

DRPR Guideline on PR in Digital Media and Networks

Fundamentals

When it comes to information and opinion-forming by the media, there have always been attempts to covertly incorporate the interests of organisations or individuals into editorial content. The German Communications Code and international codes such as the Code d'Athènes, the Code de Lisbonne or the 'Seven Commitments' ensure the clear separation of journalism and PR in terms of standards. They also create the possibility of reprimanding or admonishing violations of the principles of objectivity, independence and transparency.

Driven by digitalisation, new forms of communication have emerged. The digital linking of people and machines is leading to 'new forms' of message reception and production. One consequence: traditional media such as print, TV and radio are broadcasting via the internet. PR and marketing are increasingly merging and are often almost indistinguishable for many recipients. The term content marketing reflects this. Social media players are perceived as 'news producers'. A 'sharing culture' has also emerged that not only multiplies messages in terms of reach and quantity of output, but also makes them easier to change and therefore more manipulative and less transparent.

It is no longer so much about the channel, but essentially about content (information, entertainment, every conceivable hybrid form) and its preparation and placement. The German Council for Public Relations refers to this as 'content providers'. These can be companies, entities of any kind or even individuals.

The identity and professional and/or economic interests of the 'content providers' are often not obvious and comprehensible to every user. This lack of transparency and the sometimes insufficient media competence of end users makes it easier for professional stakeholders and high-reach semi-professional end users to communicate institutional interests as personal opinions for a fee.

The German Council for Public Relations therefore considers it necessary to supplement the 'Guidelines on PR in digital media and networks', which were adopted in 2010 and last updated in 2018. This is not about regulating the free formation of opinion by private individuals. Rather, the aim is to create a binding set of rules for all persons who professionally represent the interests of companies or organisations in these media and networks. This explicitly includes private individuals who are

rewarded for their communication activities through payments, benefits in kind or recognition of any kind.

The Council's top priority is that it must be possible for users of online content to easily recognise at all times whether they are dealing with independent editorial content, the opinion of private individuals or PR as a professional information and communication process. Professional communicators who act in this role must therefore proactively and explicitly indicate when statements are made in a commercial context. Companies and organisations should define their online behaviour in writing as part of their corporate governance and publish these rules of conduct quickly and easily in a prominent place. Corporate governance should cover both social platforms and the organisation's own channels (e.g. websites).

The following regulations apply in detail:

I. Transparency of senders in online media work

1. Online media work has long since become part of the day-to-day communications business of companies and communications service providers. In the case of digital submissions, the editorial team decides whether or not to use the material in the same way as with traditional press releases. However, the sender must also be visible in digital media work; for example, the organisation on whose behalf an agency sends documents to an online medium.

This applies to the same extent if it is not online media, but semi-professional platforms or platforms operated/used by private individuals (e.g. in so-called 'influencer marketing'). Here, too, the principal and thus the genuine sender of the messages must be recognisable at all times. The nature of any benefits received for the publication is completely irrelevant.

In addition, the modern communication culture described above has resulted in multi-level communication: Messages are published, shared, what is shared is commented on, changed and can be placed in a different context. Transparency about the sender must not be lost in this multi-stage process. It is therefore necessary to always make changes - whether in words or images - clear by citing the source; in the best case, also linking to the source.

2. Even if transparency and clarity about the sender are central to PR measures, this should by no means prevent surprising elements in campaigns. Campaigns, for example in the run-up to a product launch, often include a so-called 'mystery phase' in which a secret of some kind is built up around a product or service.

A 'mystery phase' as a communicative tool to generate attention and excitement may remain in place for a period of time appropriate to the respective campaign. Transparency about the sender must nevertheless always be clear and accessible with one click during the campaign - e.g. via the legal notice on a landing page. Transparency should be actively restored by the end of the campaign at the latest. Uncertainty about the sender must not be perpetuated by false information. If it becomes apparent during the campaign period, e.g. through ongoing campaign monitoring, that content or messages are changing significantly (e.g. through sharing) and drifting into fake news, the mystery phase must be cancelled immediately and the sender and the original intention must be clarified without delay.

The dissemination of fake news, i.e. the deliberate communication of untruths in order to generate attention, for example, is unlawful - regardless of whether and when they are corrected or not. Those who publish this content bear the responsibility here. Platforms (analogue/digital) share responsibility for the non-distribution, correction and removal of such content.

In the Council's view, leaving the possible correction to the community or hoping for a 'consensus through discussion' is not a reliable instrument for dealing with fake news.

We would like to emphasise at this point: The Council is not seeking any form of censorship with the regulations set out here. The DRPR is explicitly against restricting the culture of debate and is in favour of making different perspectives accessible. However, especially with the increasing digitalisation of communication, it is essential that professionally produced content is fact-based, if not scientifically valid. In addition, wherever possible, a recognisable distinction should be made between factual and evaluative presentation (i.e. opinion).

3. If PR contributions paid for by supposedly freelance editorial offices, editors or private individuals are offered as apparently independent editorial content or private opinions, this is an unauthorised deception. It is also misleading if supposedly neutral institutes or similar institutions are set up without communicating who is paying or sponsoring these institutes.
4. If content providers disseminate both editorial content and paid PR publications on the internet, this should be distinguishable and comprehensible for users. This applies both to freely available content and to content behind a so-called 'paywall'.

II. Transparency of senders for comments

1. Numerous platforms on the internet offer the opportunity to post comments or discuss other people's comments. These instruments for forming public opinion include, for example, blogs, tweets, test and comparison platforms, forums, social networks and the rating systems of online shops or auction houses. The transparency requirement from Article I also applies to these platforms.
2. Transparency is also required from people operating on the web who only appear to be private and who, as part of a professional campaign, give the impression that a movement is emerging 'from below'. If, for example, the marketing manager of a company intervenes in a discussion in precisely this function - regardless of where on the Internet - and argues in favour of a product or service of the company, the function and name must be clearly recognisable in a form that is customary for the respective medium. The same applies if, for example, the spokesperson for a politician takes sides in a blog or tweet. Here too, the name and activity of the sender must be made transparent in the post or at least in the sender's profile. The same people are of course not subject to these requirements if they communicate online outside of their professional activities. The decisive question is always whether a person is acting in a private or professional capacity, be it in the exercise of their profession, a consultancy mandate or a paid contract.

III. Transparency of senders on mobilisation platforms

In real life as on the web, it is common for companies, political parties and other organisations to call on their members, sections of the public or the population as a whole to get involved in a cause by expressing a particular opinion.

However, this call must not include an invitation to express this opinion anonymously. Calls for participation must always require that supporters use their real names (clear name requirement) and, if applicable, clearly communicate that they are a member of an organisation or company from the topic area being addressed. No money or other valuable advantage may be offered for expressing an opinion.

IV. Transparency of senders for sponsoring, product mailings and satellite sites

1. It has become common practice for companies to integrate blogs and similar platforms into the further development and commercialisation of products. This takes account of the 'open innovation' idea, i.e. it promotes public participation in the development of innovative concepts. Here, too, the sender must be unmistakably clear.
2. Companies or professional service providers that fully or partially finance blogs or other online platforms and then have their products tested or their topics discussed must clearly communicate their role as a sponsor. In the case of product tests or reviews that are carried out on the basis of a free product being sent, the principal must disclose this fact.
3. Companies are increasingly offering content in relation to their products and beyond not only on their own homepage, but also on different, often topic-related websites. It is not enough for the sender to be recognisable via a corporate design or a name in the imprint; they must always be clearly recognisable on the first page without further scrolling.
4. If the sender is a political/social group or initiative, this must also be recognisable on the first page.

V. The limitations of (social) bots

1. The use of opinion-manipulating social bots is incompatible with the principles of responsible public relations. This refers to scripts or computer programmes that use false or invented identities in social networks such as Facebook, Twitter or similar to give the impression that people are expressing a certain opinion, when in reality these are actions and reactions determined exclusively by algorithms. The DRPR's position here is that there must be a human being behind every publicly expressed opinion.

2. Purchased 'fans', 'followers' etc. and their commercialisation is seen as deception of users in this context and is also not permitted.
3. In contrast, the DRPR considers scripts, such as those used in customer service for standardised enquiries or consultation processes, to be harmless. Often in the form of avatars, artificial support personalities etc., this is now common practice internationally, but should not be confused with opinion bots.

VI. Guidelines for influencers

1. We define influencers as people who publish content (text, images, audio, video) on a topic area at regular intervals out of their own initiative. This is done via internet-based communication channels such as blogs and social networks such as Facebook, Instagram, YouTube, Snapchat or X/Twitter to encourage social interaction. Influencers are those who achieve a certain reach due to their activities and thus stand out from the mass of social media users. Their digital presence has given them a noticeable influence and they therefore have a special responsibility - especially regarding the content they publish (for advertising purposes, for example).
2. Influencers are trusted by their recipients to a high extent. They also have a journalist-like gatekeeper function, which means that influencers are required to clearly label and characterise their opinions on political or social issues or products/services as such. They should not spread fake news and it must be clear at all times when they are expressing a subjective opinion.
3. Influencer profiles are usually freely accessible to every user and advertising on these social media channels must be clearly labelled. If influencers advertise products, this must never be hidden. The commercial, advertising purpose must always be easily and quickly recognisable for every user.

VII. Joint responsibility of principal and agency

1. If companies or other organisations commission agencies or individuals to carry out PR measures on the Internet, the obligations under Article I apply to both the principal and the contractor. Both parties bear equal responsibility in this regard.

2. In practice, this means that principals must precisely define the tasks of their contractors and monitor their implementation. It is not permissible to shift the responsibility for attempted deception in online communication towards the contractor through vague wording.
3. If agencies act 'pro bono', the agency must be clearly recognisable as such.

Last revised: 07.04.2022