

Asia Media Summit

9-11 May 2005, Kuala Lumpur

Recommendations to the WSIS in Tunis November 2005

Broadcasting is crucial to development. For many, it remains the major source of information and knowledge, and therefore, it requires strengthening and support.

The ministers of information and broadcasting of countries in the Asia-Pacific region met in Bangkok, Thailand, in May 2003, to consult with academics, scholars and representatives of agencies of the United Nations on the steps to be taken to revitalise broadcasting as a tool for access to information and knowledge, and as a means of eliciting social participation necessary for sustainable development. The Bangkok Declaration, which emerged from this first Ministerial Conference, led to the annual Asia Media Summit. This year's summit was especially important, as it was registered as a "Regional Thematic Meeting" with a view to contributing to the World Summit on the Information Society (WSIS) in Tunis in November 2005.

The United Nations agencies and the international community have been instrumental in promoting best practices broadcasting, notably in public services broadcasting community multimedia and other citizen media initiatives thus contributing to sustainable development through access to information and knowledge.

However, many of the needs of broadcasters, and of society at large, are not yet fulfilled. Further action is essential. We believe more attention should be given to these issues at the forthcoming 2nd phase of the WSIS in Tunis in 2005. Towards this end, the Asia Media Summit 2005 puts forward the following recommendations.

Media and Globalisation

We

believe that globalisation is a forerunner to the formation of a knowledge society;

distinguish and differentiate between globalisation and the growth of transnational corporations;

recognise that while globalisation has led to the growth of the media, the media has a role to play in globalisation with a human face;

recommend that

The media, in both the public and the private sectors, be encouraged and actively assisted to

- a. increase diversity of content to include marginalised populations, groups and communities in the communication processes
- b. provide comprehensive information and support the culture of dialogue among civilisations with a view to promoting mutual knowledge, understanding and peace.
- c. Promote the use of broadcast network systems, particularly digital systems which are especially suited to such use, to carry information additional to normal programme content, for the benefit of the general public.

Cultural Diversity

We

support UNESCO's Declaration on Cultural Diversity;

realise that cultural diversity should not only be preserved but must also be fostered and that the media's function in producing, gathering, checking and distributing diverse news and content, including at the local community level, is vital.;

reaffirm that cultural and audiovisual works do not lend themselves to governance by general rules of exchange for goods and services since, unlike other goods, they come under the concept of cultural diversity;

call upon all concerned parties, governments, the general public and broadcasters to preserve and promote cultural diversity in their respective countries and internationally, and to help encourage dialogue among various cultures;

recommend that

- a. Authorities be requested and encouraged to facilitate and support domestic legislation that guarantees the independence and pluralism of the media.
- b. Regulatory bodies be encouraged to provide equitable allocation of broadcasting frequencies to public, private and community broadcasters and to establish the appropriate legal and regulatory frameworks to encourage community media.
- c. Public and private organisations, such as bilateral and multilateral aid agencies and foundations, be requested to:
 - support intercultural exchanges in order to foster understanding and appreciation of diverse cultural aspirations
 - encourage and take part in the free flow of information across national and linguistic boundaries
 - promote the production and dissemination of local programme content, using local languages and providing information on local culture and indigenous knowledge

- d. Broadcasters be encouraged to
- pay particular attention to the situation of indigenous people and the safeguarding of their linguistic cultural heritage and traditional values.
 - promote programming that represents the cultural aspirations of all sections of their listening and viewing audiences
 - promote, propagate and preserve the cultural heritages of their regions.

Digital Opportunities

We

believe that everyone, everywhere should have the opportunity to participate in the Information Society and to take advantage of its benefits;

recognise the potential of Information and communication technologies (ICTs), including broadcast media, as tools for facilitating sustainable development;

are committed to converting the digital divide into a digital opportunity for all;

recommend that

- a. Authorities be requested to
- make efforts to bridge the digital divide and pave the way for creating a knowledge-rich society, by providing universal, equitable and affordable access to information and infrastructure
 - provide access to information through all media
 - ensure women's full and equal access to decision making about, and use of, media and information and communication technologies (ICTs)
 - facilitate the creation/production and uploading/transmission of local content in local languages.
- b. Public and private organisations, such as bilateral and multilateral aid agencies and foundations, be requested to
- promote the ability of communities to define and meet their own communication needs,
 - assist developing countries to improve connectivity and access, especially for the benefit of the disadvantaged sections of society
 - provide assistance to local communities to document and preserve indigenous culture using digital media
 - encourage free flow of information, especially on science, technology and culture, across linguistic and national boundaries

Free Flow of Information

We

reaffirm the belief that the free flow of information and ideas is of crucial importance in a democratic society, and that it contributes to the progress and welfare of society and the enjoyment of other human rights and fundamental freedoms;

consider that Article 19 of the Universal Declaration of Human Rights is an essential foundation of the Information Society;

reaffirm the principles contained in the Declarations of Windhoek (1991) of Almaty (1992) and of Sana'a (1996) on Promoting Independent and Pluralistic Media, as well as those related to media in the Declaration of Principles adopted by the Geneva WSIS in December 2003.

recommend that

- a. Authorities be requested to
 - ensure free flow of information through all communication systems
 - set up mechanisms to detect and prevent cyber crime, and crimes against human dignity in the form of obscenity, racism and the promotion of hatred and violence
 - involve representatives of the media as full partners in the future Internet governance system
 - set up mechanisms aimed at preventing violence against journalists and other media professionals to assure their safety in carrying out their responsibilities in the service of society
 - encourage the free flow of information and programme content from developing countries to the developed societies.
- b. Media professionals be requested to create and follow ethical norms in the practice of their professions, as we believe a professional approach to journalistic practices is an effective way to safeguard media freedom.

Public Service Broadcasting

We

mindful of the crucial role played by public service broadcasting (PSB) in ensuring a free flow of information and in maintaining diversity in the broadcasting industry;

agree on the importance of affirming to decision makers, policy makers, legislators, regulators and operators of the need and value of PSB;

recommend that

- a. Governments be requested to
 - promote public service broadcasting, and ensure its independence from political and commercial pressures and to provide all possible means to upgrade its performance.
 - provide public service broadcasting organisations with adequate funding to enable them to provide high quality services while remaining viable and maintaining their independence.
- b. The appropriate authorities be requested to
 - promote non-profit community broadcasting and to ensure that suitable frequencies are allocated for such services
 - encourage diversity in broadcasting, thereby offering opportunities for a diversity of views
 - safeguard editorial independence and management transparency and support the upgrading of performance of the PSB where it has been established
- c. Broadcasters be encouraged to
 - define and adopt quality standards that include guidelines governing their programme standards and editorial practices
 - establish systems for the internal and external monitoring of these standards and practices in relation to the guidelines and the legislation under which the broadcasting organisations are established.

Human Resource Development (HRD)

We broadcasters

recommend that

- a. The appropriate authorities be requested to
 - provide equitable, affordable and accessible training, especially to the young, the disadvantaged and those in remote communities, to enable them to participate actively in the information society.
 - provide support and assistance to broadcasting training institutions to ensure that their employees are kept up-to-date with new technologies and techniques.
- b. Public and private organisations, such as bilateral and multilateral aid agencies and foundations, be requested to support the training of trainers so that broadcasters and training institutions in the region are constantly updated on training techniques and technologies.

Children

We,

mindful that children should hear, see and learn about their culture, their language and their life experiences, through the electronic media, through programmes that affirm their sense of self, community and place;

reaffirming the principles of the Convention on the Rights of the Child;

recommend that

- a. Authorities be requested to support broadcasters in their efforts to produce local content aimed specifically at engendering in children a knowledge of local culture and traditions so that they do not become alienated from their cultural roots.
- b. Broadcasters be requested to
 - set aside appropriate time for the transmission of programmes specifically intended for children
 - produce and broadcast good quality children's programmes offering suitable content that will provide them with wholesome entertainment and help in their cultural and intellectual development
 - ensure that programming inappropriate for children is not transmitted at times when they are likely to be listening and/or watching.
 - ensure that children hear, see and express themselves, their culture, their language and their life experiences, through programmes which affirm their sense of self, community and place
- c. International agencies be requested to support the training of broadcasters in the production of programmes especially for children.

Gender

We,

reaffirming the Universal Declaration of Human Rights in promoting education as a fundamental right;

supporting the principles that emerged from the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform for Action;

mindful of the role played by women in the of development of nations;

recognising the feminisation of poverty and the precarious position of women and girls affected by war, violence, abuse, trafficking and all other forms of exploitation;

recommend that

a. Broadcasters be requested to

- to prioritise and develop specific strategies for providing education and training to women and girls through the media for their empowerment.
- mobilise the electronic media to promote open dialogue on gender equality and equity to uplift the social status of women in developing countries
- develop guidelines or a code of ethics for impartial and gender-sensitive reporting that reflects high professional broadcasting standards
- give adequate attention to programming related to women's health and programmes that address the problems of trafficking in and violence against women
- address the diverse needs of women in multi-cultural societies though gender-sensitive programming
- ensure that women are given equal opportunities for the development of their broadcasting careers and encouragement to aspire to managerial positions in their broadcasting organisations.

b. International aid agencies be requested to

- provide support for gender sensitivity training in the media that promotes empowerment, equality and capacity building.
- provide support for projects that address the special training needs of women broadcasters.

HIV/AIDS

We

recommend that

- a. Authorities be requested to encourage broadcasters to address HIV/AIDS issues with a view to promoting safety and an awareness of preventive action and understanding towards people living with HIV/AIDS.
- b. Broadcasters be requested to
 - produce and broadcast programmes promoting awareness of preventive behaviour and the understanding and care of HIV/AIDS affected people
 - work in close collaboration with HIV/AIDS specialists from the UN, government agencies and other appropriate organisations to deliver relevant and up-to-date information and support for the HIV/AIDS campaign.
 - be alert to the outbreak of similar pandemics that may be a threat to human and economically important animal or plant life on the planet, and respond proactively in an appropriate manner.

Disasters

We

realising the role played by broadcasters in harnessing international support in mitigating the effects of the recent Asian tsunami;

recognising the role of broadcasters in responding to natural disasters such as droughts, floods, fires, cyclones, storms, earthquakes and tsunamis;

mindful also of the limitations faced by broadcasters in helping communities to deal with natural disasters

recommend that

- a. Authorities be requested to
 - encourage broadcasters to take a proactive role in disaster mitigation
 - create links between broadcasters and agencies involved in disaster forecasting, preparedness, mitigation and relief.
- b. Broadcasters be requested to
 - keep track of disaster warning systems and convey relevant messages to communities so that the risks due to natural hazards are reduced

- create and broadcast relevant content that can help communities in disaster preparedness.
- c. International agencies be requested to
- support the training of broadcasters in disaster preparedness, risk reducing strategies and disaster mitigation
 - promote regional and inter-regional co-operation to prevent, mitigate and manage natural disasters.

Preservation of radio and television archives

We

recognising the role of media archives as a production resource and a powerful tool for expressing cultural identity and preserving national, regional and world heritage;

realising the fragility of analogue archive material and the increasing obsolescence and unavailability of equipment needed to play back and reproduce earlier audio and video recordings;

considering the existence of reliable technical solutions to ensure the long-term preservation, access and reuse of archival records, mainly the migration to digital formats;

continuing the action led by UNESCO, and referring to the Call for the Preservation of the World Broadcast Heritage launched by the International Federation of Television Archives (FIAT/IFTA);

agree that it is essential to implement preservation policies using digital technologies;

recommend that

- a. Authorities be requested to
- urge broadcasters to organise the preservation of their audiovisual materials, in cooperation with national archives where appropriate
 - provide adequate resources for long term preservation and migration of endangered materials
- b. Broadcasters be requested to
- provide adequate storage and IT facilities for their archived material
 - establish a long-term policy for the collection, development and preservation of such material
 - provide appropriate access to the archived material, internally and externally
 - ensure proper training and up-skilling of their staff, so that the valuable resources are optimally used

- c. International agencies be requested to
- provide venues and platforms to define and clarify the issues, obstacles and solutions regarding digitization and archiving
 - support the training of broadcasters to improve their knowledge of archiving

WIPO Broadcasters' Treaty

We

recognising that broadcasters worldwide, through regional broadcasting unions including the Asia-Pacific Broadcasting Union, have for more than a decade been urging the World Intellectual Property Organization to update broadcasters' rights to meet the demands of modern times and technology;

recognising that the Convention for the Protection of the Rights of Performers, Producers of Phonograms and Broadcasting Organisations ("Rome Convention") having been concluded in 1961, provides inadequate modern protection for broadcasters as it does not grant protection against redistribution of a broadcaster's signal, against deferred rebroadcasts, or against the pirating of signals sent by satellite to broadcasters for simultaneous or deferred transmission by the broadcaster;

recognising that the other beneficiaries of the Rome Convention (performers and producers of phonograms) have been given updated protection by the WIPO Copyright Treaty and the WIPO Performances & Phonograms Treaty;

recognising that for many developing countries, radio and television broadcasting organisations play an important role in the dissemination of information, in education, in the reflection and encouragement of cultural values and in the impetus for positive social change;

further recognising that the derogation of the rights of broadcasters and the consequent loss of revenue or increased costs in carrying out their services can only result in depriving these public broadcasters of opportunities to carry out their social remit;

acknowledging that the provisions of the draft broadcasting treaty are imperative for broadcasters' ability to carry out their social remit.

recommend that

- a. Authorities be requested to support at the international level the efforts of broadcasters to successfully conclude a treaty for the protection of the rights of broadcasters.
- b. Broadcasters be encouraged to
- make representations to their governments supporting the efforts of their representatives to conclude an international treaty protecting the rights of broadcasters.
 - make active representations to their governments at consultations arranged by the World Intellectual Property Organization in their regions to recommend to the General Assembly of the World Intellectual Property Organization that a diplomatic conference be convened with the aim of bringing into effect a treaty for the protection of broadcasters.

Copyright and Digital Technology

We,

recognising the crucial role in social and economic development played by broadcasters.

acknowledging that digital technology will bring both new opportunities and challenges to broadcasting organisations worldwide;

recognising that digital technology may result in some owners of copyright material attempting to take advantage of new digital technologies to diminish traditional exceptions to copyright, such as fair dealing;

acknowledging that all copyright laws should strive for an effective balance between the interests of copyright holders and those of individual users;

recommend that

International agencies and governmental authorities be requested to ensure that laws relating to digital technology make special provision for existing copyright exceptions and traditional rights of broadcasters.