

Asian Media Barometer: A locally based analysis of the media landscape in Asia

Thailand 2010

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Asia Media Barometer

- **SECTOR 1:** **Average score 2.6**
- **Freedom of expression, including freedom of the media, is effectively protected and promoted**

- **SECTOR 2:** **Average score 2.4**
- **The media landscape, including new media, is characterised by diversity, independence and sustainability**

Indicators for Asia Media.

- **SECTOR 3:** Average score **3.6**
- **Broadcasting regulation is transparent and independent; the State broadcaster is transformed into a truly public broadcaster**

- **SECTOR 4:** Average score **2.3**
- **The media practise high levels of professional standards**

OVERALL COUNTRY SCORE 2.72

Indicators for Asia Media.

Individual indicators. Scores divided into 5 levels.

- 1. Country does not meet indicator
- 2. Country meets only a few aspects of indicator
- 3. Country meets some aspects of indicator
- 4. Country meets most aspects of indicator
- 5. Country meets all aspects of the indicator

The average score is the score from the evaluation of all experts.

Summary of the report: a locally based analysis of the media landscape - Thailand

- **SECTOR 1** **Average score** **2.6**
- **Freedom of expression, including freedom of the media, is effectively protected and promoted**
- **1.1 Freedom of expression, including freedom of the media, is guaranteed in the constitution and supported by other pieces of legislation.**
- **1.2 The right to freedom of expression is practised and citizens, including journalists, are asserting their rights without fear.**
- **1.3 There are no laws restricting freedom of expression such as excessive official secrets or libel acts, or laws that unreasonably interfere with the responsibilities of media.**
- **1.4 Government makes every effort to honour regional and international instruments on freedom of expression and the media**

Summary of the report: a locally based analysis of the media landscape - Thailand

- **SECTOR 1**
- **1.5 Print publications are not required to obtain permission to publish from state authorities**
- **1.6 Entry into and practice of the journalistic profession is legally unrestricted**
- **1.7 Confidential sources of information are protected by law and/or the courts**
- **1.8 Public information is easily accessible, guaranteed by law, to all citizens**

Summary of the report: a locally based analysis of the media landscape - Thailand

- **SECTOR 1**
- **1.9 Websites and blogs are not required to register with or obtain permission from state authorities**
- **1.10 The State does not seek to block or filter Internet content unless laws provide for restrictions that serve a legitimate interest and are necessary in a democratic society**
- **1.11 Civil society in general and media lobby groups actively advance the cause of media freedom**
- **1.12 Media legislation evolves from meaningful consultations among state institutions, citizens and interest groups**

Summary of the report: a locally based analysis of the media landscape - Thailand

▪ SECTOR 2

Average score 2.4

The media landscape, including new media, is characterised by diversity, independence and sustainability

- 2.1 A wide range of sources of information (print, broadcasting, Internet) is accessible and affordable to citizens.
- 2.2 Citizens' access to domestic and international media sources is not restricted by state authorities.
- 2.3 Efforts are undertaken to increase the scope of circulation of the print media, particularly to rural communities.

Summary of the report: a locally based analysis of the media landscape - Thailand

- **SECTOR 2**
- **2.4 The editorial independence of print media published by a public authority is protected adequately against undue political interference.**
- **2.5 Adequate competition legislation /regulation seeks to prevent media concentration and monopolies.**
- **2.6 Government promotes a diverse media landscape with economically sustainable and independent media outlets.**
- **2.7 All media fairly reflect the voices of both women and men.**

Summary of the report: a locally based analysis of the media landscape - Thailand

- **SECTOR 2**
- **2.8 All media fairly reflect the voices of society in its ethnic, linguistic, religious, political and social diversity.**
- **2.9 The country has a coherent ICT policy, which aims to meet the information needs of all citizens, including marginalised communities.**
- **2.10 Government does not use its power over the placement of advertisements as a means to interfere with editorial content.**
- **2.11 The advertising market is large enough to support a diversity of media outlets.**

Summary of the report: a locally based analysis of the media landscape - Thailand

- **SECTOR 3** **Average score** **3.6**
- **Broadcasting regulation is transparent and independent; the State broadcaster is transformed into a truly public broadcaster**
- **3.1 Broadcasting legislation has been passed and is implemented that provides for a conducive environment for public, commercial and community broadcasting.**
- **3.2 Broadcasting is regulated by an independent body adequately protected by law against interference whose board is appointed – in an open way – involving civil society and not dominated by any particular political party.**

Summary of the report: a locally based analysis of the media landscape - Thailand

- **3.3 The body regulates broadcasting services and licences in the public interest and ensures fairness and a diversity of views broadly representing society at large.**
- **3.4 The state/public broadcaster is accountable to the public through a board representative of society at large and selected in an independent, open and transparent manner.**
- **3.5 Office bearers with the State and political parties, as well as those with a financial interest in the broadcasting industry, are excluded from possible membership on the board of the state/public broadcaster.**

Summary of the report: a locally based analysis of the media landscape - Thailand

- 3.6 The editorial independence of the state/public broadcaster from political influence is guaranteed by law and practised.
- 3.7 The state/public broadcaster is adequately funded in a manner that protects it from arbitrary interference through its budget and from commercial pressure.
- 3.8 The state/public broadcaster is technically accessible in the entire country.

Summary of the report: a locally based analysis of the media landscape - Thailand

- **3.9 The state/public broadcaster offers diverse programming formats for all interests.**
- **3.10 The state/public broadcaster offers balanced and fair information in news and current affairs, reflecting the full spectrum of diverse views and opinions.**
- **3.11 The state/public broadcaster offers as much diverse and creative local content as economically achievable.**
- **3.12 Community broadcasting enjoys special promotion given its potential to broaden access by communities to the airwaves.**

Summary of the report: a locally based analysis of the media landscape - Thailand

- **SECTOR 3**
- The panelists only scored for the public broadcaster, Thai Public Broadcasting Service (TPBS) which means that other televisions and other state broadcasters, for example, the National Broadcasting of Thailand (NBT) or the Mass Communication Organizations of Thailand (MCOT) are not included. (Score 3.4 – 3.11)

Summary of the report: a locally based analysis of the media landscape - Thailand

- **SECTOR 4** **Average score** **2.3**
- **The media practise high levels of professional standards**
- **4.1 The media follow voluntary codes of professional standards, which are enforced by self-regulatory bodies that deal with complaints from the public.**
- **4.2 The standard of reporting follows the basic principles of accuracy and fairness.**
- **4.3 The media cover the full spectrum of events, issues and cultures, including business / economics, cultural, local and investigative stories.**

Summary of the report: a locally based analysis of the media landscape - Thailand

- 4.4 Equal opportunities regardless of race, social group, gender/sex, religion, disabilities and age are promoted in media houses.
- 4.5 Journalists and editors do not practise self-censorship.
- 4.6 Owners of established mainstream private media do not interfere with editorial independence.
- 4.7 Journalists and media houses have integrity and are not corrupt.

Summary of the report: a locally based analysis of the media landscape - Thailand

- 4.8 Salary levels and general working conditions for journalists and other media practitioners are adequate.
- 4.9 Media professionals have access to training facilities offering formal qualification programmes as well as opportunities to upgrade skills.
- 4.10 Journalists and other media practitioners are organised in trade unions and/or professional associations.

Summary of the report: a locally based analysis of the media landscape - Thailand

- **SECTOR 1. Freedom of expression, including freedom of the media, is effectively protected and promoted**
Average score 2.6
- **The Constitution of the Kingdom of Thailand, B.E. 2550 (2007) guarantees freedom of expression in several articles**
- **In practice, however, freedom of expression is restricted through a**
number of laws ranging from the Internal Security Act B.E. 2550, (2007)
to the *lèse majesté* legislation (Art. 112).

Summary of the report: a locally based analysis of the media landscape - Thailand

- Thai citizens and journalists still assert their right to freedom of expression - but with a certain and palpable degree of fear. Afraid of being arrested and charged with serious offences such as treason or *lèse majesté* both citizens and journalists think twice about criticizing powerful institutions such as the judiciary or the monarchy.
- This submission to the powers-that-be includes citizens being afraid of powerful media institutions or local mafias and in the Deep South, of insurgents and the army
- Civil servants being afraid of politicians
- Media professionals being afraid of media owners.
- Citizens being afraid of a witch hunt in the new social media networks

Summary of the report: a locally based analysis of the media landscape - Thailand

- In such a climate of fear, acerbated by the intense political polarization over the last years, journalists increasingly revert to self-censorship
- Self-censorship is driven by political pressure, business competition and by the behavior of media proprietors
- In the Deep South, for instance, the close relationship between journalists and officers of the security forces leads to a biased coverage.
- Journalists lack the confidence and courage to not follow the agenda of the state because they are afraid of being charged with threatening national security or under *lèse majesté*.

Summary of the report: a locally based analysis of the media landscape - Thailand

- **After the military coup d'état the National Legislative Assembly, B.E. 2549 (2006) had seized the opportunity to expedite the passage of laws that generally advance freedom of expression and a Public Broadcasting Service.**
- **But the Computer Crime Act, B.E. 2550 (2007) was used by State agencies for restricting freedom of expression. Thousands of websites considered to defame the monarchy were blocked during the crisis of B.E. 2553 (2010). As a result the legitimacy and the character of these laws is contested between the political parties and within the media sector.**

Summary of the report: a locally based analysis of the media landscape - Thailand

- **The Official Information Act, B.E. 2540 (1997) guarantees the right of all citizens to have access to public information. But the process of accessing official information according to the Act remains cumbersome and time-consuming.**
- **As news sources are not protected by law, state authorities and the courts often put pressure on the media to reveal their confidential sources of information.**
- **There are very few civil society organisations advocating freedom of expression. And where they exist, they don't work together effectively. In line with the recent political polarisation, some of these groups don't bother about defending media freedom, but rather endorse the government's crackdown on media outlets operated by their political opponents.**

Summary of the report: a locally based analysis of the media landscape - Thailand

- **SECTOR 2 The media landscape, including new media, is characterised by diversity, independence and sustainability**
Average score 2.4
- The Thai media landscape is characterized by a wide range of sources of information from newspapers, broadcasting stations and the internet.
- There are 524 mainstream radio broadcasters, some 8.000 community radio stations
- Six terrestrial TV stations, 30 satellite TV operators, 800 cable television operations
- 30 newspaper titles of which 25 are national titles, two in English, two in Chinese and one Malayu.
- There are 28 Internet Service Provider (ISPs) and eight wireless communication service providers

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- Radio and TV is accessible to 95% of the population.
- Only about a 1/3 of the Thai population has access to newspaper and print media
- 15 % to cable TV and 40% to community and local radio with
- An internet penetration rate is 20-22%.
- The print media are focusing more on diversifying into the new media such as satellite broadcasting, subscription of news service via mobile phone short-messaging and online newspapers
- Media accessibility in rural areas depends on its profitability and the accent would be on entertainment, sports and local news.

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- Despite the National Broadband Plan by the Ministry of Information and Communication Technology setting the goal that half of the population should have access to broadband service within five years
- The government has not succeeded in bridging the digital divide between cities and rural areas.
- The government has no policy to promote the diversity of media, particularly private media.
- It shows no qualms about shutting down media outlets that express non-mainstream opinions like community radios that support the “United Front for Democracy Against Dictatorship” (UDD).

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- Media content reinforces gender stereotype, bias and patriarchy rather than gender equality.
- Nor is the content accurately reflecting the voices of ethnic minorities, migrant workers, of people from different faith and other disenfranchised groups.
- Thai media organizations have no policy to promote gender sensitivity or equal employment opportunities. Discrimination exists in both overt and subtle forms.

Summary of the report: a locally based analysis of the media landscape - Thailand

- The advertisement market in Thailand is large enough to sustain a wide variety of media.
- 60 percent of ad-spend goes to TV.
- The government still interferes with editorial content by using its power over the placement of its advertisements to punish those who don't endorse its actions.
- This interference is often accomplished through “power relationships” with senior editors by threatening them with the withdrawal of advertorials by government agencies or state owned enterprises.

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- The three broadcasting laws B.E. 2543/2551/2553 (2000/2008/2010) dealing with the regulatory aspects of the Telecommunications and Broadcasting sector could be a new landmark in prescribing a conducting environment for a three tier classification in private, public and community broadcasting services.
- It was the citizens' new awareness about the importance of a public space and the almost accidental transformation of the private ITV-Channel, owned by the ousted Prime Minister Thaksin Shinawatra, that had made this set of progressive (public) broadcasting acts possible.

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- The Thai Public Broadcasting Service Act, B.E. 2551 (2008) has created an adequate framework for a Public Broadcaster that, during the time of crisis, performed better than others.
- If *TPBS* has a bias, it is its perceived catering for middle class and adult viewers in urban areas at the expense of the rural poor.

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- All that is missing for the establishment of an internationally exemplary Public Broadcasting Service is the overdue implementation of the legal requirements of these laws, particularly the setting up of the independent regulator.
- **With an estimated 8,000 radio stations community broadcasting has become a vibrant sector of the Thai media.** Yet, community radio enjoys a freedom by default. The regulatory vacuum leaves community stations open to political and commercial exploitation. The government fails to nurture the independence and viability of community radios.

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- **The process of self-regulation in the Thai media is lacking.**
- **The *TPBS*, the *Bangkok Post* and the *Nation* have their own codes of ethics. Nonetheless, the practice of self-regulation lacks credibility in the eye of the public, as it seems to be the rule that journalists don't expose their comrades in arms.**
- **Without a visible and credible enforcement of professional standards readers or viewers don't bother to bring up their grievances.**

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- The intense commercial competition within the media industry has resulted in partisanship as well as sensationalism.
- The national media focus their attention on Bangkok as the centre at the expense of the periphery.
- Investigative reporting is minimal or non-existent.
- Proprietors of major newspapers of the Thai and the English language press have of late been more inclined to interfere in editorial independence.
- Media owners interfere both discretely and openly when the gathering of news or political commentary results in exposing business affiliates or may threaten the generation of advertising revenue from the state or private companies.

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- **Most journalists and media houses have integrity and are not seen as being corrupt.**
- However, in some cases the practice of offering bribes to journalists has taken a much more sophisticated form, rather than the straightforward offer of cash or gifts: privileges, invitations to trips abroad or the sponsorship of activities by professional associations.
- Although the starting salary of media practitioners corresponds with academic qualifications, the main problem is that the pay rise during the first 10-20 years is lower as than in comparable professions. **Many media organizations offer rather low basic salary yet compensate this with other benefits.**

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- Public and private universities offer over thirty journalism and broadcasting degree programmes. But the media houses complain that these undergraduates hardly meet the professional requirements in the job market.
- At the same time capacity-building and skills development for editorial staff is sporadic and unsystematic with senior editors being reluctant to cooperate in this matter.
- Unionisation is prohibited in most media establishments, be they private print or state-owned media.
- Where unions exist, they tend to focus more on salaries and benefits rather than on wider working conditions or issues of transparency.

Summary of the report: a locally based analysis of the media landscape - Thailand

- All in all, the Thai media landscape is characterised by a wide variety of news sources, a surprisingly independent public broadcaster, a vibrant community radio sector and an increasing appetite for independent information among the general public.
- But the growing political polarisation before and in the wake of the violent clashes between “yellow shirts” and “red shirts” in 2010 has brought impending media reforms to a halt, replaces freedom of expression with (self)-censorship and threatens the independence of the media from both sides of the political divide.

**Thank you
for the participation**