAL PROCESSES & TIMEFRAME

When asked about **how often the operations that are members of the European Code should undergo a renewal process**, the majority of respondents among both fact-checkers and OSINT organisations, and platforms, media, and civil society disagreed about a six month time frame. 55% of fact-checkers and OSINT organisations voted in favour of a one year timeframe, while 71% voted for “every two years.” Platforms, media associations, and civil society representatives provided a more nuanced landscape: respondents were equally divided about “one year” (with three organisations not responding), and 55% voted in favour of “two years” (5 out of 9 interviewees, with 4 non responding.)

One fact-checking organisation from the Wide Group suggested that, rather than automatic and time-based, the renewal assessment could be triggered by or actual breaches of the Code, or the suspicion of inappropriate behaviours. The possibility of adding an *“emergency check clause that triggers the renewal process”* was also proposed by the non-profit organisation [Access Info Europe](#).

Lastly, the majority of respondents disagreed when asked if the Code should only be a training and reinforcement mechanism for best practices, instead of an accreditation-based system. This opinion was shared among all the three interviewed pools, more in detail: 65% of fact-checkers and OSINT organisations voted either “disagree” or “strongly disagree”; as did 59% of researchers and 87.5% of responding platforms, media associations and civil society’s representatives (even though in this pool 5 interviewees out of thirteen did not answer this question.)

“I think it should be an accreditation-based system for the basic floor-level requirements, but beyond that it should only promote, not enforce best practices,” added a representative of a fact-checking organisation who took part in the survey.

7.4 RECOMMENDATIONS

After going through the results of the Open Consultation, there is a wide agreement that fact-checking and OSINT organisations wishing to adhere to the Code should undergo an assessment regardless of membership to other codes or instruments. These assessments should be made publicly available, as voted by 86% of fact-checking and OSINT organisations.

When it comes to evaluating if an organisation has the requirements needed to join the Code, once again, the majority of respondents agreed that the Governance Body of the Code should have the final say. However it would be important to consider the idea of establishing an hybrid evaluation group based on a peer review system as experts suggested. There is also an agreement in considering that the Governance Body should rely on other fact-checking and OSINT operations in the region when evaluating the compliance of new organisations. Furthermore, taking into consideration the amount of applications that can come through, we would encourage the professionalisation of the review, instead of relying only on a Governance Body that will not have this as its first job or task.

In terms of rejected applications, experts suggest having an appeal system and consider the option of establishing that a rejected organisation cannot reapply until a specified period of time has elapsed in order to carry out the improvements indicated.

Thinking about a renewal process for the members of the European Code, a two year timeframe is the winning option between the fact-checking and OSINT organisations (71% against 55% that voted for a year timeframe). This wide option may also require a more thorough vetting process.

Lastly, it is clear among the three pools that the Code should be an accreditation-based system instead of a mere training and reinforcement mechanism for best practices.

8. COMPLIANCE AND ENFORCEMENT

In the Compliance and Enforcement section of the open consultation surveys, the majority of participants agreed that **the Governance Body should be the only entity responsible for taking action on claims of wrongdoing by members of the Code.** Potential sanctions should always be explicit, motivated, and commensurate to the scale of the mistakes they ought to punish.

The large majority of the interviewees agreed that **the Governance Body of the European Code should keep open channels of communication**, so that members and other stakeholders are able to provide evidence of wrongdoing by fact-checking and OSINT operations that could represent a failure to fulfil the requirements of the Code. 92% of fact-checking and OSINT organisations either agreed or strongly agreed with this statement, along with the totality of responding media associations, civil society, and platforms representatives (10 out of 10, with further 3 non responding.)

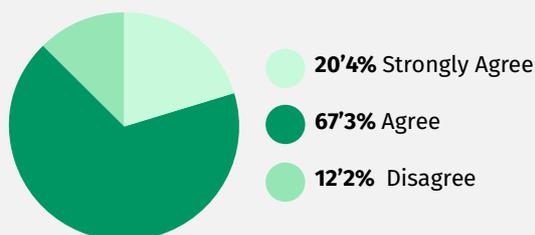
Aidan White suggested that *“there should be regular meetings and an annual meeting, a website and social media platforms, established to ensure that all possible channels of communications are used.”* Andrea Wills also claimed that communication could happen *“via a website, conferences, consultation, workshops, newsletters and feedback from members, social media etc.”* On the other hand, Hanno Fenech said that, while communication *“has to be open and honest,”* it should not *“blur the lines”* between the obligations of every party involved, adding: *“There is always going to be some friction between a regulatory and overseeing body and the people that it oversees.”*

8.1 DENOUNCING A FAILURE

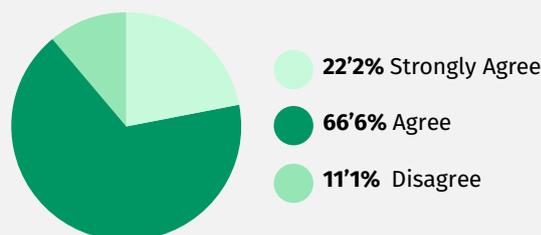
In order to avoid abuses of the claim system, 88% of fact-checkers and OSINT organisations, and 89% of platforms, media associations and civil society representatives (with 4 organisations non responding) agreed that the **Code should detail who can denounce a failure to fulfil its requirements on the part of a fact-checking or OSINT operation.**

When you think of how the European Code should be enforced, do you strongly agree, agree, disagree or strongly disagree with the following statements? [For the claim system not to be abused, the code should detail who can denounce a failure to fulfill its requirements on the part of a Fact-checking operation or of an OSINT operation]

Answers from Fact-checking organisations:



Answers from platforms, media associations and civil society representatives:



Experts mostly agreed that everyone should be able to report a complaint, but they should be weighted according to different criteria. *“All Europeans should be able to make fact-checking complaints. But of course, the type of complaint should influence who is the best person to make that complaint,”* said Fenech. *“I think anyone could make the complaint, but I think the ones that should be taken the most seriously are the ones that received the most complaints,”* added Lukas Andriukaitis, Associate Director at the [Atlantic Council’s Digital Forensic Research Lab \(DFRLab\)](#) based in Belgium. Furthermore, according to White, *“complaints should first be taken up with the fact-checking organisation concerned. If a complainant is dissatisfied with how their complaint is dealt with, they should then be encouraged to take their complaint to the EFCSN.”*

According to a fact-checking organisation of the Wide Group, however, the abuse of the claim system *“would be better prevented by establishing a clear, precise, and practical form, rather than by prescribing who can lay such claims.”* The form *“should be created in a way that would deter harassers and trolls and/or make it immediately clear to the assessor if the complaint is proper and genuine.”*

The two pools also agreed that the **Governance Body should have the sole authority to take action on claims of wrongdoing against a member and to apply sanctions:** 77.5 % fact-checkers and OSINT organisations voted in favour, and 78 % of media associations, platforms, and civil society representatives (with 4 non responding). At the same time, 94% of fact-checkers and OSINT organisations, and the totality of responding media associations, platforms, and civil society interviewees, agreed that **the Governance Body could look for independent expert advice to evaluate a particular conduct that could represent a failure to fulfil the requirements of the Code, as long as that advice is non-binding** (5 organisations of the latter group did not respond).

Furthermore, all but one of the responding interviewees either agreed or strongly agreed that **the Governance Body**, after seeing the alleged evidence of wrongdoing and listening to the accused member, **should be able to provide a public explanation as to why it has decided to take or not take action against said member.**

8.2 SANCTIONS

According to 96% of fact-checking and OSINT organisations, all the researchers, and other stakeholders (with 4 non responding in the latter group), **the Code should be explicit about the different actions or sanctions that can be taken against a member that has been found to have failed to fulfil the requirements.**

Talking about sanctions, 88 per cent of respondents among fact-checkers and OSINT organisations; and 87,5% media associations, platforms, and civil society representatives (with 5 interviewees non responding in this latter set) believe that **no sanction should be stronger than withdrawing the membership of a fact-checking or OSINT operation, and not allowing it to reapply for the next two years.**

Also, if a claim of wrongdoing is connected to a particular content, 88% of fact-checking and OSINT organisations agree that **a correction by the involved member as required by the Governance Body should be enough to settle the claim.** Platforms, media, and civil society representatives presented a different opinion, as 56% of them disagreed with this statement (5 out of 9 organisations, with 4 non responding.)

Along the same lines, interviewees were asked if, when establishing compliance and enforcement mechanisms for members, **the Code should differentiate – and thus propose commensurate actions or sanctions – among different degrees of transgressions, that can range from misunderstandings or honest mistakes to bad-faith repeated practices and other actions that can be considered as failing to fulfil the requirements of the Code.** 49% of fact-checking and OSINT organisations agreed with this statement, and 41% strongly agreed. 100% (8 out of 8, with 5 non responding) of the platforms, media, and civil society organisations also agreed.



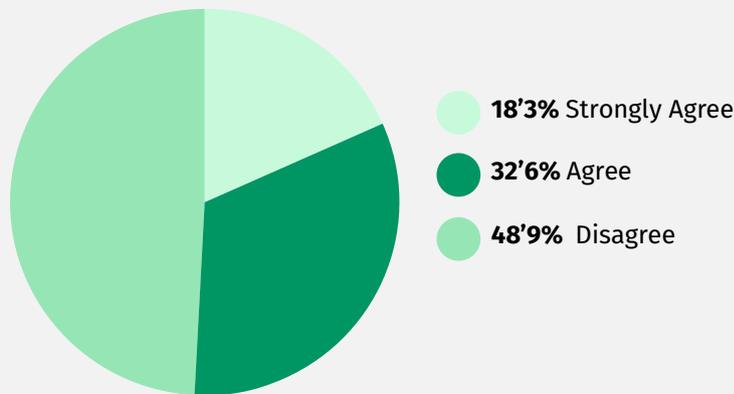
90% of the Wide Group members agree that the Code should differentiate among different degrees of transgressions, that can range from misunderstandings or honest mistakes to bad-faith repeated practices and other actions that can be considered as failing to fulfil the requirements of the Code.

“Sanctions should be more flexible,” said a fact-checking organisation from the Wide Group, adding: “An honest mistake should not have any repercussions, while a deliberate falsehood may justify the removal of an organisation for a reasonable amount of time. For instance, if the ‘mistake’ was made deliberately from a single member, for his own benefit, that individual could be removed, and the organisation regain signatory status after strict reevaluation. On the other hand, if the organisation is caught taking bribes, it should be banned, perhaps even permanently. Therefore, establishing a clear sanctioning method, and penalties, depending on the ‘crime’, could be useful.”

As it happened in the discussion about Access and Renewal of the Code, the survey presented a fragmented landscape of opinions about whether **the Governance Body should conduct its investigations of wrongdoing publicly, for transparency reasons, or confidentially**. In the latter case the survey proposed that **the Governance Body shall publish an annual report on the conducted investigations**.

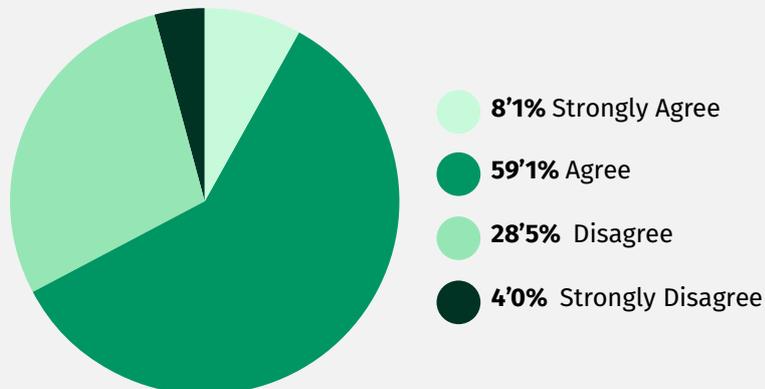
When you think of how the European Code should be enforced, do you strongly agree, agree, disagree or strongly disagree with the following statements? [The Governance Body conduct its investigations of wrongdoing publicly for transparency reasons]

Answers from Fact-checking and OSINT organisations:



When you think of how the European Code should be enforced, do you strongly agree, agree, disagree or strongly disagree with the following statements? [The Governance Body should not conduct its investigations of wrongdoing publicly for protection reasons but should publish an annual report on the investigations conducted for transparency reasons]

Answers from Fact-checking and OSINT organisations:



51% of fact-checking and OSINT organisations voted either “agree” or “strongly agree” on the option about transparency, while 56 percent of media, platforms, and civil society representatives (5 out of 9, with 4 non responding) voted “agree”.

Respectively 67% and 62,5% of the two groups agreed on confidentiality (with 5 media, platforms, and civil society organisations non responding). “Transparency always needs to be weighed against safety, so this needs to be flexible,” added a representative of a fact-checking organisation.

8.3 RECOMMENDATIONS

Taking into account the responses from fact-checking and OSINT organisations, together with answers from other stakeholders, it is important for the Code to detail who can denounce a member of the Code for failing to meet the requirements. Experts consulted suggest designing a clear and practical form in order to avoid the abuse of a claim system.

The majority of fact-checking and OSINT organisations respondents, and also with other stakeholders’ answers, advocate for a Governance Body acting as the sole authority to take action on claims of wrongdoing against a member and to apply sanctions. However, the majority of both groups also support seeking independent expert advice to evaluate a possible violation of the Code, as long as that advice is non-binding.

Regarding sanctions, we recommend that the Code should make explicit the different actions or sanctions that can be taken against a member that has been found to have failed the requirements. We also recommend following the clear consensus **no sanction should be stronger than withdrawing the membership of a fact-checking or OSINT operation, and not allowing it to reapply for the next two years.**

The Code must also take into account that it needs to differentiate among distinct degrees of transgressions (from misunderstandings or honest mistakes to bad-faith repeated practices and other actions that can be considered as failing to fulfill the requirements of the Code) and makes clear that a correction by the involved member as required by the Governance Body should be enough to settle the claim.

Although opinions about whether the Governance Body should be transparent when it conducts its investigations of wrongdoing are divided, it is clear that **the Governance Body should publish an annual report on the conducted investigations.**

9. EVOLUTION AND CHANGES

This section of the open consultation focused on how, when, and by whom should the European Code be modified. While the questionnaires sent to fact-checkers/OSINT organisations and media, platforms, and civil society representatives for the previous two sections – access and renewal, and compliance and enforcement – were mostly similar, the two groups were asked different questions regarding the evolution and changes of the Code, and thus presented different opinions.

9.1 IMPROVEMENTS OF MEMBERS AND OPEN CHANNELS OF COMMUNICATION

The majority of fact-checkers and OSINT organisations agreed on several duties of the Governance Body on the issue at hand: **the Body should periodically report to the members on which areas of the Code are subject to improvement, and propose changes to that effect (98%); it should keep a registry of consistency in the application and interpretation of the Code across members (96%); and set up a meeting with all members at least once a year**, to keep them informed about issues related to the Code and to propose any necessary changes for their adoption or rejection (92%).

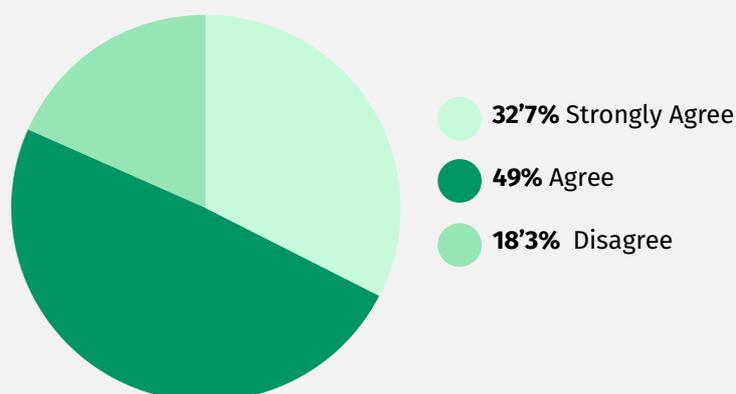
All fact-checking and OSINT organisations but one agreed that **the Governance Body should also keep open channels of communication for members and other stakeholders to be able to propose changes and assessments of effectiveness for the Code**, and all but two agreed that it should have an appeals mechanism that can be activated by members of the Code upon their decisions.

9.2 APPROVEMENT OF FUNDAMENTAL ASPECTS BY THE GOVERNANCE BODY

Furthermore, 82% of respondents in the group of fact-checkers and OSINT organisations think that the fundamental aspects of the European Code should not be changed without approval of a majority of members, but minor tweaks should be able to advance with a qualified majority of the Governance Body.

The fundamental aspects of the European Code should not be changed without approval of a majority of members, but minor tweaks should be able to advance just with a qualified majority of the Governance Body

Answers from Fact-checking and OSINT organisations:



For what concerns media, platforms, and civil society representatives, **the Governance Body should closely monitor the changes and improvements of the online platforms to be able to react to new developments quickly (85%)**, and it should only **react to major changes or developments within the platforms**, in order to avoid that the European Code is changed on a regular basis over trivialities that do not necessarily influence the work of fact-checkers (85%).

All the organisations in this group (13 out of 13) also agreed that **the Governance Body should keep open channels of communication with the online platforms**, to discuss new developments that might cause the necessity of a change of the European Code, and that it should regularly inform the members of the Code of processes such as observed changes, new developments, impetus to change or update the Code. Furthermore, according to the totality of respondents in this group, **the European Code should be open to new developments in both existing and new platforms, in order to stay always up to date.**

Experts have different opinions about the frequency with which the Code should be reviewed. Hanno Fenech explained that the Independent Press Standards Organisation (IPSO) does “a yearly review,” but the process “is always open” in case they receive complaints or other particular requests. “Anything I’ve ever been involved with in relation to renewing reviser code has been about five years,” said Andrea Wills, while Aidan White stated that “the code should be reviewed after two years in the first instance, and a mandatory review every five years thereafter.” Lukas Andriukaitis added that the Code “could be fully reviewed every year, but every half a year suggestions could be taken and analyzed until the actual review of the process.”

9.3 RECOMMENDATIONS

For members to maintain the standards required by the Code, the Governance Body should periodically report to the organisations on which areas of the Code are subject to improvement, and propose changes to that effect. This is something that 98% of the fact-checkers and OSINT organisations responding to the survey support.

There is also consensus regarding that the Governance Body should keep a registry of consistency in the application and interpretation of the Code across members, and set up a meeting with all members at least once a year.

Another recommendation we consider fundamental is that the Governance Body should have channels of communications for members and other stakeholders to be able to propose changes and assessments of effectiveness for the Code. It should also have an appeals mechanism that can be activated by members of the Code.

Channels of communications should be open also with online platforms to discuss new developments that might necessitate changes to the European Code.

If we talk about amending the Code, we have to consider that fundamental aspects cannot be altered without the approval of a majority of members. However, minor tweaks should be able to advance with a qualified majority of the Governance Body.

Lastly, this European Code should also enable the Governance Body to closely monitor changes and improvements of online platforms to be able to react to new developments quickly.