



DRAFT OF SELF REGULATORY CODE OF CONDUCT

Scope of the Voluntary Code:

This Code of Conduct (hereinafter referred as the Code”) formulated voluntarily by Pakistan Broadcasters Association (hereinafter referred as “the PBA”) and all electronic media broadcasters who are members of PBA is aimed at self- regulation of electronic media. All the licensees/ permission holders in their individual capacity and PBA, to the extent of its members, hereby undertake that the Code shall be strictly adhered to in letter and spirit. PBA shall endeavor in every way and manner to ensure strict compliance of the Code by its members.

PREAMBLE

WHEREAS: The Pakistan Broadcaster’s Association (“the PBA”), while recognizing the Article 19 of the Constitution of the Islamic Republic of Pakistan which provides that “*Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law....*” acknowledges that with the rights of the media come responsibilities and therefore the PBA hereby enunciates this Code of Conduct (“the PBA Code”) to be applicable with immediate effect.

- a) Freedom of expression and the right of the public to information are fundamental to the establishment, nurturing and sustenance of a democratic society and are guaranteed by the Constitution;
- b) Since the public has also a right to know the truth, it is the duty of the media to provide the truth to the public without fear of harassment or coercion;
- c) The State is also enjoined by the Constitution to protect and safeguard the rights and freedoms of the citizens including those associated with the media;



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- d) We are conscious of our duties to the public at large and the nation and are aware that the right of the public to know and be informed must be balanced against the need to protect the privacy of individuals and the security of the state in a manner that secures the larger public interest;
- e) Every broadcaster understands the significance of this Code:
- f) The interest of the general public shall be the determining factor at all times in interpreting and enforcing the provisions of the PBA Code.

NOW THEREFORE THE PBA AND THE BROADCASTERS DO HEREBY VOLUNTARILY ADOPT THIS CODE OF CONDUCT:

3. Code of Conduct for Programmes

3.1 We, the media broadcasters being the licensees/permission holders of PEMRA do hereby voluntarily undertake that no content shall be aired which contains:

- a) a call to arms against the Federation of Pakistan or action to damage the integrity, security and defense of Pakistan. However, programme content which covers, deals with or probes controversial questions pertaining to sensitive issues of integrity, security and defense of Pakistan within the confines of law and justified by the context shall not be restricted
- b) any abusive treatment of the religious views and beliefs of those belonging to a particular religion or sect or justifies or promotes sectarian hatred and violence
- c) Anything pornographic and/or obscene as defined by laws in force.
- d) Abusive comment that purposely and recklessly intends to incite hatred and contempt against any individual or group of persons, on the basis of race, caste, nationality, ethnic or linguistic origin, color, religion, sect, sex, sexual orientation, age, mental or physical disability is not promoted in any programme
- e) in violation of copyrights or other related property rights
- f) anything against prevailing and evolving socio cultural norms; demographics changes news norms, rural and urban.
- g) Broadcasters must ensure that material likely to incite the commission of terror, crime or to lead to serious public disorder must be avoided. Broadcasters must use their best endeavors so as not to broadcast material (that could endanger lives or prejudice the success of attempts to deal with an on-going hijack, kidnapping or terrorist incident. (Terror coverage clauses to be inserted here once approved.)

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- h) Induce or justify violence.
 - i) Known to be false or there exist sufficient reasons to believe that the same may be false beyond a reasonable doubt and with malice
 - j) amounts to contempt of court as defined in Article 204 of the Constitution of Islamic Republic of Pakistan and any other contempt law in force
 - k) The difference between opinion and fact must not be blurred and where appropriate, the distinction between the same should be duly identified to the audience. Where programme content is based on an unconfirmed report or rumor the same should be clearly identified as such to the audience.
 - l) Where individuals or groups are singled out for criticism, the programme should provide reasonable opportunity for a balancing response.
 - m) Amounting to black mail as defined in Pakistan Penal Code or incrimination of any person, including advantage from such person.
 - n) anything defamatory as defined in Defamation Law or relating to an individual's private life unless warranted by public interest, or his or her prior permission has been obtained
- 3.2)** Without prejudice to any other restrictions in this regard, while reporting the proceedings of the Parliament or the Provincial Assemblies, such portion of the proceedings as the Chairman or the Speaker may have ordered to be expunged, shall not be broadcast or distributed and every effort shall be made to release a fair account of the proceedings.
- 3.3)** The veracity and authenticity of news and reports broadcast shall be ensured as far as editorially possible.
- 3.4)** Editorial caution will be used while covering tragic incidents such as bomb blasts, war, natural disasters so that gory images of bloodshed, corpses or human organs, live or recorded are avoided as far reasonably possible. PG should be given.
- 3.5)** Subject to the Code a programme relating to any controversial issues, shall strive to present the point of view of all the stakeholders with equanimity in an objective manner.

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4) Broadcasters' Obligations and Responsibilities:

- 4.1 The Broadcast media operators including anchor persons, producers, editors, and directors undertake responsibility to ensure compliance of the code
- 4.2) All efforts must be made by broadcasters and talk show moderators to correct error of fact at the earliest opportunity and to ensure that corrections brought expressly to their notice are broadcast to public.
- 4.3) Broadcasters and talk show moderators (hosts/ anchors) will ensure that Content of news and current affairs programmes is always presented in as balanced a manner as possible. It must be ensured that material received from foreign countries are not against the public policy.
- 4.4) Broadcasters and talk show moderators (hosts/anchors) will ensure that Content of news and current affairs programmes are presented with sensitivity in the case of material likely to cause some distress to a substantial number of viewers such as images or interview with victims of traumatic incidents. Should only be used when deemed editorially essential.
- 4.5) While addressing or interviewing any person, programme presenters, anchor person and compares shall extend proper courtesy and respect to the concerned person in a manner which is fully compatible with our civic values and traditions.

IV) Live Uplinking

If at any point live coverage is likely to air content which violates any law or this Code, the *broadcasters*, licenses / permission holder or any person operating under it, shall immediately take preemptive measures to prohibit the airing of such content. In this regard all the *broadcasters* , licensees or permission holders shall incorporate such technological measure within their system which shall provide sufficient time delay in broadcast, to ensure that the content complies with this Code and can be filtered.

Except by PEMRA, no written directive will be enforceable on cable operators, issued by any persons, authority, institutions or political parties etc.

As far as editorially possible, guide lines issued by election commission of Pakistan shall be followed at the time of election.



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Review and Enforcement:

- 5) The PBA may review the terms and conditions of the Code in order to incorporate any amendments/ changes incumbent on account of practical issues faced.
- 6) Besides this Code of Conduct there were certain other issues which PBA and PEMRA agreed to, for legislation as reflected in Annexure-A of this Code.
- 7) This Code of Conduct will come into force with immediate effect as agreed by PEMRA and PBA members and will apply to all Electronic Media, subject to compliance of issues mentioned in footnote no 1 to 5.

NB

1. Before enforcing the voluntarily Code of Conduct, necessary amendments should be made in the Freedom of Information Ordinance 2002 and Defamation Ordinance 2002.
2. Immediately upon promulgation of PBA Voluntarily Code of Conduct, all provisions of PEMRA laws those are found contradictory and in conflict with the PBA Code of
3. Conduct shall be omitted by way of necessary amendments in the PEMRA Ordinance 2002 and the Rules and Regulations framed their under.
4. The code will not be applied stringently on entertainment programmes, satire, drama, films and such genres.
5. Any clause in contravention to Article 19 of Constitution of Pakistan will not be applicable.
6. This code of conduct shall be applicable to all state owned/managed/Joint ventures of Electronic Media as well

Acceptance

I / We, being the owners/ operators/ authorized person / representative of M/s _____ (a licenses of PEMRA) do hereby certify that I / we have Read, understood and accepted all the provisions of the above Code of Conduct which consists of six pages and hereby undertake to abide by this Code.

(_____)

M/s _____

Palace _____

Date: _____