



**GEOASOOL**  
**VISION**  
**FOR A BETTER**  
**MEDIA**  
**FOR A BETTER**  
**PAKISTAN**

<http://www.geo.tv/asool>

# **GEO ASOOL**

## **E) Recommendations for Industry Body**

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## **DISCLAIMER**

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## **E. Recommendations for Industry Body**

### **A. Self-Regulation**

There are three types of regulations. One is the obvious government sponsored regulation. This form will always throw the baby with the bath water. Government regulation has a huge conflict of interest since it will always protect itself and its rule. The Government has too much incentive to influence the media and reduce criticism and embargo the truth. The other form of regulations are independent and self-regulation. Self-regulation is a good start since it allows you to lay down your own rules that are declared and that society can judge you against and also hold you responsible for through pressure groups and feedback. An independent ombudsman on top of the self-declared codes can help even further. The ideal solution however is a truly independent authority that conducts regulation. In order for such a thing to exist the media has to give up its own authority and hand it over to this committee and more importantly the authority has to deserve that power and truly be close to other outside influence and also be practical in its approach. Such an experiment exists in many countries, and one good example to follow is that of India where 4 experts from civil society are chosen along with 4 rotating serving editors, all headed by a retired Supreme Court Chief Justice. This committee is armed by an agreed code by the industry and has authority in fact to fine and also recommend suspension and closure to the government. In order for this to happen in Pakistan three things need to happen. One, all the channels will need to agree on a code. Two, the channels will need to agree on the committee and structure of the independent authority as well as the names who will be its executive body. Three they will need to give that authority the capacity to take punitive measures. Three the government will have to back off from its demand of government regulation and will need to give space for independent regulation to work.

Recently GEO has addressed the first two requirements. One, through Geo Asool it has given a potential blue print for the industry to use as a basic draft code. Two, recently GEO has sent to PBA a recommendation structure for the independent regulation modeled on the successful Indian model (see <http://www.nbanewdelhi.com>). However lack of unity due to government interference and support has not allowed the association to move forward as fast as it can. It is predicted that GEO and like-minded organization will allow for progress to take place now.

### **B. Disclosure Policy on Revenue Dependency**

The viewer as our most important stakeholder has the right to know of any major conflict of interest between us and our GEO Asool. Satellite TV channels throughout the world are run on a subscription and advertising revenue generating model, division being 50-50 on average if not 60-40 towards advertising. In Pakistan however the

dependency is 100% on advertising due to the regulator and its conflict of interests because of which it is not able to regulate the industry for the right causes and as per its mandate. Therefore there can be a situation where a large advertiser is able to influence the editorial policy or the independence of the organization. In order to minimize the chances of this happening or at least increase the probability of pressure for this to be disclosed ideally the material dependency of all channels should be disclosed which may have an impact on policy. The largest advertiser in Pakistan who can influence and leverage their position is the Government. We propose that all channels disclose (on quarterly basis) government advertising reliance as percent of their total revenue and any advertiser that is more than 5% of its revenue. Since 3rd party data exists regarding the volume and minutes of all advertisers the % revenue data will indirectly reveal the rate card information as well. Therefore if any one channel were to do this alone then it will be disclosing its rate card and discounts structure which can put its competitive position at risk. Therefore we recommend to PBA (Pakistan Broadcaster's Association) that this be made mandatory for all its members and GEO will be the first one to implement this policy.

Related to this is another matter. Many organizations that have launched TV channels also have other interests and businesses. It is not unusual for business houses and conglomerates to come into Media as a PR marketing exercise, or even at times as part of their insurance or 'ego' budget. In this regard and to maintain the spirit of disclosure of dependency, PBA should make it mandatory to have channels and their organizations disclose their other business interests and their shareholder's business interests and any reliance on government and political party's regarding those businesses. All conflict of interest situations need to be disclosed including legal cases.

### **C. Threats to Independent Media**

Media is the fourth and critical estate in any democracy. In Pakistan, Parliament has been crippled by the establishment and lack of cycles afforded to it. The judiciary and the media are the only pillars that are helping make the other pillars stronger in the long run. However there is always a status quo power stakeholders who will be afraid of change and do not want their ways and their past to be exposed. Some of them may even be in the opposition, establishment and judiciary and not just the government. Granted that media and judiciary need to improve and have an element of watchdogs and regulation and pressures to self-cleanse but the bigger risks comes from those status quo agents who want to prevent exposure and change and information to be available to the public. In this scenario protecting media's independence, even from its hosts, owners, and especially from government, becomes critical.

When we discuss media we at times forget to talk about the most important areas that are affecting freedom of speech in Pakistan:

## 1) Government Advertisement

Government is the largest single advertiser of Pakistan. However there is no real audit done on how government is spending its advertising and on what merit. Independent analysts estimate that more than 50% of the government advertisement budget is used to buy influence of media and keep it under severe pressure or goes to corruption. Geo in fact gets 35-40% of every advertising rupee share that is spent from all commercial clients. However the Government gives less than 1% of its advertising budget. These anomaly exists to a great extent. For example there is some data that shows that small city channel which gets less than 0.5% of advertising of the commercial market but gets 5% Government advertising. There is one channel that gets 4 crore a month from Government advertising, which makes up almost 50% of its overall advertising- this is an amazing % and nowhere in the world does Government make up such a big figure. How can that channel ask the Government right questions on behalf of public when 50% of its revenue comes the Government?

The alarming thing is that not only government advertisement is not audited properly nor is there an independent committee that oversees it, but there are no rules in existence for TV advertising. Existing Government Advertisement needs to be audited and we need to expose who is getting extra share and why? A new and improved Government advertising law needs to be created and implemented that includes an independent commission that oversees it to ensure that freedom of speech is not being influenced.

## 2) PEMRA

PEMRA, so called media regulator, is also used as a tool by Government against freedom of speech. Cable Operators are kept under pressure by PEMRA and their equipment is confiscated and or license nor renewed or they are threatened to be turned off. PEMRA also encourages cable operators to air illegal channels and lets them air illegal advertising on them and then uses that as leverage against the cable operators. This forces cable operators to follow all verbal directions of PEMRA to stop or shuffle channels at the back of the spectrum so no one can see the channel or program that is exposing the Government. PEMRA needs to be headed by an independent person, that is not part of the Government. It should be like the NAB and or Election Commission as right to be informed is a basic right and it is too risky to let the Government interfere in that right and no government will be able to resist the temptation not to do so for its own interests and prolonging its rule. PEMRA should also be forced to have quarterly audit by an independent commission made of professionals from civil society that are free from government selection and that can verify that PEMRA rules are not selectively being implemented to help the government influence and muzzle the press.

### **3) Freedom of Information Act**

Though investigation journalism has increased in Pakistan in the past 10 years since private electronic media, still too much of what is known as investigative journalism is actually a collection of leaks to the media by different institutions. Before it was usually just the establishment who was leaking but now there almost all institutions and the private sector is leaking information to the media. However most leaks have an agenda and in order to do increase independent investigative journalism freedom of information act will have to be implemented. This act will allow journalism's contribution to exponentially improve. Cost of investigative journalism will also decrease and competition will increase and at the same time the threat of being exposed will increase for everyone. This is imperative for our society. Pakistan does have a Freedom of Information Act but its ranked as one of the poorest and India's is ranked one of the highest (better than USA). And also the infrastructure required to process the act (manpower and independent audit board that oversees and monitors it is also missing, in India for example each ministry has a Freedom of Information Act Desk).

### **4) Secret Funds**

All secret funds to do with media need to be abolished even if they are part of establishment or government- especially the information ministry.