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The State of Media Ethics in Thailand
and the Work of the Press Council of Thailand

By Manich Sooksomchitra
Chairman, The Press Council of Thailand

Background

The Press Council of Thailand was founded on July 4, 1997. Newspaper owners, editors, and reporters signed a Memorandum of Understanding to establish a self-regulatory body aimed at raising ethical standards in the Thai press. A month later, the council's constitution was announced and its first executive committee was elected.

The executive committee members comprise representatives from four different groups: five newspaper owners, five editors, four journalists, and seven honorary members selected from various professions, such as academics, lawyers, medical doctors, NGO workers, and businessmen. Committee members are required not to have any connection to the government.

The first committee spent more than four months drafting its 30-article Code of Ethics, which covers both newspapers and individual journalists. It is the first complete journalistic code of its kind. Many newspapers have used it as a guideline to draft their own codes of ethics for their staffs.

Why self-regulatory?

For decades, journalists in Thailand have struggled for press freedom under various governments. Each time journalists proposed a law on the formation of a press council, the government tried to assert its control by proposing that the council's executive committee include government officials such as the police chief or the head of the National Cultural Commission.

In 19XX, the first draft of Thailand's new constitution was released. It included a requirement that the country have an independent statutory press council. Journalists who feared another attempt at government intervention gathered and discussed their concern. They met with members of the group drafting the constitution and told them they opposed the clause that called for an "independent agency to monitor and regulate the press." The journalists won and the clause was deleted. The Press Council of Thailand was quickly founded to assure the people that the press was open to public scrutiny, with "social sanctions," and not legal sanctions, as the regulatory tool.

How do social sanctions work?

When it was established, the public questioned whether the press council could really make the Thai newspapers more responsible and accountable.

The answer came when a few major cases tested the council's social sanctions.
On February 3, 1999, a group of 68 journalists filed a petition to the press council asking that it investigate the case of a Bangkok Post reporter who was accused of receiving bribes from a minister to pay for a new car. Right before the council took up the case, the reporter resigned from the Bangkok Post, and ended up working at one of the smallest newspapers in Bangkok, which has close relationship with one of the parties in the government. The council's investigation did not turn up any concrete evidence of bribery, but the reporter knew he could not continue to work at the Bangkok Post.

A second major case came on December 11, 1999, when Thai Rath, Thailand's best-selling daily, published a photograph of the naked body of a woman who had been raped and killed in her apartment. The public was outraged. Hundreds of phone calls and e-mail messages stormed into Thai Rath's office. Many radio talk shows aired criticisms from the public. The same day that the press council was about to meet to discuss the issue, Thai Rath published an apology in its editorial page - the paper admitted that it, "made a mistake and would like to apologize to both readers and the family of the victim with deep regret. Those responsible for the decision to print the explicit photo from the crime scene feel remorse and are prepared to accept punishment for violating professional ethics." However, after its meeting, the press council still issued a statement saying that Thai Rath had violated the Code of Ethics. The statement warned all newspapers to be more careful in selecting photographs for publication.

These landmark cases led some media experts to conclude that without the press council, the outcome of these cases may have been very different. The existence of the council has encouraged both newspapers and individual journalists to be more careful in doing their day-to-day work.

Offensive approach as a new strategy of the Press Council of Thailand

As it enters its third year, the council is working on a new, more aggressive approach. Instead of waiting for people to bring forward complaints, the council will encourage academics and civic groups to closely monitor the performance of the Thai newspapers. If they find cases where the Code of Ethics may have been violated, the council will directly consider those cases. The council also plans to organize various activities, besides its quarterly report, to increase public awareness of the performance of the press.

In addition, the council has from time to time issued statements advising its members on the handling of various issues such as intrusions of privacy, violations of human rights, and the publication of unsolicited photos. So far, the council has received good responses from its members. But some members still question how effective the council can be if it relies only on social sanctions; they favor more binding sanctions.

Maintaining a free and responsible press

Since the freedom of the press in Thailand is guaranteed by the national constitution, the press council's main aim is still to focus on the promotion of a more free and responsible press. As we always tell our friends in the region: achieving press freedom is a difficult task, but to maintain that freedom is even more difficult. When the press is free to criticize everybody in society, it will have more and more enemies among those who don't like to be criticized.

The press council will continue its aggressive approach to ensure that the public do not have to put up with bureaucratic procedures to get their complaints heard. A future task of the council may be to ensure that the people better understand the freedoms - and responsibilities - of the press.
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