

NATIONAL ASSEMBLY SECRETARIAT

SPECIAL REPORT OF THE STANDING COMMITTEE ON INFORMATION, BROADCASTING & NATIONAL HERITAGE

I, Chairperson of the Standing Committee on Information, Broadcasting & National Heritage in pursuance of Rule 234 of the Rules of Procedure and Conduct of Business in the National Assembly, 2007, on behalf of the Standing Committee have the honor to present this special report of the Standing Committee on "Proposals to strengthen media's role in combating terrorism."

2. The Committee comprises the following members:-

01.	Ms. Marvi Memon	Chairperson
02.	Mr. Mian Muhammad Farooq	Member
03.	Mr. Waseem Akhtar Shaikh	Member
04.	Mr. Muhammad Tallal Chaudry	Member
05.	Mr. Tahir Iqbal Ch.	Member
06.	Ms. Parveen Masood Bhatti	Member
07.	Ms. Ghulam Bibi Bharwana	Member
08.	Ms. Zeb Jaffar	Member
09.	Ms. Arifa Khalid Parvez	Member
10.	Ms. Marriyum Aurangzeb	Member
11.	Ms. Leila Khan	Member
12.	Mr. Syed Amir Ali Shah Jamote	Member
13.	Mr. Imran Zafar Leghari	Member
14.	Ms. Belum Hasnain	Member
15.	Mr. Murad Saeed	Member
16.	Dr. Muhammad Azhar Khan Jadoon	Member
17.	Ms. Saman Sultana Jafri	Member
18.	Mr. Malik Muhammad Aamir Dogar	Member
19.	Ms. Naeema Kishwer Khan	Member
20.	Senator Pervaiz Rashid	Ex-officio Member

Minister for Information, Broadcasting and National Heritage

3. The Standing Committee held two meetings on 24th & 30th December, 2014 respectively to urgently review media laws, ethical and professional issues with reference to terrorism. These meetings were held with Ministry of Information, Broadcasting & National Heritage, its attached Departments, PEMRA, Ministry of Information Technology & Telecommunication, Pakistan Telecommunication Authority (PTA) and representatives from Pakistan Broadcasters Association (PBA), Council of Pakistan Newspaper Editors (CPNE), and All Pakistan Newspaper Society (APNS) along with media experts.

4. Objective of the two urgent Committee meetings:

- A. Objective was to establish clearly that the country was functioning in a situation close to war-time not peace time; especially based on the resolve shown by Honourable Prime Minister of Islamic Republic of Pakistan, Government including armed forces, opposition, politicians and civil society, to fight terrorism in the wake of the Peshawar tragedy.

Article 19 of the Constitution of Pakistan: 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 in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, [commission of] or incitement to an offence.

6.1.3 FEDERAL GOVERNMENT POWERS

Section 5 of the PEMRA Ordinance, 2002 as amended by the PEMRA (Amendment) Act, 2007: Power of the Federal Government to issue directives.- "The Federal Government may, as and when it considers necessary, issue directives to the Authority on matters of policy, and such directives shall be binding on the Authority, and if a question arises whether any matter is a matter of policy or not, the decision of the Federal Government shall be final."

6.1.4 LICENCEECOMMITMENTS

Section 20 of the PEMRA Ordinance, 2002 as amended by the PEMRA (Amendment) Act, 2007: Terms and conditions of license: "A person who is issued a license under this Ordinance shall...:

(c) ensure that all programmes and advertisements do not contain or encourage violence, terrorism, racial, ethnic or religious discrimination, sectarianism, extremism, militancy, hatred, pornography, obscenity, vulgarity or other material offensive to commonly accepted standards of decency;...

(e) broadcast if permissible under the terms of its license, programmes, in the public interest specified by the Federal Government or the Authority in the manner indicated by the Government or, as the case may be, the Authority, provided that the duration of such mandatory programmes do not exceed ten percent of the total duration of broadcast or operation by a station in twenty four hours except if, by its own violation a station chooses to broadcast such content for longer.

6.1.5 IN-HOUSE ARRANGEMENTS with regard to advertisements and monitoring

(f) comply with the codes of programmes and advertisements approved by the Authority and appoint an in-house monitoring Committee, under intimation to the Authority to ensure compliance of the Code;..."

6.1.6 CONTENT COMMITMENT

The PEMRA Authority Rules 2009 Schedule A (1): No program shall be aired which

(a) passes derogatory remarks about any religion or sector community or uses visuals or words contemptuous of religious sects and ethnic groups or promotes communal and sectarian attitudes or disharmony;

(e) is likely to encourage and incite violence or contains anything against maintenance of law and order or which promotes anti-national or anti-state attitudes;

(n) anything which tends to glorify crime or criminals.

6.1.7 AGREED UPON REDRESSAL, PENALTY REGIME

Section 27 of the PEMRA Ordinance, 2002 as amended by the PEMRA (Amendment) Act, 2007: "Prohibition of broadcast media or distribution service

relating to press and publications for the time being in force or B) any document wherever printed, appears to contain any treasonable or seditious matter or any matter which is prejudicial to national integration or any matter which promotes or is intended to promote feelings of enmity or hatred between different classes of the citizens of Pakistan, the Provincial Government may, by notification declare every copy of the issue of the newspaper containing such matter to be forfeited to Government, and any Magistrate may by warrant authorize any police-officer not below the rank of sub-inspector to enter upon and search for the same in any premises where any copy of such issue or any such book or other document may be.

6.1.10 THE ATA REGIME

The Anti-terrorism Act Section 11W: Printing, publishing or disseminating any material to incite hatred or giving projection to any person convicted for a terrorist act or any proscribed organization or an organization placed under the observation or anyone concerned in terrorism (1) A person commits an offence if he prints, publishes or disseminates any material, whether by audio or video-cassettes or by written, photographic, electronic, digital wall chalking or any other method which incites religious, sectarian or ethnic hatred or gives projection to any person convicted for a terrorist act, or any person or organization concerned in terrorism or proscribed organization or an organization placed under observation: Provided that a factual news report, made in good faith, shall not be construed to mean "projection" for the purpose of this section.

6.1.11 Media Commission's recommendations on self regulations limits:

With regard to the concept of self-regulation alone being enough to reform media, the Commission's Report categorically stated that it is not feasible to let self-regulation alone determine the standards and norms of media content:

"The Commission is of the opinion that it is not feasible to let the content of media be regulated exclusively through content self-regulation even after taking note of international standards and best practices. There is an inescapable, irreducible responsibility and need for the State to provide a legislative framework of guiding principles and norms, with adequate checks and balances that do not curb freedom of expression.

Except for certain subjects of hypersensitivity and for subjects that, in any case, deserve circumspection, media in Pakistan already enjoy some of the highest levels of freedom, and of content self-regulation, in comparison to all other predominantly Muslim countries, and in comparison to most other countries in the regions of which Pakistan is simultaneously a part i.e. Central Asia, South Asia, West Asia, Gulf."

6.1.12 EXISTING NATIONAL ETHICAL CODES

A. The Press Council of Pakistan Ordinance 2002, Section 8(1)(iv): Functions of the Council. To revise, update, enforce, and implement the Ethical Code of Practice for the newspapers, news agencies, editors, journalists and publishers as laid down in the Schedule I of this Ordinance.

B. The Press Council of Pakistan Ordinance 2002, Schedule Ethical Code of Practice, Section 8: The press shall not lend itself to the projection of crime as heroic and the criminals as heroes.

Section 13: Sensationalism of violence and brutalities shall be avoided. All reporting shall be accurate, particularly when court proceedings are covered and an accused person must not be presented as guilty before judgment has been pronounced.

Section 14: In the case of sexual offences and heinous crime against children, juveniles and women, names and identifying photographs shall not be published.

- The tone of our reporting is as important as the reliability of our reporting.
- We should respect human dignity without sanitizing the realities of war. There must be clear editorial justification for the use of very graphic pictures of war or atrocity.
- We will ensure, as far as is reasonably possible, that next of kin do not learn of a person's death or injury from our news bulletins, websites or programmes.
- At such times we should also monitor our output, particularly scheduled programmes, including films, drama, comedy and music, to identify anything which might be thought inappropriate in the light of hostilities.
- Our credibility is undermined by the careless use of words which carry emotional or value judgments.

The Terrorism Act 2000:

- We have a legal obligation under the Terrorism Act 2000 to disclose to the police, as soon as reasonably practicable, any information which we know or believe might be of material assistance in:
 - preventing the commission of an act of terrorism anywhere in the world.
 - securing the apprehension, prosecution or conviction of a person in the UK, for an offence involving the commission, preparation or instigation of an act of terrorism.
 - It is a criminal offence not to disclose such information, punishable by up to 5 years in prison. Any situation where BBC staff may be in potential breach of the Terrorism Act must be referred to Controller Editorial Policy and Programme Legal Advice.
- We should not reveal security details or other sensitive information not widely in the public domain which might assist an attack.
- We do not normally report incidents which turn out to be hoaxes unless they have had a serious and evident effect, such as a major and highly visible transport disruption.
- Any proposal to attend an event staged by proscribed organizations or groups with a known record for mounting acts of terror must be referred to a senior editorial figure or for Independents to the commissioning editor.
- Any proposal to broadcast material recorded at legitimate events when paramilitary or other groups stage an appearance must be referred to a senior editorial figure or for Independents to the commissioning editor, who may consult Controller Editorial Policy.
- In cases of hijacking, kidnapping, hostage taking and sieges we must be aware that anything we broadcast or publish may be seen or heard by the perpetrators, both in the UK and overseas.
- It is important that we report demands in context. We should also consider carefully the ethical issues raised by providing a platform to hijackers, kidnappers or hostage takers, especially if they make direct contact. We must remain in editorial control of the reporting of events and ensure that:
 - we do not interview a perpetrator live on air.
 - we do not broadcast any video and/or audio provided by a perpetrator live on air.
 - we broadcast recordings made by perpetrators, whether of staged events, violent acts or their victims, only after referral to a senior editorial figure.
 - we install a delay when broadcasting live material of sensitive stories, for example a school siege or plane hijack. This is particularly important when the outcome is unpredictable and we may record distressing material that is unsuitable for broadcast without careful editing.

C. UNESCO-COMMONWEALTH

War time reporting- UNESCO-Commonwealth Broadcasting Association document.

The following chapters from their document need to be studied and where relevant included in the Ethical codes for Pakistan: Disaster coverage, Violence, War Reporting, Disorder, kidnapping and hostages, Bomb warnings, Demonstrations.

6. 2 Ministry of Information and IT briefed the committee on SOCIAL MEDIA impact on terrorism: Their briefing and analysis is as follows:

A. THE NEW UPCOMING TOOL THAT IS GOING UNNOTICED AND IS BECOMING THE FAVOURITE OF TERRORISTS TO SPREAD THEIR MESSAGE AND TERROR SINCE MAINSTREAM MEDIA IS FAR BETTER REGULATED AND MATURE.

A. The current social media paradigm

Old Mainstream media is no longer mainstream. Social media is fast becoming mainstream because it carries mainstream media content, generates its own content, and has a decisive edge over mainstream media in terms of reach and speed. Social media has little transparency, identity clarity and controls. This new media causes durable information flows that define long-term public perceptions of right and wrong, good and bad. There are no rules for opinion, expression. There is no check on fake sites. Anyone can say anything (true or false) and get away with the impact on the populace or individuals. New media is more interactive and is feedback based: issues emerging on this platform will have more (seeming) authenticity. The debate that virals from the new media impacts the editorial judgment of traditional media. And yet it is minus all the checks and balances of responsible media. Thus a similar level of checks is required so that unfiltered terror enablers do not make their way in. Sheer numbers favour new media against traditional media: An average Pakistani English newspaper publishes 100,000 plus copies. Even an ordinary twitter account has twice as many followers. Media strategies will have to shift from information-peddling or blocking to creation of consistent information flows or blocking social media-generated information flows using new-social-internet media to create impact. We know about ISIS, TTP, and other promoters of violence effectively using new media for impact and fear. These are important case studies of today which we need to counter through correct legislation. Now you cannot "smoke them out". They can be everywhere. You cannot just block them in the mainstream media. There has to be a social media strategy. Focus of information flow has shifted, so should the focus of media strategy to deal with it. Using the example of ISIS there has to be a legislation to regulate social media by first ensuring that avenues of incitement to violence, abuse, and other dangerous material are brought under tight scrutiny. The approach should narrow the future lane that terrorists can use to recruit people and send their messages out. If we don't put the safeguards today, tomorrow we will have to deal with the problem in an aggravated form.

B. Research on social media impact

Mass media and the Internet in particular have emerged as enablers for terrorist planning, facilitation, and communication, and we need to continue to counter terrorists' ability to exploit them. Since terrorism, insurgencies and other dark networks will attempt to remain on or close to the technological cutting edge we need to tighten the monitoring. Researchers have established that most extremist websites seek to fulfill five basic goals: to disseminate propaganda, organize the membership, communicate information, fundraise, and recruit new members.

monitoring generally attributed to the need to protect users' privacy should not be allowed to prevail when it comes to terrorist atrocities.

- IV. Pakistani Govt. can tighten its control over social media by acquiring new software that would facilitate extensive surveillance/monitoring of terrorists' communications.
- V. Like in Egypt, Pakistan's Interior Ministry too can tender document inviting software companies to contribute to the development of an open source intelligence system.
- VI. Government can solicit private sector for ways to automate the process of identifying emerging threats and upheavals using the billions of posts people share every day. Government can take up opportunities for collecting data, identifying linkages, tracking activities, and recognizing patterns.
- VII. The system could monitor Facebook, Twitter, WhatsApp and Viber in real-time for usage that might "harm public security or incite terrorism.". It could also screen content for "vocabulary which is contrary to law and public morality."
- VIII. Facebook and Twitter are repositories of voluntary information that may be collected and sorted to yield a searchable database from which less apparent linkages and warnings may be derived.
- IX. Existing open-source tools in the hands of individuals with a modicum of Excel skills and situational awareness of an event can extract commonalities and patterns from Twitter posts.
- X. Crowd sourcing, the evaluation of voluntary public information from groups, and participatory sensing, directed information collection or an informant 2.0 of sorts, also are valuable forensic methods.
- XI. IT Experts' experience suggests that a more targeted approach to social media yields better results more quickly, with fewer false positives and less invasion of privacy. This more targeted approach is a variation on snowball sampling, a technique that has long proven useful in the study of deviant behavior in small populations.
- XII. By tracking social media posts and uploads, not only can authorities be alerted to significant events and uncover self-identified perpetrators, but they can also identify key members through the use of analytical methods such as social network analysis.
- XIII. Using social media to track and ultimately disrupt dark networks will turn on the ability to scrape social media data in near real-time.
- XIV. The primary step is to launch an awareness campaign to make people aware of their rights and duties (to report cyber crime as a collective duty towards the society) and further making the application of the cyber laws more stringent to check crime.
 - a) It is essential to educate and empower youth to safely and responsibly take control of their Internet experience.
 - b) Disseminate general awareness of cyber crimes and user laws/rights by arranging symposia, seminars, lectures, classes, demonstrations, presentations, briefings to educate the society and gain their comfort level.
 - c) Creating awareness of Cyber Laws. People need to be aware of the appropriate law enforcement investigative authorities at the local, state, federal, or international levels.
 - d) Introducing Cyber Crimes awareness in schools and adding it to curriculum will create the required awareness amongst the youth.
 - e) Disseminate information for consumers and businesses on computer security and safeguarding personal information.

