

ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ගැසට් පත්‍රය

අති විශේෂ

The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1890/2 - 2014 නොවැම්බර් මස 24 වැනි සඳුදා - 2014.11.24

No. 1890/2 - MONDAY, NOVEMBER 24, 2014

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

MEDIA GUIDELINES TO BE FOLLOWED BY THE ELECTRONIC AND PRINT MEDIA RELATING TO THE PRESIDENTIAL ELECTION TO BE HELD ON 08TH JANUARY 2015

Introduction

FREEDOM of expression and reporting of correct and unbiased views and information by the radio, television and print media is an integral symbol and a basic characteristic of democracy. The manner in which the media use their freedom carries an obligation to serve the society and public as a whole. The media institutions have a responsibility to conduct their operations in a professional manner and to respect the rights of readers and viewers. The media must enrich the daily life of the people through information, education and entertainment. They must provide for the fair discussions and debates of matters of public concern. Similarly, news reporting and editorials should be unbiased.

Expression of views of a controversial nature should give fair representation to opposing sides of issues. Consideration should be given to provide an adequate time /space for the requests made by individuals, groups and organizations to present their views on these issues.

During the period of election, the media have a special responsibility to encourage the participation of the public in the democratic process and to ensure that the presidential candidates have the opportunity to be informed on the different matters.

Taking the above mentioned expectations into consideration and having regard to the powers vested in me, the following guidelines are formulated to be followed by all Media Institutions during the period of future elections.

In terms of Article 104 B (5)(a) of the Constitution of the Democratic Socialist Republic of Sri Lanka as amended by the Seventeenth and Eighteenth Amendments and the powers, duties and functions conferred, imposed and vested in the Commissioner of Elections and in particular to ensure voting at the above election shall be free, equal and by secret ballot, I, Mahinda Deshapriya, Commissioner of Elections, do hereby give the following guidelines to be followed by all electronic and print media.



This Gazette Extraordinary can be downloaded from www.documents.gov.lk

1. All telecasting, broadcasting and print media shall be balanced and impartial in their reporting of presidential election related matters and shall not discriminate against any candidate or any party leader in granting access to airtime and allotting space in the newspapers ;
2. All media institutions shall provide accurate, balanced and impartial information in their news bulletins and current affairs ;
3. Owing to the tendency for editorial opinion to be confused and biased, electronic media are urged not to broadcast editorial opinions. However, if editorial opinion is broadcasted for any reason whatsoever, it is obliged also to broadcast and telecast materials to the contrary as well, if a request is received ;
4. It is an obligatory part of the news and current affairs section of all institutions not to air any programme during the campaign period, unless the contents of the programme are balanced ;
5. If any material is broadcast covering an incident or event with comments of any candidate, all other parties that have any interest or are concerned or are likely- to be affected should also *be* given coverage in the same news item or programme. If it is not possible to do so during the broadcast, the coverage should be given on the following day ;
6. Any documentary programme or special programme that is broadcast during the period of election should disclose the names of the script writer, announcer and the editor ;
7. Discussions, debates and such programmes which were published or broadcasted on earlier occasions should not be repeated or re-broadcasted during the 48 hour period prior to the date of poll ;
8. Air time of any programme or news bulletin should not be utilized for unsubstantiated allegations against candidates contesting presidential election until the presidential election is concluded ;
9. All institutions shall act carefully to not give any advantage or to cause any disadvantage to a candidate on airing news or programmes not related to the election such as coverage of official functions and crimes.
10. Coverage by the Radio or Television of speeches / views expressed by the President or Prime Minister or Government Ministers should be treated as a coverage given for the political party to which he belongs and therefore leaders of rival political parties contesting for the election should be given similar programmes. The print media should similarly provide equal space and priority to all the contesting political parties in publishing special discussions, reporting of campaign meetings.
11. A candidate should not be given special favours in air time or in the print media to promote his/her election or to cause any disadvantage to any other candidate.
12. Refrain from publishing or broadcasting lectures, interviews, etc. with public officers which promote any contesting candidate.
13. All the electronic media institutions should act fairly in selecting participants for panel discussions and as such, the composition of a discussion should be balanced. Refrain from directing programmes to cause any disadvantage to any representative who has poor language proficiency. When publishing interviews of politicians with poor language proficiencies, print media shall not create uncomfortable situations to them. Information obtained through vague and incomprehensible questions to understand should not be published.
14. All phone-in programmes should give fair opportunities for all callers irrespective of the content of their questions or suggestions. Directors and others engaged in organizing such phone-in programmes should be answerable for such imbalanced phone-in programmes.
15. If any Chairperson, Member of the Board of Directors or employees of any electronic or print media institution actively engages in political activities, such activities may cause conflicts in balanced broadcasting. Hence, such persons shall inform of the following in writing to the management.

- (a) The level of involvement of such persons ;
 - (b) The nature and level of such persons' employment ;
 - (c) Extent of involvement of such persons in programme making.
16. When an individual holding a leading post in a recognized political party (Leader, Chairman, Secretary, National Organizer, Treasurer, Deputy Leader, Vice Leader, Senior Deputy Chairman or a post with such similar powers) and holding a dominant offices as Chairman/ member of the Board of Directors, Chief Executive/ Chief Editor of a media institution, and if he is a presidential candidate or if his/her party contesting directly or under a recognized alliance, such person should refrain from actively engaging in duties of his/her post of such media institution *alias* directing such media . If such person is contesting as a candidate while holding a leading office in a contesting party at an election, he/she should refrain from directing programmes of a political nature in television or radio media institution and he/she should also not publish his/ her own political articles through that media ;
17. When a person refuses to participate in a discussion or interview and chooses not to offer reasons for absence, the media institution shall respect that position. Dramatic devices such as an empty chair may not be employed to underline a refusal but it is encouraged to employ a simple and direct announcement in that instance ;
18. **A broadcaster who broadcasts or print media that publishes the result of an opinion poll should identify the organization that conducted the poll, the organization of person that commissioned and paid for the poll, methodology employed, the sample size, margin of error and the fieldwork date. In addition the broadcaster or publisher should state that the poll reflects the public opinion only at the time of the poll was taken.**
19. No programme where a candidate promotes candidature of another contestant be broadcasted or telecasted ;
20. Media personnel should not engage in taking photographs or videoing inside of polling stations or postal voting stations as the Commissioner of Elections has prohibited such activities without his written consent. Any illegally obtained photographs or video recordings should not be published in newspapers or through electronic media ;
21. It is considered vital that a period of silence prevails just before the date of poll to enable the voter to contemplate and consider the pros and cons of various policies announced and promises made by political parties and candidates during the election campaign. **The electronic and print media are therefore requested to refrain from broadcasting, televising or printing of discussions, debates, advertisements, etc. related to the election at least for 48 hours prior to the date of presidential election.**

Management of all print and electronic media are kindly requested to adhere and observe these guidelines till the results of the Presidential Election held on 08th January 2015 are issued, thus cooperate with us in conducting a free and fair election.

MAHINDA DESHAPRIYA
Commissioner of Elections

Elections Secretariat,
Sarana Mawatha,
Rajagiriya,
24th November 2014.

12-650