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<http://www.rsf.org/burma-retrograde-bill-threatens-07-03-2013,44176.html>

Asia - Burma

No consultation

Retrograde bill threatens tentative progress

7 March 2013

Although eight privately-owned dailies are to be launched on 1 April in a development that is without precedent in the past 40 years, Reporters Without Borders is very concerned about a proposed new law on printing and publishing that was submitted to parliament on 4 March.

The bill was drafted without consulting local media associations and contains articles that threaten media freedom.

Section 4, Article 8 of the bill says newspapers may be declared "illegal" in certain cases, including for such vaguely defined offences as publishing material that could "be dangerous for national reconciliation or hurtful for religions (Section 3, Article 7 A), "disturb the rule of law" (Section 3, Article 7 B) or "violate the constitution and other existing laws" (Section 3, Article 7 E).

Section 6, Article 17 says, "no one may sell, publish, print, distribute, export or import newspapers declared illegal in accordance with Article 8." The penalties for violating the law are severe – jail terms of up to six months for journalists and fines of up to 12,000 dollars for publishing without permission (Section 7, Article 20).

"We congratulate the Burmese government for approving the publication of privately-owned dailies, which is a big step forward and shows that the country's leaders want to put an end to the military propaganda of the past," Reporters Without Borders said.

"But we are worried by repressive provisions in the new draft law on printing and publishing. The government must scrap this bill, which would endanger the fragile progress that Burma has made since the reform process began in 2011. It is important that the government should work with the Press Council on the drafting of new media laws, as originally agreed."

Drafted by the government and intended to replace the 1962 Printers and Publishers Registration Act, the proposed new law on printing and publishing was published in the state-run *New Light of Myanmar* newspaper on 27 February and was submitted to parliament on 4 March.

Local media associations were not consulted in the drafting process and were unable to make any suggestions. National and international organizations that defend media freedom have voiced strong criticism of the bill. Defending the bill on 4 March, information ministry public relations chief Ye Tint [said](#): "There are no conditions [in the bill] that would affect media and press freedom. If there is no news relating to state security, then there is no problem."

The anger of local media groups about the bill is all the greater because they reached an agreement with the government in August 2012 to form a 30-member Press Council, with 10 members appointed by the government, and because information minister Aung Kyi had promised to consult with the media about the future media law.

In protest, the Press Council has announced that it is drafting its own law, while the Myanmar Journalists Association, the Myanmar Journalists Network and the Myanmar Journalists Union all issued statements last weekend condemning the government's bill.

Despite the dismay about the government's bill, there has been considerable progress on

other fronts. The Press Supervisory Central Committee announced on 1 March that it was giving provisional authorization for eight privately-owned daily newspapers to begin publishing on 1 April.

This followed the information ministry's announcement on 22 December that applications for permission to publish a privately-owned daily newspaper could be submitted from 1 February.

The ministry also announced that it intended to allow newspapers to publish in the languages of Burma's ethnic minorities for the first time since 1962 (this having been banned by the 1962 Printers and Publishers Registration Act).

Of the 17 applications to publish dailies that were received, 14 were considered and eight were approved. Three others are still being considered.

Those approved are *Shwe Ngainngan Thit*, to be published by Shwenainggan Media; *Khit Moe*; *Union Daily* to be published by the ruling Union Solidarity Development Party; *Empire*; *The Messenger*; *Breaking News Daily*; *Myanmar Newsweek Daily*, to be published by Ever Win Media (owned by Tin Aung Khine, who accompanied President Thein Sein on a recent European visit); and *Mizzima*, to be published by the former exile *Mizzima* media group.

Burma rose 18 places in the [2013 Reporters Without Borders press freedom index](#) and is now ranked 151st out of 179 countries.

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