

Ethical Funding Policy of Journalismfund.eu vzw

June 2020

This Ethical Funding Policy (the “Policy”)¹ is adopted to ensure that Journalismfund.eu vzw properly manages its priorities and projects with appropriate independence from its funders. This Policy also aims at providing transparency regarding the identity of Journalismfund.eu’s sources of funding to avoid any suspicion of inappropriate influence or conflicts of interest concerning Journalismfund.eu’s activities.

Journalismfund.eu will apply the policies and considerations set forth in this Policy prospectively as of the date hereof to all types and amounts of funding from all sources, irrespective of whether Journalismfund.eu has made decisions in the past to accept funding inconsistent with the policies and principles set forth in this Policy.

ARTICLE 1 Introduction

1.1 Definitions

1.1.1 “Board” shall mean the governing body of Journalismfund.eu.

1.1.2 “Funder” shall mean any person or entity that provides funding, in any amount or form, to Journalismfund.eu.

1.1.3 “Funding” shall mean support to Journalismfund.eu, generally in the form of financial resources, but which also can take the form of services rendered by a funder (in-kind support,) or other resources, such as office premises, provided by a funder. Funding will consist of only voluntary, unilateral support to Journalismfund.eu without return compensation or service rendered by Journalismfund.eu.

1.1.4 Journalismfund.eu vzw is acting through an authorised officer, employee or other representative.

1.1.5 “Policy” shall mean this Ethical Funding Policy, adopted by the Board of Journalismfund.eu on 8 June 2020, together with any amendments and additions to this policy.

¹ This policy was developed by Orrick, Herrington & Sutcliffe LLP and the Cyrus R. Vance Center for International Justice, both working on a pro bono basis, in collaboration with the Digital Freedom Fund, Civil Liberties Union for Europe, European Center for Constitutional and Human Rights, European Centre for Press and Media Freedom, and Ben Wagner. It is published under a [CC BY-SA 4.0](#) license.



1.1.6 “Reviewer²” shall mean the group responsible for performing the in-depth review of proposals for funding according to the criteria set forth in this Policy, including mandatory review of funding of EUR 10,000 or more, e.g., committee of the Board.

1.2 Principles and Mission Statement

We believe that journalism is crucial to fostering living democracies throughout Europe. We are dedicated to advancing independent and investigative journalism across Europe that serves the public interest, furthers accountability as well as transparency, and contributes to critical thinking and well-informed debate.

We aim to promote and develop professional journalism in Europe in response to the challenges and opportunities stemming from increased digitalisation, the internationalisation of political, business and criminal power structures, as well as changing revenue models.

Journalismfund.eu vzw is an independent non-profit organisation established in 1998 by citizens. The organisation was established with the purpose of facilitating investigative, cross-border and independent journalism in order to promote democracy in Europe by connecting donors and journalists.

Here's how we work:

- We facilitate donors so that they can play their role to the maximum to support investigative journalism, consequently we report to them transparently on the projects.
- We facilitate journalists to conduct investigative and cross-border journalism, moreover, **we safeguard their independence from the donors.**
- We help journalists disseminate their stories among citizens.

ARTICLE 2 Funds Acceptance: General Conditions

2.1 Journalismfund.eu shall advise the Reviewer of all proposed donations of EUR 10,000 or more, so that the Reviewer may determine whether the donation should be accepted. The Reviewer shall review the donation for compliance with, among other things, the terms and conditions of this Policy, the other policies, including other ethics guidelines of Journalismfund.eu, and any other considerations that Journalismfund.eu determines are appropriate given the nature of the funder and/or funding. Journalismfund.eu shall present the Reviewer's determination to the Board which may reverse the Reviewer's determination and must approve the acceptance of any donation exceeding EUR 10,000.

² Journalismfund.eu will determine the composition of the Reviewer that is feasible for its circumstances. The Reviewer should consist of one or more members of each of the Board and management, but also include at least one independent individual to provide a dispassionate perspective.

2.2 Donations valued at less than EUR 10,000 need not undergo review by the Reviewer indicated in Section 2.1 above. However, acceptance of all donations must comply with the requirements of this Policy.

2.3 Subject to the requirements set forth in this Policy, Journalismfund.eu shall have broad discretion in determining which donations to accept and which donations to reject; Journalismfund.eu may choose to make public information relating to the rejection of any donation in accordance with the transparency provisions set forth in this Policy.

2.4 In addition to the specific considerations based on funder type in this Policy, Journalismfund.eu will also take into account the following general considerations for all types of funders:

2.4.1 Journalismfund.eu has ascertained that the funding will not threaten or cause inappropriate influence over Journalismfund.eu's programmes and activities. Journalismfund.eu will not accord to the funder representation on the board of directors, in juries of grant programmes or other fiduciary body of Journalismfund.eu.

2.4.2 Journalismfund.eu has ascertained that the programmatic and reporting requirements of the funding will not impose an undue burden on the capacity of Journalismfund.eu.

2.4.3 Journalismfund.eu has ascertained that no conflicts of interest exist with the mission and programmes of the funder according to Journalismfund.eu's conflict of interest policy (see code of conduct of Journalismfund.eu). In making a determination whether to accept funding, Journalismfund.eu will consider the extent to which the funder is funding other organisations with missions and/or programmes that contradict or conflict with those of Journalismfund.eu.

2.4.4 Journalismfund.eu has ascertained that there is no significant risk that public association with the funder will compromise the integrity, or negatively impact the reputation, of Journalismfund.eu, and that Journalismfund.eu's members, partners, and other constituencies relevant to the mission and affected by the work of Journalismfund.eu would not reasonably perceive acceptance of the funding to be inappropriate or unethical.

2.5 Journalismfund.eu has confirmed that the type of costs or activities to be funded by funder are consistent with Journalismfund.eu's policies and procedures (e.g., if government funding is only accepted for specific types of projects, Journalismfund.eu shall confirm funding can and will be used accordingly).

2.6 Journalismfund.eu has confirmed to the best of its knowledge that the funder's reporting and disclosure requirements are consistent with the data and other privacy policies of Journalismfund.eu and the privacy rights of its employees and beneficiaries.

2.7 Journalismfund.eu has determined the grant-making procedures and requirements of the funder comply with the transparency and freedom of information policies and practices of Journalismfund.eu.

ARTICLE 3 Funds Acceptance: Funder-Specific Conditions

Government Funders

3.1 Journalismfund.eu will accept funding from government entities, agencies, or other bodies owned or controlled by them, regardless of whether they are presented as independent, only when the following criteria are met:

3.1.1 Journalismfund.eu has determined that the funder poses no risk of interference with Journalismfund.eu's current and future projects, based on political or other considerations.

3.1.2 Journalismfund.eu has ascertained that the funder's institutions, policies, and practices are consistent with Journalismfund.eu's mission, vision and principles;

3.1.3 The affiliation of Journalismfund.eu with the funder based on accepting the funding does not limit the programmatic scope of Journalismfund.eu's projects and strategic choices or does so to an extent Journalismfund.eu has ascertained is acceptable in the circumstances.

Foundation Funders

3.2 Journalismfund.eu will accept funding from independent foundations, charities, and similar non-governmental, non-sectarian, and non-profit institutions only when the following criteria are met:

3.2.1 Journalismfund.eu has ascertained with reasonable confidence that the source of the funds of the funder is legitimate and transparent;

3.2.2 Journalismfund.eu has reviewed the history of the foundation, including publicly available information regarding previous grants and funding from the foundation, and based on this information, has determined that Journalismfund.eu has no reason not to be affiliated with the funder and its previous grantees;

3.2.3 Journalismfund.eu has determined that accepting funding from the funder will not unreasonably limit its future affiliation with other funders;

3.2.4 Journalismfund.eu has ascertained that any specific philosophical or programmatic agenda or other interest of the funder does not conflict with the mission and programmes of Journalismfund.eu.

3.2.5 Journalismfund.eu has determined that the funder's public reputation, based on publicly available information, will not negatively affect Journalismfund.eu by association. Journalismfund.eu will not accept funding from any funder whose ideology or practices are unlawful or unethical or threaten harm to the reputation of Journalismfund.eu, such as discrimination based on race, ethnicity, gender or gender identification, sexual preference, nationality, age, disability, or other embodiment or expression of fundamental human rights.

Corporate Funders

3.3 Journalismfund.eu will accept funding from corporations, including foundations or other entities that they or their owners, directors and/or officers own and/or control only when the following criteria are met:

3.3.1 Journalismfund.eu has determined that the agreement between the funder and Journalismfund.eu regarding the provision of the funding clearly distinguishes between philanthropic funding by the funder and advertisement and/or sponsorship of the funder;

3.3.2 Journalismfund.eu has determined – based on publicly available information - that the funder has not participated in deceptive advertising or promotional practices such as greenwashing³, rightswashing⁴, or whitewashing⁵;

3.3.3 Journalismfund.eu has determined that accepting funding from the funder will not unreasonably limit its future affiliation with other funders;

3.3.4 Journalismfund.eu has determined that the funder's public reputation, based on publicly available information, will not negatively affect Journalismfund.eu by association. Journalismfund.eu will not accept funding from any funder whose ideology or practices are unlawful or unethical or threaten harm to the reputation of Journalismfund.eu, such as discrimination based on race, ethnicity, gender or gender identification, sexual preference, nationality, age, disability, or other embodiment or expression of fundamental human rights.

³ Defined for this policy as disinformation disseminated by an organisation so as to present an environmentally responsible public image.

⁴ Defined for this policy as attempting to falsely present a human rights-friendly public image.

⁵ Defined for this policy as deliberately attempting to conceal unpleasant facts about an organisation.

Religious Funders

3.4 Journalismfund.eu will accept funding from funders affiliated with organised religious or similar sectarian institutions only when the following criteria are met:

3.4.1 Journalismfund.eu has determined that affiliation with the funder will not conflict with the mission or programmes of Journalismfund.eu;

3.4.2 Journalismfund.eu has determined that accepting funding from the funder will not unreasonably limit its future affiliation with other funders;

3.4.3 Journalismfund.eu has determined that the funder's public reputation, based on publicly available information, will not negatively affect Journalismfund.eu by association. Journalismfund.eu will not accept funding from any funder whose ideology or practices are unlawful or unethical or threaten harm to the reputation of Journalismfund.eu, such as discrimination based on race, ethnicity, gender or gender identification, sexual preference, nationality, age, disability, or other embodiment or expression of fundamental human rights.

Individual Donations

3.5 Journalismfund.eu will accept funding from individual funders only when the following criteria are met:

3.5.1 Journalismfund.eu has ascertained that the risk of influence by the funder is acceptable to Journalismfund.eu and will not interfere with the mission or programmes of Journalismfund.eu;

3.5.2 Journalismfund.eu has determined any specific privacy concerns of the funder, including maintaining the anonymity of the funder, the funding amount, or the stated purpose of the funding are consistent with Journalismfund.eu's transparency policies; and

3.5.3 Journalismfund.eu has determined the lawfulness and legitimacy of the source of the funding and the individual's reputation.

Public Donations

3.6 Journalismfund.eu will accept funding collected from the general public only when the following criteria are met:

3.6.1 Journalismfund.eu has ascertained that the practices used to collect the funds comply with ethical standards acceptable to Journalismfund.eu. Journalismfund.eu will examine multiple factors in determining whether the collection methods are acceptable, including:

- (a) Collectors do not annoy or obstruct people when soliciting donations in public spaces;
- (b) Collectors do not solicit from residences or by telephone or other electronic communication before or after working hours during the workweek, or at all on weekends and public holidays;
- (c) Collectors do not use aggressive or misleading collection methods; and
- (d) Collectors respect people's decisions not to donate.

3.6.2 Journalismfund.eu has determined that the funder documents its collection methods, any expenses incurred, and any complaints received about its collection accurately, fully and verifiably and gives Journalismfund.eu access to the documentation on reasonable request.

3.6.3 Journalismfund.eu has determined that the funder solicits donations made only based on charitable motives, not for rewards or other benefits, and retaining only expenses of collection that are actually incurred, reasonable, and customary.

Academic Institution Funding

3.7 Journalismfund.eu will accept funding from academic institutions only when the following criteria are met:

- (a) Any use that the institution proposes to make with data produced by the funded programmes of Journalismfund.eu will comply with generally accepted ethical standards for academic research, as well as those to which the institution specifically is subject;
- (b) The institution will use data produced by the funding only for academic purposes and not any commercial, partisan, or sectarian purposes.

Anonymous Funding

3.8 In the cases of (1) funding when the funder requests anonymity from the public, or (2) funding for which Journalismfund.eu cannot ascertain the identity of the funder, Journalismfund.eu will comply with the following additional considerations:

3.8.1 Journalismfund.eu will accept funding of only less than EUR 1.000 when it cannot ascertain the identity of the funder and shall report such funding as having anonymous funders. In the event that Journalismfund.eu receives any reasonable indication that such funding is inappropriate in any way, it shall reject, return, or provide to an alternative public service organisation, as the case may be;

3.8.2 Journalismfund.eu will accept funding from funders requesting anonymity from the public only when the following requirements are met:

(a) Journalismfund.eu has determined sufficiently the identity of the funder to confirm that no conflicts of interest, undue influence, or any other risks may arise from the funder's anonymity;

(b) Journalismfund.eu has determined that the method in which the anonymous funder approached Journalismfund.eu to express interest in providing funding does not raise any substantial concerns of non-compliance with applicable law or regulations, or this Policy.

If the anonymous funder approached Journalismfund.eu through a representative, Journalismfund.eu has determined that the representative is reputable within his or her field and meets any other standards of review that Journalismfund.eu considers appropriate given the circumstances of the funding;



(c) Journalismfund.eu has considered with the funder a less limited form of concealing the identity of the funder, such as disclosing his/her initials, nationality and/or profession; and

3.8.3 Journalismfund.eu has determined that the reason which the funder has provided to remain anonymous is reasonable under the circumstances and does not raise a substantial risk of non-compliance with this Policy, any applicable laws, or any additional considerations that Journalismfund.eu has determined are appropriate given the nature of the funder and/or the funding.

Crowdfunding

3.9 In the case of crowdfunding, Journalismfund.eu will comply with the following additional considerations:

3.9.1 Journalismfund.eu has determined that the reputation and methods of the crowdfunding platform are acceptable to Journalismfund.eu and comply with the requirements and standards of this Policy;

(a) To the extent that the platform identifies donors, their identities conform to the requirements and standards of this Policy;

(b) The platform maintains compliance checks and standards to ensure compliance with any relevant anti-money laundering and similar legislation; and

3.9.2 Journalismfund.eu shall obtain specific prior approval from the Board before entering into an arrangement to seek funding from crowdfunding.

ARTICLE 4 Funds Acceptance: Type of Funding Considerations

4.1 There are generally two types of funding: restricted and unrestricted funding. Restricted funding consists of grants or donations whose funders require that the funds be used in a specific way or for a specific purpose. Unrestricted funding consists of grants or donations whose funders authorise Journalismfund.eu to use the funding for any purpose consistent with Journalismfund.eu's mission, including administrative, programmatic, promotional, and other expenses.

4.2 Journalismfund.eu may accept restricted funding only when Journalismfund.eu has determined that it reasonably can comply with the conditions set by the funder, including that it has the administrative capacity to control, account for, and report on the use of the funding.

4.3 Journalismfund.eu will examine the following additional factors in determining whether to accept restricted funding:



4.3.1 Whether the permitted use of funding complies with Journalismfund.eu's policies and procedures; and

4.3.2 Whether accepting restricted funding may tend to inhibit fulfilling the mission and goals of Journalismfund.eu;

4.4 The operating expenses of Journalismfund.eu also may be funded through unrestricted funding. Operating expenses may include: fundraising, office rent and maintenance, accounting and auditing, supplies and materials, and other administrative costs.

ARTICLE 5 **Implementation of Funding**

5.1 Journalismfund.eu shall document in written agreements with funders all terms and conditions of the funding that they provide. These agreements shall provide that no other terms and conditions of the funding shall apply unless they too are documented in subsequent written agreements. Journalismfund.eu shall instruct its employees, directors, officers, contractors, and other representatives that they may not agree to any terms and conditions with funders regarding any funding that they provide, except through written agreements signed by authorised representatives of Journalismfund.eu.

5.2 In the event that Journalismfund.eu receives reliable evidence that the information provided by a funder was incomplete or inaccurate at the time that it was provided or since has become so, Journalismfund.eu promptly shall consider whether the agreement with the funder and the funding must be evaluated for possible amendment or rescission. For this purpose, Journalismfund.eu shall communicate with the funder appropriately and, as advisable, confer with legal counsel and/or financial specialists, whether within Journalismfund.eu or external.

5.3 In the event that Journalismfund.eu determines that it received funding in violation of this Policy or that circumstances have changed so that the funding now violates this Policy, Journalismfund.eu shall consider with respect to any amount of the funding remaining at its disposal (i) returning it to the funder, (ii) remitting it to an appropriate regulatory authority, or (iii) transferring it to an appropriate public service organisation with which it is not related. Journalismfund.eu also shall consider appropriate communications with the funder and the public.

ARTICLE 6 **Transparency and Communications**

6.1 The relationship of Journalismfund.eu and the funder shall be made public upon acceptance of the funding through any means to which Journalismfund.eu and the funder agree, which may include, but are not limited to:

6.1.1 Journalismfund.eu shall agree that the funder may state its support to Journalismfund.eu in its own communications with the public;

6.1.2 Journalismfund.eu shall agree that the funder may publicise the nature of any specific project or initiative: (i) if the funding enabled Journalismfund.eu to implement, (ii) if the funding was specifically restricted for such project or initiative, (iii) if the funding was used entirely for a specific project or initiative, or (iv) under other conditions that Journalismfund.eu and the funder agree comply with the principles set forth in this Policy;

6.1.3 Journalismfund.eu shall disclose the name of the funder and the amount of the funding in its public communications, including its website, or in other materials of a similar nature, in a manner in which the funder has agreed; provided, however, that Journalismfund.eu may choose for reasons of economy not to disclose the identity of funders providing less than EUR 10,000, but shall disclose the total number of such funders and the total amount of such funding.

6.2 Journalismfund.eu shall not disclose any confidential information about the funder or the funding, including any conditions attached to it, to any unauthorised parties, unless Journalismfund.eu and the funder have previously agreed that such disclosure is permissible.

6.3 Journalismfund.eu shall disclose the total number of anonymous funders and the total amount of funds collected from them as a separate item of information.

6.4 Journalismfund.eu shall publish accurate reports on its income and expenditures (including expenses incurred in soliciting contributions, gifts and grants), that meet the standards set forth in applicable law and regulations and provide clear, complete, and accurate information on its activities for stakeholders, beneficiaries, funders and the public.

Approved by the Board of Directors

Brussels, 8 June 2020