

# OFFICE OF CENSORSHIP

## MUSIC FORUM – MOMASE REGION

**FEBRUARY 18 – 19, 2025**

LAE INTERNATIONAL HOTEL, LAE, MOROBE PROVINCE

PRESENTER: MR. STEVEN LAPUN

**"EXERCISE FREEDOM WITH RESPONSIBILITY"**

# PURPOSE

- To inform the music industry about the existing laws around publications and other laws relating to the same
- To collect views of the music industry players and how they can contribute into developing a Music Classification Guideline that will help develop a standard for Censorship Regulations

# OUTLINE

## 1. The Office of 'CENSORSHIP'

- Legislation
- Functions

## 2. Censorship Board

- Functions

## 3. Freedom of Speech and Freedom of Expression

- International Laws
- PNG Laws

## 4. Music Classification Guidelines

- KEY AREAS

## 5. Summary

# OFFICE OF CENSORSHIP

## LEGISLATION

**CLASSIFICATION OF PUBLICATION (CENSORSHIP) ACT, 1989** was certified on the 4<sup>th</sup> of December, 1989.

❑ Ministry for Religion, Youth and Community Development

## FUNCTIONS

Primary role of the office according to its legislation.

Being an Act to provide for:

- a) the classification of publications; and
- b) the prohibition of objectionable and unclassified publications; and
- c) related purposes,

## Recent Developments:

**Review and Amendments has been completed in Dec 2024**

# CENSORSHIP BOARD

## **LEGISLATION:**

The Censorship Board of Papua New Guinea is established under Section 4 of the Classification of Publication (Censorship) Act 1989. Its membership functions, powers, terms and condition of the office are found in the same Act.

## **FUNCTIONS:**

- To formulate policies of Censorship.
- To set standards to which prohibiting and broadcasting of all publications shall conform.
- To decide on matters or goods including publications referred to it by the Chief Censor or on its own motion.
- To perform any other functions as may required under the Censorship Act or other law.

# OFFICE OF CENSORSHIP

**VISION:** ‘To have a responsible mass media and public communication system that respects the inherent dignity of human being and their value system and protect and promote decent behaviors of people in communities’.

**MISSION:** ‘to create an environment that protects our people from indecent information and materials and to promote a high moral and ethical society in Papua New Guinea’

**GOAL:** ‘To ensure mass media and public communication system are free from all forms of unwanted and offensive content which is incompatible with the Christian values and traditional social norms of the people of Papua New Guinea’.

# FREEDOM OF SPEECH/ EXPRESSION

## UNIVERSAL DECLARATION OF HUMAN RIGHTS

### ARTICLE 19: Freedom of Expression & Opinion

*“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference (freedom of opinion) and to seek, receive (access to information) and impart information and ideas through any media regardless of frontiers (freedom of expression)”*

## INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (ICCPR Version, Article 19)

Later amended this by stating that ‘and may therefore be subjected to certain restrictions when **THE EXERCISE OF THESE RIGHTS CARRIES SPECIAL DUTIES AND RESPONSIBILITIES**’ necessary for the respect of the rights or reputation of others or for the protection of national security or for public order, or of public health and **MORALS**.

# **FREEDOM OF SPEECH/ EXPRESSION**

- **Constitution of the Independent State of Papua New Guinea (1975)**
- **Classification of Publication (Censorship) Act, 1989**
- **The Vision 2050 (2007)**
- **National Censorship Policy II 2021 – 2025**



# Constitution of the Independent State of Papua New Guinea

## PART III – Basic Principles of Government,

### Division 3 – Basic Rights

#### Subdivision C – *Qualified Rights*

#### Subsection 46. FREEDOM OF EXPRESSION

##### 46. FREEDOM OF EXPRESSION.

(1) Every person has the right to freedom of expression and publication, except to the extent that the exercise of that right is regulated or restricted by a law–

- (a) that imposes reasonable restrictions on public office-holders; or
- (b) that imposes restrictions on non-citizens; or
- (c) that complies with Section 38 (*general qualifications on qualified rights*).

(2) In Subsection (1), “**freedom of expression and publication**” includes–

- (a) freedom to hold opinions, to receive ideas and information and to communicate ideas and information, whether to the public generally or to a person or class of persons; and
- (b) freedom of the press and other mass communications media.

(3) Notwithstanding anything in this section, an Act of the Parliament may make reasonable provision for securing reasonable access to mass communications media for interested persons and associations–

- (a) for the communication of ideas and information; and
- (b) to allow rebuttal of false or misleading statements concerning their acts, ideas or beliefs,

and generally for enabling and encouraging freedom of expression.

# Classification of Publication (Censorship) Act, 1989

## PART I. - PRELIMINARY.

### 1. COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS.

(1) This Act regulates or restricts the exercise of-

(a) the freedom from arbitrary search and entry conferred by Section 44 of the *Constitution*; and

(b) the freedom from expression conferred by Section 46 of the *Constitution*; and

(c) the right to privacy conferred by Section 49 of the *Constitution*; and

(d) the right to freedom of information conferred by Section 51 of the *Constitution*,

# The Vision 2050 - Pillar 6

## **1.17.10 Spiritual, Cultural and Community Development**

- 1.17.10.1** Increase the role of churches in the provision of basic health services from the current 46 percent<sup>15</sup>;
- 1.17.10.2** Increase the role of churches in the provision of basic education services from the current 50 percent<sup>16</sup>;
- 1.17.10.3** Increase the role of churches in secondary schools from the current 30 percent<sup>17</sup>;
- 1.17.10.4** Increase the role of churches in vocational schools from the current 41 percent<sup>18</sup>;
- 1.17.10.5** Regulate the production and sale of gender discriminatory songs;
- 1.17.10.6** Regulate foreign television and newspaper advertisements; and
- 1.17.10.7** Develop a clear NGO-Government Partnership Framework.
- 1.17.10.8** Establish a Center for Civil Society

# National Censorship Policy II 2021 - 2025

## **Chapter 3. Policy Focus Areas and Strategies**

### **• REGULATION OF MUSIC INDUSTRY**

Overtime the music industry in Papua New Guinea has produced songs that are considered inappropriate for general public consumption, in particular young children.

- Producing and publishing of inappropriate songs widely using social media platforms has attracted a lot of complaints from the general public as much of it is against our traditional values and morality.
- This has caused The Office of Censorship to look into the regulation of music and develop a standard guideline for the music industry.

# **“MUSIC IS A POWERFUL MEDIUM”**

It can both inspire positive emotions and have an overpowering impact on people's lives...

## ***HOWEVER***

When hate speech is contained in music, it can become harmful and carry on harmful ideologies. Words that intent to create hatred towards a particular group, that group may be a community, religion or race. This speech may or may not have meaning, but is likely to result in violence.

# MUSIC CLASSIFICATION

- Is the **evaluating and analysing of lyrics and themes/contexts** portrayed in songs.
- Its **purpose** is to ensure that music does not contain explicit content that would be considered offensive, harmful or inappropriate for certain individual or groups either ethnical, racial, religious or by gender.
- It ensures fairness and protection **for all parties** involved in the creation, distribution and consumption of music.

# MUSIC GUIDELINE

Music Content Regulation can be carried out by various entities including governments, music industry bodies, broadcasters and social media companies. These entities may set guidelines and standards acceptable in music and may monitor and enforce penalties for violations.

# GUIDELINE KEY AREAS

*KEY AREAS that will be captured in the Guideline are;*

- ***Explicit Languages***
- ***Sexual Themes***
- ***Violence***
- ***Drugs and Alcohol Use***
- ***Blasphemy***
- ***Sedition***
- ***Hate Speech***
- ***Customs***
- ***Or any other aspect that is deemed offensive or immoral by any reasonable Papua New Guinea***

Content deemed inappropriate may be censored or restricted from public broadcast, and artists may face consequences such as fines or bans from future performances.



# SUMMARY

- It is important to distinguish between expressing opinions and promoting hate speech. While freedom of expression is a fundamental right, it does not extend to hate speech that targets individual or groups based on characteristics such as their race, religion, ethnicity, gender, or sexual orientation. Hate speech creates a toxic environment that goes against the principles of respect, understanding, and inclusivity.
- Music has the power to bring people together, inspire change, and spread messages of love and unity.

# CONTACT INFORMATION

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**"Self Respect & Human Decency"**

# REFERENCES

- Universal Declaration of Human Rights *p.5, Article 19*
- International Convention on Civil and Political Rights *p.11, Article 19. 1,2,3 (a), (b)*
- The Constitution of the Independent State of Papua New Guinea *p.29 Freedom of Expression*
- Vision 2050 *p.10, Spiritual, Cultural and Community Development*
- Classification of Publication (Censorship) Act, 1989
- National Censorship Policy II 2021 – 2025 *p.30, 3.4 Regulation of Music Industry*
- *Digital Government Bill, 2022*