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Seminar on Press Freedom and Professional Standards  
Kuala Lumpur, Malaysia May 16-18, 1996

Recommendations of Working Group No. 1  
Preserving and Promoting Press Freedom

1. The Constitution and Related Laws

Constitutional guarantees for press freedom exist in most Asian and Commonwealth countries. However, there are many gaps between constitutional mandate and reality. There are also many laws intended to "protect the state." These include laws on public safety, official secrets, etc. Then there are laws protecting the rights of individuals—laws on libel, defamation, privacy, etc.

In some cases, these laws may be considered as threats to press freedom. The group recommends the following:

1.1 A serious study be made on how the constitution and national laws of each country conform with international declarations (to which they are signatories) such as the UN Declaration of Human Rights;

1.2 Consider the creation of an independent advisory appellate body which would review the relevance and need for emergency laws.

1.3 Ensure that emergency law should be time-bound (i.e. that they will lapse after a given period of time) and that they should regularly reviewed in terms of relevance and need.

1.4 Study the need or relevance of press and press-related laws.

2. Economic Issues

Constraints to press freedom may be due to the irregular allocation of newsprint and government advertisements. In some instance, governments were found to favour "friendly" publications. To address this problem, the following are recommended:

2.1 Encourage businesses to advertise in provincial newspapers.

2.2 Provide fiscal incentives to publications (e.g. lower tariff rates) in exporting newsprint.

3. The Threat of Libel, Defamation and similar laws

3.1 It is strongly recommended that each country should advocate judicial reforms that will balance the rights of the journalist with the rights of the individual.
4. Pre-censorship, Informal censorship and Self-censorship

Informal censorship, which includes letters and telephone calls from powerful individuals can be insidious and debilitating. When practiced too often, it can lead to self-censorship. The following are recommended:

4.1 All forms of prior restraint should be eliminated.

4.2 Existing censorship law should be reviewed and amended (with appropriate safety nets for journalists included).

4.3 Self-censorship can be best addressed by adequate and appropriate training of journalists and upgrading professional standards. Journalists' associations should actively promote upgrading of professional standards.

5. Press Ownership Structure

5.1 Ownership can be a greater threat to press freedom as owners may use their publications to promote their vested interests. The following are recommended:

5.1. Allow or encourage private media ownership (this will also ensure diversity of information power).

5.2. Study the feasibility of creating editorial trustees for each publication. This body should be free from the owner's influence.

5.3 The decline of the influence of the editor should be arrested.

6. Access to Information

Access to information includes both the right of the journalist to gain access to news sources and the public's right to information. Journalists' access can be enhanced by:

6.1 Passage or strengthening of the freedom of information Act or Access to Information Act.

7. Other commendations:

7.1. Encourage the creation or strengthening of independent press councils composed of mostly media professionals.
7.2 Encourage the adoption and regular review of a Code of Ethics at various levels—from individual newspapers to journalists' associations. Such codes should be published in the newspaper at least once a year.

Readers should be encouraged to set-up an independent body who may conduct a “social audit” of the newspaper.

7.3 Appointment of an ombudsman in each newspaper who will address issues of professional lapses, corruption, inaccuracies, etc.

7.4 Institutionalization of the right of reply and correction in all newspapers.
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Recommendations of Working Group II

Mechanisms for Strengthening Professional Standards

1. Increase the level and institutionalize systematic, regular consultation and interchange whereby media professionals can have direct input in the curricula and practical training of media students.

2. There is an acute need for more professional training for the media. Media organizations should invest more in training activities. Training institutes should upgrade their facilities and periodically review their curricula. Specific emphasis should be given to the training of personnel from provincial/district newspapers.

3. Press Institutes, which exist in most Asian countries, need to strengthen their in-service training programmes for media personnel.

4. In countries where journalists are poorly paid, attention should be given to improving working conditions of journalists, in consonance with other sectors of the communications industry such as advertising, etc.

5. More interaction should be encouraged between the newspapers and the communities they serve through various means, e.g. focused discussions with social groups and opinion leaders in the community.

6. In training programmes, emphasis should be given to journalism ethics.

7. There is a need for a non-governmental forum where the public can air grievances against the media and obtain satisfactory redress. Where these mechanisms exist, they should be strengthened and where they do not exist, they should be established. This body should comprise of eminent persons and should be comprised by professional editors and publishers.