

MALAYSIAN MEDIA LANDSCAPE

A SNAPSHOT OF 2021





The Centre for Independent Journalism (CIJ) is a feminist, freedom of expression watchdog and non-profit organisation that aspires for a society that is democratic, just and free, where all peoples will enjoy free media and the freedom to express, seek and impart information.

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Data disclaimer: The data and statistics presented in this report are from CIJ's monitoring of online media reports from January 2021 to April 2022. It does not include every instance of unethical media reporting or the use of repressive laws against the media. Besides that, for the purposes of this brief, only selected cases were included. The data can, therefore, vary from official government statistics or data from other human rights organisations. However, while this already extensive list of cases is certainly non-exhaustive, the necessary contexts and trends can still be made apparent through the sample of cases included in this brief.

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1. Media Landscape Overview

a. Changes in Political Landscape

Several major changes to the political landscape in Malaysia took place in the last year. In January 2021, then prime minister and Parti Pribumi Bersatu Malaysia (PPBM) President Muhyiddin Yassin announced an [Emergency Proclamation](#). The official reason given was so the country could curb the spread of COVID-19 more effectively, although it was clear that it could also give the embattled prime minister another political lifeline.

Malaysia's political crisis took a turn for the worse in August 2021 after Muhyiddin [lost support](#) from the United Malays National Organisation (UMNO) Members of Parliament and his Cabinet was [dissolved](#). However, even after UMNO Vice-President Ismail Sabri Yaakob was [sworn-in](#) as the new prime minister, public rumblings have taken place within Ismail's government coalition, proving that the political crisis was far from over.

These political moves have had direct repercussions on social media users. Ordinary social media users started being hauled up and investigated if they were critical, satirical or merely questioning topics and events seen as "sensitive". Take, for instance, the Malaysian Communications and Multimedia Commission (MCMC)'s attempt in December 2021 of [removing Twitter posts](#) that were seen as "obscene" for being critical of the government's alleged mishandling of the flood disaster.

The situation was made worse with the introduction of the [Emergency \(Essential Powers\) \(No. 2\) Ordinance 2021](#) [EO2] in March 2021. The law, since [repealed](#), provided for a RM100,000 fine, three-year imprisonment term or both for the dissemination of COVID-19 and Emergency Proclamation-related "fake news". It also gave anyone found to have published such "fake news" a 24-hour notice to take down the posting or be liable to an RM100,000 fine, and allowed for the police to take "necessary measures" to take down "fake news", subject to a court order. There were [30 instances](#) where this law was invoked last year.

Despite the change in government, there was also a continued lack of political will in establishing the Malaysian Media Council (MMC). The matter has yet to be taken up even after it was raised during a meeting between relevant stakeholders, including the Centre for Independent Journalism (CIJ), with Communications and Multimedia Minister Annuar Musa in November 2021.

b. Economic Situation in Malaysia

Malaysia's economic performance in 2021 was indicative of a momentum of momentum, recording a [3.1% growth](#). In contrast, it was a 5.6% decline in 2020. The [rebound in economic activity](#) was attributed to recovery in the labour market, continued policy support and strong external demand. The media, which was hit hard because of changes in consumer behaviour and shutdowns as a result of the pandemic, also did better in 2021.

The media, especially traditional print media, already faced financial difficulties before the COVID-19 pandemic, yet continued to [suffer in 2020](#) due to a reallocation of spending by advertisers and dwindling income of subscribers. This led to drastic drops in income for media companies. However, the situation got better in 2021 with increased advertising revenue.

Advertisement revenue for the media [recorded a rise](#) in 2021. Despite experiencing a 20% contraction in 2021, an increase by 15.4% to RM5.1 billion was forecasted. Digital advertising and television spending was also projected to increase. Complementing these trends, CIJ observed fewer cases of newspapers or media publications closing down or stopping their print editions (but those that did include [The Malaysian Reserve](#) and [Oriental Daily](#)) or journalists being let go, as compared with [2020](#).

Notably, the second quarterly revenue for Media Prima Bhd, Malaysia's largest media and entertainment conglomerate, [rose 23.77% year-on-year](#) to RM292.45 million, with the RM56.17 million spike attributed to higher advertising revenue as a result of increased advertising spending during Hari Raya. Generally, Media Prima fared well in 2021 despite the tougher economic conditions made worse by the pandemic; the company posted a net profit of RM13.42 million for the same quarter, up from a net loss of RM20.11 million in 2020.

However, some media organisations did feel the pinch as a result of lower advertising revenue. For instance, Astro Malaysia Holdings Bhd's quarterly revenue for the third quarter of 2021 [declined 3.58%](#) to RM1.02 billion from RM1.06 billion, and this was attributed to lower subscription, advertising revenues and merchandise sales as a result of COVID-19. The previous quarter [saw a similar decline](#): a drop of 2.8% from RM1.09 billion to RM1.06 billion that was attributed to a decline in subscription revenue, but was offset by an increase in advertising revenue, among others. Notwithstanding, [stronger earnings were forecasted](#) for Astro in light of the phased reopening of the country's economy and recent developments, such as a partnership with Netflix.

c. COVID-19 and its Impact on Journalists

Since the emergence of COVID-19, the media in Malaysia experienced numerous challenges in carrying out their role as frontliners amid the challenges of the pandemic.

The [delay of the COVID-19 vaccination programme](#) for over 5,000 media personnel from February to [June 2021](#) was one of the main issues, given the heightened need to safeguard their health, maintain safety and ensure compliance with the necessary COVID-19 risk mitigation measures.

It was concerning that the National Union of Journalists of Peninsular Malaysia (NUJ) had to [issue a call](#) to media practitioners who are not vaccinated to refrain from going for any field reporting or coverage in public places, since the government did not prioritise their vaccinations as they did with other frontliners. To make matters worse, it was reported that staff at one media outlet [got vaccinated](#) before media outlets and news portals under NUJ's umbrella got the green light from the government to get their vaccination, illustrating problems with the vaccination roll-out.

As journalists continue to put themselves at the frontlines to do their job, their health should also be prioritised by the government. Access to vaccinations, COVID-19 preventive gear like face masks and face shields, and safe working environments should be a given for media personnel.

Meanwhile, between 2021 and 2022, certain press conferences by government ministers continued to be accessible only by “official” State-owned and State-friendly media, as was the case in [2020](#). The reason was attributed to the COVID-19 pandemic and said to be in accordance with standard operating procedures (SOP) set by the National Security Council (NSC) and the Health Ministry, which meant that online media portals, which are usually more critical of the State, are often sidelined as a result.

In 2021, Muhyiddin Yassin’s press conferences as prime minister were restricted to only “official media”, according to observations made by [Gerakan Media Merdeka](#) (GERAMM). The press conferences of his successor, Ismail Sabri were also restricted to these official media. However, press conferences by the Health Ministry and the NSC (where Muhyiddin is chairperson) are open to all media.

CIJ also observed the continued use of “COVID-19” as a reason to restrict media coverage of Parliament, a trend that was similarly observed in 2020. Although not as frequently as the 2020 instances due to the Emergency Proclamation-imposed suspension of Parliament and state assembly sittings, the media were still restricted arbitrarily, with no valid reason.

In-person media coverage of the 13 September to 12 October 2021 parliamentary proceedings, for instance, was [limited to just 16 media agencies](#), similar to what happened during the [October 2020 sitting](#), with only minor changes to the list of permitted media agencies. There was a complete lack of transparency on the criteria for selection of these media. The trend continued into 2022, albeit with lesser restrictions on the type of media groups allowed to physically cover the [April 2022 Parliament sitting](#). Still, groups like Reuters and The Vibes were not on the permitted list.

Furthermore, CIJ observed inconsistencies and a lack of clear guidelines in ensuring and facilitating access to media personnel during state elections. Certain media personnel were restricted from entering nomination and voting tabulation centres during state polls.

According to GERAMM’s observations, returning officers used their discretion to restrict media presence during state polls. For example, during the Sabah state polls in September 2021, GERAMM noted media being allowed to enter the nomination and polling centre for the Lamag seat, while the media had to negotiate to be allowed entry into the nomination centre during the Johor state polls in March 2022.

There was also the April 2021 incident of reporters being denied by the Shah Alam City Council from [covering a public hearing](#) on the council’s draft local plan, reportedly because the invitation was not extended to the media but only to residents and other members of the public who lodged formal objections to the draft plan.

These instances of denying or limiting access clearly denote an attempt by the State to control the narrative, how information is to be made available to the public, and by whom. CIJ has

repeatedly called on the State to create an enabling environment for the media to operate during this time of public health crisis. COVID-19 must not be used as an excuse to restrict access and limit media freedom, ultimately denying the public access to timely and balanced information on public-interest issues.

Despite all these incidences, there were instances of positive updates reported last year. In January 2021, the Federal Court Chief Registrar's Office said the court [may consider](#) providing a room for live broadcasts with strict physical distance compliance, the use of face masks and hand sanitisers, or alternatively providing media coverage facilities through ZOOM in order to facilitate media coverage for public interest cases. This was a stark difference from the situation in 2020, where court reporters were [not allowed to cover court proceedings](#) due to stricter measures under the Movement Control Order (MCO); only videographers and cameramen were allowed inside court premises.

d. Misinformation and Disinformation within the information ecosystem

Increasingly, most people are relying heavily on online sources of information and news, including social media platforms, since these platforms have the ability to enable and strengthen social connections, especially during the pandemic. The Malaysian media landscape is being inundated with the polarisation of perspectives and the politicisation of vital information, partisan propaganda and disinformation. The social media space is being used and manipulated to spread misinformation or disinformation that either serves a particular political or racial agenda.

In particular, this is a serious threat to credible and reliable information on the pandemic as it has heavy consequences on the lives of public and related social and economic impacts - jeopardising COVID-19 preventative efforts, the vaccine rollout programme, and fuelling vaccine hesitancy.

Notable instances of COVID-19 related disinformation in the last two years include the “fake news” that Health Minister Khairy Jamaluddin had [not received his COVID-19 vaccine jab](#) although he had been vaccinated on live TV, and a viral video that named [school teachers who had allegedly died](#) after being vaccinated for COVID-19. Government health officials [took action against 14 social media posts](#) for COVID-19 misinformation that went viral during the course of the pandemic.

According to [SEBENARNYA.MY](#), a portal to fact check authenticity of information or news, even the flood incident in December 2021 had led to the spread of disinformation that involved alleged aid or [actions by the United Nations](#).

Disinformation also directly impacts at-risk communities, complementing the rise in concerted efforts to spread inhumane, xenophobic and misogynistic hate speech constituting incitement to discrimination, hostility and violence against such communities in online spaces. An infamous case is that of Rohingya activist [Zafar Ahmad Abdul Ghani](#), who allegedly demanded Malaysian citizenship for refugees (a false claim), which was disinformation that went viral on

social media. Despite it being false, the post continues to haunt Zafar, who has barely left his home for two years now out of fear for his life and his family.

Besides that, a spate of election-related misinformation and disinformation was observed ahead of the upcoming 15th general elections. For instance, a blogger was reported to have [disseminated false information to mislead postal voters](#) during the Johor state polls in 2021. [Race and religion-based rhetoric was also on the rise](#) during election periods, with the timing of certain topics indicating that they were raised by politicians to stir voters' emotions and influence their voting decision, such as the Timah controversy and the closure of 4D lottery shops in Kedah. This trend is worrying as the spread of disinformation takes away the right to engage in healthy political conversations that are important to Malaysians.

While social media and messaging platforms are key spaces where misinformation or disinformation are channelled or amplified, the role of contemporary media is critical in setting the agenda for public discourse and ensuring reliable, fact-based, responsible, balanced and ethical reporting.

Readers or consumers must be responsible and aware of the growing sophistication of disinformation tactics, including fraudulent sources, faux experts, inauthentic social media accounts, corrupted datasets and fake publications that aim to promote certain rhetoric, political agenda or propaganda. The media must promote and reinforce the role of verification through multi-sourcing, independent fact-checking and digital media literacy for all.

e. Media Plurality in Malaysia

Unlike other countries where specific anti-competition thresholds were laid down in ownership within specific media sectors (TV, radio, newspapers) and across media sectors¹, Malaysia has minimal competition regulations² in place to prevent large ownership or monopolies of media. As such, there exists a high concentration of media ownership in Malaysia within and across different media sectors – newspaper, radio, TV, etc.

For example, Media Chinese International Limited (MCIL), the leading Chinese media group in Malaysia with four major daily newspapers and a suite of magazine titles under its wing, [tops the Chinese newspaper industry](#) with 82.2% of the total average daily print and digital replica circulation sales copies of Chinese language newspapers in Malaysia. Furthermore, huge media conglomerates such as [Media Prima](#) owns 4 television channels (TV3, 8TV, ntv7 and TV9), Malaysia's largest publisher (The New Straits Times Press Berhad) with 3 national news brands (News Straits Times, Berita Harian and Harian Metro) and 4 broadcasts - Hot FM, Buletin FM, Fly FM and 8FM. Additionally, the group's advertising arm and digital arm, Media Prima Omnia and REV media Group, has its services currently addressing 98% of

¹ In France, there are rules that prohibit the same person, group of persons, or entities from owning, controlling or editing daily publications with total distributions that exceed 30% in the national territory of publications of the same kind and cross ownership restrictions which prohibit owners from holding on to specific concentration of across TV, radio and media.

² See Sections 138 and 139 of the [Communications and Multimedia Act \(CMA\) 1998](#) and the Malaysian Communication and Multimedia Commission (MCMC)'s [Guideline on Dominant Position in a Communications Market](#) for more.

Malaysian households(24 million) daily and about 75% of Malaysia's internet population (more than 15 million) each month respectively.

Political ownership of media is also a pertinent issue, where government parties or political groups directly own or run media organisations through their proxies or through the party's various companies. Besides that, the State also uses its financial instruments to invest in the media. The infamous example often cited is The Star Media Group, which is owned by the Malaysian Chinese Association (MCA). As of 2021, [MCA owns 43.2%](#) of the company's shares through AMSEC Nominees (Tempatan) Sdn. Bhd. Other major shareholders include Amanah Saham Bumiputera (holding 9% collectively through two companies), and Permodalan Nasional Bhd, a trust management company wholly owned by government-owned investment company. Previously, the Employees Provident Fund (EPF) and Lembaga Tabung Haji (TH) also held prominent shares at The Star Media Group.

Furthermore, Bernama and Radio Televisyen Malaysia (RTM) are government owned media placed under the Ministry of Communications and Multimedia³. The sitting Minister can [directly appoint](#) the CEO of Bernama. RTM manages 6 television channels (TV1, TV2, TV Okey, Berita RTM, Sukan RTM dan TV6) and 34 radio stations⁴.

A high concentration of media ownership or political ownership of media is troubling for journalism and media organisations for several reasons. For a start, political ownership of media can lead to an increase in commercial and political influence over the media organisation's content, which will undermine the media's objectivity, impartiality and independence if they have to "kowtow" to their masters⁵.

f. Global Ratings

Malaysia's status in the Reporters Without Borders (RSF) annual 2022 [Press Freedom Index](#) is at 113. It is a slight improvement from the rating of 119 in 2021, but still remains down compared to the 2020 index. For context, Malaysia's best ranking was just two years ago in 2020 (101st place).

The aforementioned issues and those listed in the rest of the report could play a large role of not achieving its ranking 2 years ago in the Reporters Without Borders (RSF) annual Press Freedom Index.

Above all, it shows that the government continues to use fear tactics, which have now possibly contributed to an environment where the media is more suppressed and less inclined to be overly critical.

As a media watchdog, CIJ is especially concerned that Malaysia's position on RSF's Press Freedom Index will not improve significantly if the government continues to undermine and threaten media freedom in Malaysia. The State will need to adopt progressive measures

³ See Bernama Official Site

⁴ See RTM Official Site

⁵ See pages 49, 56 and 70 of the [Monitoring Media Pluralism in the Digital Era](#) report by the Centre for Media Pluralism and Media Freedom for more.

aimed at facilitating an open, transparent and competitive environment that would ensure media viability and promote ethical and responsible reporting within the broader information ecosystem.

2. Fundamental Protection of Media and Infrastructure

a. Use of Oppressive Laws and Media under Attack

Media freedom in Malaysia has largely been restricted by repressive laws and actions by the government. Malaysia has yet to enact a right to information law, and legislations such as the Printing Presses and Publications Act (PPPA) 1984, the Official Secrets Act (OSA) 1972, the Sedition Act 1948 and Section 233 of the Communications and Multimedia Act (CMA) 1998, continue to be utilised arbitrarily to shut down critical reporting.

Commonly used laws against the media and journalists	
Section 233 of the Communications and Multimedia Act (CMA) 1998	Criminalises "improper" usage of the internet. The section has a broad and extremely subjective definition of "improper use of network facilities or network services", criminalising "obscene", "indecent", "false", "menacing" or "offensive" content.
Sedition Act 1948	Criminalises speech with "seditious tendency" without requiring proof of intent. What is "seditious" is extremely vague and open to subjective interpretation of words such as "hatred", "contempt" and "discontent".
Section 504 of the Penal Code	Criminalises "intentional insults with intent to provoke a breach of the peace". The law is used to criminalise all "insults", including legitimate and necessary comments for upholding democracy and ensuring accountability.
Section 505 of the Penal Code	Criminalises statements "conducting to public mischief". The law criminalises the making of misleading or false statements or misinformation, with investigations being criticised in the past for not showing how the public would be incited to commit offences.
Official Secrets Act (OSA) 1972	Criminalises the dissemination of information classified as an official "secret". There is no requirement for harm or any relation to national security, international relations or defence for a document to be classified as secret, and the courts have no jurisdiction to review the decision.

Commonly used laws against the media and journalists

[Printing Presses and Publications Act \(PPPA\) 1984](#)

Criminalises the possession or use of a printing press without a licence granted by the Home Ministry. The law gives wide powers to the Home Minister to curtail news content, including the threat to revoke newspaper licences on insubstantial grounds.

[Section 114A of the Evidence Act \(Amendment\) \(No.2\) 2012](#)

Stipulates that the publisher of online content is presumed to be the publisher of comments on websites, blogs and online forums. Citing this law, the 2021 Federal Court ruling against Malaysiakini implied that all online portals will be held liable for third-party comments, setting precedents of further burdens to be placed on online media.

The trend is to target and intimidate the media using these laws when the government is portrayed in a negative light, lodge police reports and sue, attack the journalists online or to merely deny valid reports. As a result, the media in Malaysia are forced to censor themselves when reporting government-related news, which does not allow the media to do its job of reporting the truth and holding the powers to be accountable.

Various intimidatory tactics, complemented by the use of the aforementioned list of repressive laws, were used against the media in 2021:

- In February 2021, the Federal Court found Malaysiakini [guilty of contempt of court](#) over third-party comments by Malaysiakini readers⁶. The news portal was also fined RM500,000 in the case, far higher than the RM200,000 sought by the Attorney-General's Chambers. Malaysiakini was found guilty under Section 114A of the Evidence Act (Amendment) (No.2) 2012, which presumes Malaysiakini as the publisher of the impugned comments in question.
- In April 2021, the Home Ministry [threatened to summon](#) news portals Malaysiakini and China Press over their respective news reports quoting the deputy inspector-general of police's remarks on a rape threat involving a teenage student. The police had also labelled the reports as "inaccurate".
- In May 2021, a Malaysiakini Bahasa Malaysia desk editor and broadcast journalist were [summoned by the police](#) for questioning in relation to their article on allegations made by the outgoing inspector-general of police.. Shortly after, two Malaysiakini journalists were summoned to give their statements over three articles relating to the death of A Ganapathy who died while seeking treatment in the hospital after being arrested by the police.
- In May 2021, Gombak police chief Arifai Tarawe [threatened to sue](#) news portal Free Malaysia Today (FMT) for RM10 million over two articles written about his recent

⁶ On 29 March 2022, the Federal Court [dismissed](#) Malaysiakini's review application to overturn the court's contempt of court decision.

transfer to Bukit Aman, which he claimed implied that he and the police were responsible for the custodial death of A Ganapathy⁷.

- In May 2021, the police [opened an investigation paper](#) into the case of a newsreader who allegedly made slanderous remarks against the police on television. Astro Awani later assured the police of its full cooperation. The case is being investigated under Section 504 of the Penal Code and Section 233 of the CMA.
- In May 2021, it was reported that RTM's Mandarin Desk editor and the chief editor of the Mandarin News segment had been [issued with show-cause letters](#) after their news report referred to the Palestinian group Hamas as "radical". The following day, it was reported that the government was [looking into The Star's](#) use of the word "militant" to refer to Palestinian combatants.
- In July 2021, healthcare news portal CodeBlue and its editor-in-chief, Boo Su-Lyn were [investigated by the police](#) over a report about a COVID-19 outbreak at a vaccination centre⁸. The case is being investigated under Section 505(b) of the Penal Code and Section 233 of the CMA.
- In July 2021, the management of the COVID-19 quarantine and treatment centre at the Malaysia Agro Exposition Park Serdang (MAEPS) [lodged a police report](#) against six media personnel from various agencies for alleged trespass.
- In July 2021, the Federal Court [dismissed Malaysiakini's appeal](#) against a lower court decision that ruled in favour of Raub Australian Gold Mining's defamation suit against the news portal. Malaysiakini was ordered to pay RM200,000 in costs on top of the RM350,000 in costs and damages awarded in a previous court ruling.
- In July 2021, a police report was lodged against The Rakyat Post for [alleged slander](#) of Dr Adham Baba over its news article about the then-health minister's "Spanish Fly" remarks during a press conference where he was comparing COVID-19 to the Spanish Flu.
- In September 2021, it was reported that the Film Censorship Board (LPF) had warned two local broadcasters against [advertising undergarments](#) on-air, even if it was not worn by live models, as it was considered "offensive" and "inappropriate".

These trends continued in 2022:

- In January 2022, Azam Baki [filed a defamation suit](#) against investigative journalist Lalitha Kunaratnam over articles she wrote that implicated the Malaysian Anti-Corruption Commission (MACC) chief commissioner in a shareholding controversy. She was also [questioned by the police](#).
- In February 2022, Ismail Sabri, in his individual capacity, [sued Agenda Daily for defamation](#) over its news article that claimed the prime minister "begged" political parties to continue supporting him so he can remain in his position.

b. Protections during Protests and while Covering Events

Besides health risks, media practitioners also had to take into account their safety and security when doing their work on the frontlines.

⁷ The lawsuit was eventually [dropped](#).

⁸ Su-Lyn was also [questioned by the police](#) in 2020 over CodeBlue articles.

During the #LAWAN protest⁹ last year, for example, it was observed that most media personnel flouted COVID-19 SOPs by not practising safe distancing. Meanwhile, in February 2022, a reporter from Sin Chew Daily was [fined RM1,000](#)¹⁰ and another reporter from Malaysia Gazette was issued a warning by the authorities for allegedly breaching COVID-19 related rules while reporting outside the Larkin nomination centre during the Johor state polls.

It is noted that the media experience extensive challenges in carrying out their role in times of COVID-19 due to the need to maintain their safety and ensure compliance with necessary COVID-19 risk mitigation measures. However, it is critical for the media to not only get the news but to practice safe social distancing and not crowd around potential interviewees or sources. More coordination is also needed among media organisations that would make it possible to protect the journalists on the ground better. On the other hand, the authorities must recognise their positive duty of facilitating and ensuring a safe and enabling space for media to report on the ground.

CIJ and GERAMM issued a detailed guideline for the media to safely cover protests during COVID-19, which can be found [here](#).

At the same time, the government must provide a platform where media will have full and equal access to potential interviewees and sources of information during government events. This will ensure impartial and accurate coverage and promote responsible and transparent reporting. There should be no undue barriers placed that would prevent the press from carrying out their role in disseminating critical and timely information. On that note, while it is necessary for the authorities to carry out their role in maintaining SOPs and in taking action against those who breach the SOPs, a fine is not necessarily the only answer to address the real problem, and such measures should only be considered as a last resort.

c. Public Incentives for Media Pluralism

It is clear that the media can no longer rely on traditional means of revenue and business models. It is key that the industry will need to rethink and re-envision a new business model to ensure the sustainability of media outlets affected by the current trend in their revenue deficit. By not doing so, we risk seeing media freedom being severely impacted, should more alternative sources of news be forced to close down.

The buck does not just fall on the media owners' shoulders, however; the government can also step in and provide certain financial assistance, such as tax incentives, short-term loans or government advertising, to enable media outlets to stay afloat during these difficult times. Notwithstanding, these should be short-term to ensure that it does not damage the credibility or independence of the media, or become tools for the government to exert greater control over the media towards propaganda and censorship.

⁹ Organised by the Sekretariat Solidariti Rakyat collective, the rally called for the resignation of then-Prime Minister Muhyiddin Yassin, a full Parliament sitting and a moratorium on the repayment of loans.

¹⁰ The compound fine was later [cancelled](#) by the health minister, who said the Sin Chew reporter was not in the wrong.

It is worth noting that the government's COVID-19 stimulus and recovery packages have yet to concretely address the dire economic impact faced by the media, nor has the government established a [Media Resilience Fund](#) for the media to support and sustain the livelihood, practices and operations of media personnel during and beyond the pandemic. This is a call that CIJ has been consistently making since last year.

3. Social Inclusiveness

As stereotypes, prejudices, bias and hate speech proliferate across Malaysia, balanced and responsible reporting is crucial in ensuring that the media is analytical, generates and disseminates healthy discourse, and lends its voice and power to fight against discrimination and inequality.

Media and journalists have a fundamental role in advocating for human rights and informing both policy and societal opinion regarding marginalised or at-risk communities. It follows that they should refrain from perpetuating information that could lead to further discrimination and injustices against marginalised and vulnerable communities.

Unfortunately, the media in Malaysia is often guilty of perpetuating unethical media reports and headlines in its pursuit of increased viewership and relevance among today's digital audience.

a. Refugee and Migrant Reporting

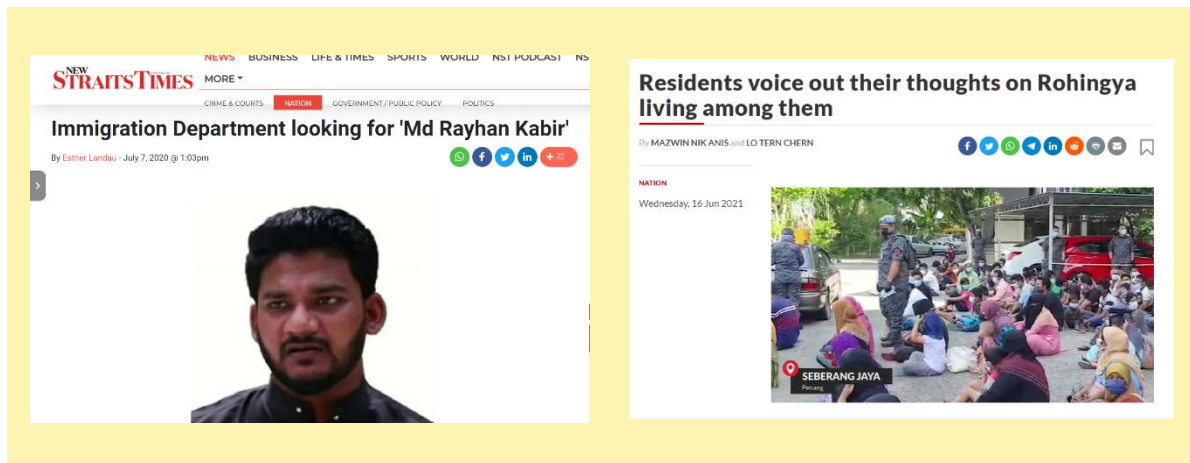
In what seems to be a concerted effort, Malaysian media agencies play a major role in persecuting refugee and migrant groups. For instance, media reports use the term illegal immigrant or *Pendatang Tanpa Izin* (PATI) without distinction, lumping asylum seekers, refugees and those without proper documentation as one. Besides disregarding the fact that no life is illegal, using this term ignores the lived realities of refugees, who have escaped war and genocide, and that of stateless folk, who are born in Malaysia but do not have their parents' marriage certificate to prove it. Furthermore, these communities are described as "dirty" and "smelly" in media reports, and asked to go back to their countries, remarks that are xenophobic and racist.

Negative instances

- This [article](#) by The Star, quoting local residents, describes the Rohingya refugees living in the Terubok flats in Penang in stereotypical terms, depicting them as drug pushers and addicts, as well as uncivilised and violent. The article only quoted Malaysian residents and gave no opportunity for any Rohingya residents to comment, neither was there any reflection of the position or comments from the United Nations High Commissioner for Refugees (UNHCR) included in the report. The home minister was quoted saying that the ministry could not track these refugees because the UNHCR allegedly did not provide the ministry with relevant details.
- Malay-language reports always use "PATI" in describing refugees. This terminology was used by [Sinar Harian](#), [Berita Harian](#) and [mStar](#) in their respective reports on the

escape of around 700 refugee detainees from an immigration detention depot in April 2022.

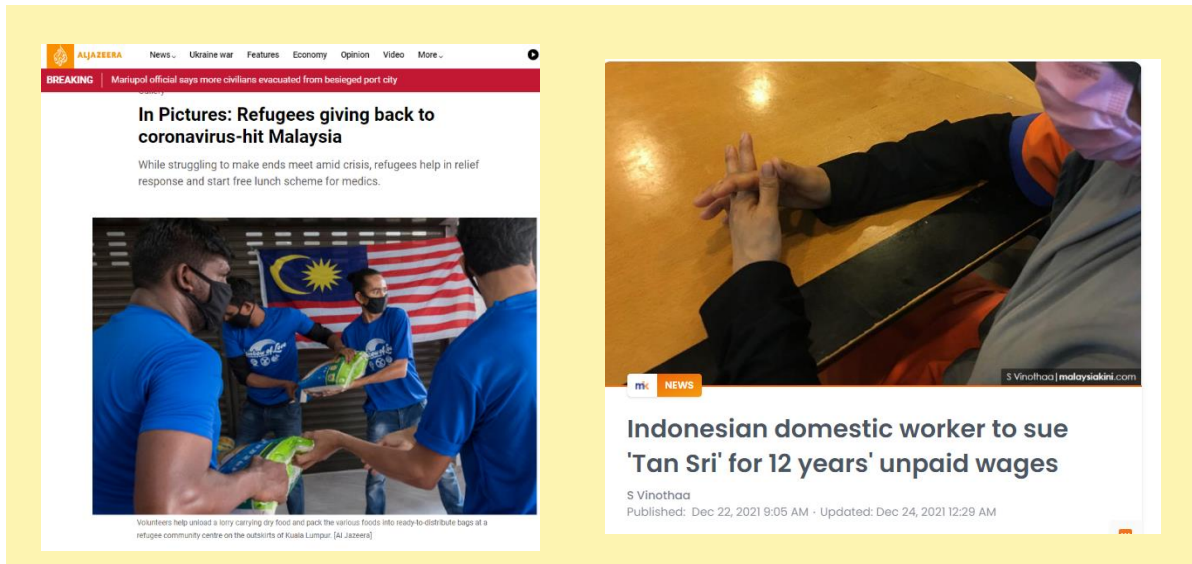
- Some reports, quoting Immigration Department statements, would include [pictures](#) of the refugees and migrant workers, albeit pixelated, and [publish their personal information](#) and addresses.



Such reactionary, uncaring and emotionally-driven reporting can not only influence people's behaviour but lead to further harm towards refugee groups. The media must be fair and empathetic in reporting on the causes of displacement, human rights violations and wars that push people to abandon their home. This can collectively increase the quality of discourse on asylum concerns. They can also highlight the positive contributions of such groups towards Malaysia's economy and infrastructure development, and their barriers in accessing education and health, for example, and use appropriate and rights-affirming language in their reporting.

Positive instances

- Inclusive [reporting](#) by Al Jazeera on how refugees helped in COVID-19 relief response and started free lunch scheme for frontliners at the Ampang Hospital in Kuala Lumpur during the pandemic.
- Ongoing reporting by Malaysiakini, [BFM](#) and other media on the minimum wage and other issues relating to the Memorandum of Understanding on the recruitment and protection of Indonesian domestic workers between Putrajaya and Jakarta. This consistent reporting has also played a significant role in the finalisation of the RM1500 minimum wage for domestic workers from Indonesia.
- Malaysiakini has also sensitively reported on [challenges faced by domestic workers](#) in Malaysia.



CIJ will be publishing refugee guidelines for the media in the second half of 2022.

b. Suicide Reporting

Unethical suicide reporting by the media was rampant, especially during the pandemic. CIJ documented numerous instances of the Malaysian media, including graphic photos of the deceased during or after an active suicide attempt without blurring their bodies and faces. Some reports speculated on the cause of the suicide, failing to acknowledge that suicide is caused by a complex interplay of many contributing factors. Besides that, these reports did not include useful information on suicide or appropriate helplines for support.

Negative instances

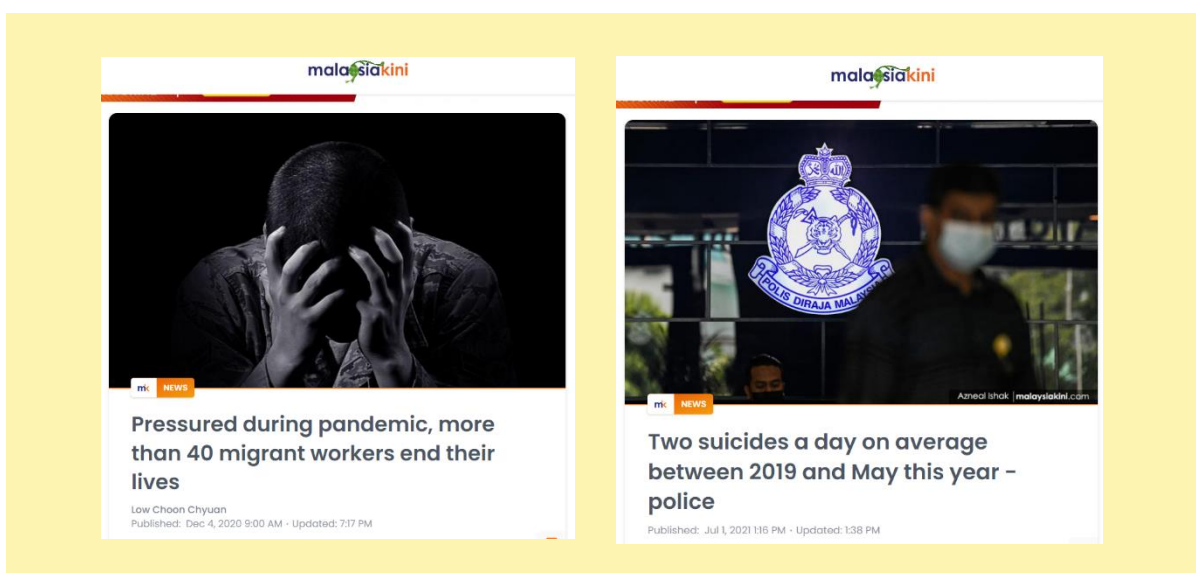
- This FMT [article](#) reported on a man who was persuaded against jumping off the balcony with help from emergency services personnel. The article included a graphic photo of the suicidal man (before we blurred them), albeit pixelated, and did not provide appropriate helplines on suicide.
- These reports by [Harian Metro](#), [Kosmo](#), [Astro Awani](#) and [TV3](#) included graphic photos of a suicide victim (before we blurred them). The news articles also speculated behind the reason for the suicide. Furthermore, they did not provide useful information on suicide such as appropriate helplines.



Unethical suicide reporting is problematic as it can lead to suicide contagion and ideation. Publishing graphic and gory images of suicide victims can also be triggering and traumatising. On the upside, publishing stories of hope and lived experiences can actually help to reduce suicide rates. Furthermore, ethical reporting that raises awareness of the right avenues to help with the emotional and physical pains that an individual is experiencing, can provide support to those struggling, instead of agonising or triggering them further.

Positive instances

- These Malaysiakini reports on how [40 migrant workers took their lives](#) during the pandemic and that there were [two suicides a day on average](#) between 2019 and May 2020 did not include graphic images, names of the deceased or mention the means used to perform the act. The reports not only raised awareness regarding suicide but also provided positive messages to explain that support is available and included appropriate support helpline numbers.



CIJ has consistently called out the media over their unethical suicide reports, and highlighted the Health Ministry's suicide reporting guide. CIJ has also published [guidelines for ethical and responsible reporting on suicide](#).

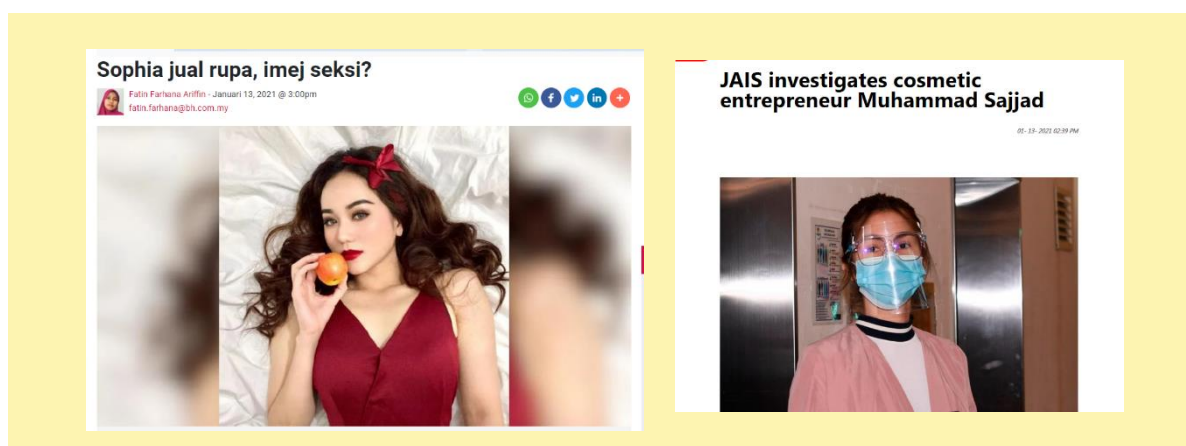
C. Gender Reporting

Unethical gender-related reporting often side-lines women in their reports, quoting men exclusively, even though there are many female experts that can be quoted alongside their male counterparts. Women are also often depicted in media reports as mere “family figures”, when they are also entrepreneurs, CEOs and accomplished working professionals. Besides that, at-risk communities are often exoticised, such as fair-skinned Orang Asli women. Groups such as LGBTQIA+ communities also face the brunt of unethical gender reporting in the name of sensationalism, religious adherence and being in line with the State's narrative. All of these reinforce negative stereotyping and bias, and may even encourage hate speech and violence.

Negative instances

- Headlines such as “[Gadis suku Temuan dedah rahsia cantik](#)” and “[Sophia jual rupa, imej seksi](#)” perpetuated gender stereotypes by using sexist languages or oversexualising women and Orang Asli women.

Several online media reports, including these two by [The Sun](#) and [The Star](#), deadnamed Nur Sajad, a popular transgender woman, by mentioning the name listed in her identity card instead of her preferred name, and referring to her as a male¹¹.



Gender-sensitive reporting shuns stereotypes that limit and trivialise people of all genders to present an accurate and rights-affirming portrait of the world and its peoples. Although it is challenging to resist the pervasive and casual stereotypes that perceive women as child carers or sexual objects, it is critical for journalists to produce complete and diverse coverage that

¹¹ We see an ongoing trend of using incorrect gender pronouns or derogatory terms like “pondan” when referring to transgender persons, and place more focus on the gender identity or sexual orientation of the individual, which is often irrelevant to the contents of the news reports. A larger issue among Malay-language media, the LGBTQIA+ community is often blamed for social ills, including the [spread of HIV/AIDS](#), [natural disasters](#), linked to immorality, and requested to [reform and repent](#) through State-sponsored initiatives.

accurately mirrors our societies and respects them as individuals. The media must also do more to report positively on the LGBTQIA+ community, such as publishing comments or statements by rights-affirming community representatives, activists and organisations, sharing their lived realities and challenges, and not be complicit in the discrimination, harassment and abuse they face.

Positive instances

- This Malaysiakini [story](#) and Ova [story](#) highlighted medical woes faced by transgender persons, accurately describing them with their preferred pronouns, anonymising their name and respecting their privacy, and acknowledging their safety concerns by not including their picture or personal details.
- These Ova stories debunked social constructs on [masturbation and virginity](#), and [bodily autonomy](#) by highlighting accurate and rights-affirming information on sex and reproductive health, and related implications.
- This Malay Mail [story](#) broke away from the common trend of painting women out as victims and making light of their concerns, such as online sexism.
- This gender-affirming Malaysiakini [story](#) adopted gender-transformative and reaffirming language when reporting on 12 inspiration women for International Women's Day.
- This Queer Lapis [series](#) on the lived realities of sex workers in Malaysia aimed to break away from the stigmatised and negative headlines and perceptions around sex work.



Standing up for their beliefs - 12 women you should know about

Malaysiakini Team
Published: Mar 8, 2021 12:08 PM · Updated: May 17, 2021 8:09 PM



Medical woes: Try stepping into the shoes of a transgender person

Wong Kai Hui
Published: Feb 9, 2021 10:29 AM · Updated: Feb 10, 2021 10:31 AM

CIJ will be publishing gender guidelines on media in the second half of 2022.

4. Recommendations to the State

In light of the worrying trends and instances observed from last year, CIJ calls on the State to do the following:

a. Guarantee equal access to all media

Unfettered media access must be a guarantee regardless of affiliation, medium of practice or geographical locations. There should be no arbitrary or discriminatory restrictions of media access to government press conferences, events, elections, public hearings, court, Parliament and state assemblies. COVID-19 must no longer be used as an excuse to undermine media access arbitrarily.

b. Stop using repressive laws against the media

This would include placing an immediate moratorium on the use of repressive laws like the Printing Presses and Publications Act (PPPA) 1984, the Official Secrets Act (OSA) 1972, the Sedition Act 1948 and Section 233 of the Communications and Multimedia Act (CMA) 1998, and proceeding with an urgent review to either amend or repeal said laws. Proceeding this way will also go beyond the usual rhetoric or promises made by politicians before this and actually realise media reforms and a commitment to uphold our constitutional rights.

c. Set up the Malaysian Media Council (MMC)

The current government must acknowledge the work of the [Protem Committee set up in January 2022](#) to establish the [Malaysian Media Council](#) and move forward with the plans with no further delays. Doing so will see the setting up of a transparent and independent self-regulatory body for the industry. Having a media council in place will ensure responsible and inclusive reporting through the publication of guidelines to promote inclusive reporting on social areas, and reduce the political and commercial influences on media content.

d. Establish a Media Resilience Fund

The fund is urgently needed to support and sustain the livelihood, practices and operations of media personnel as they recover from the pandemic. Managed by an independent panel of experts the fund can offer small grants for individuals or small media organisations to offset, recoup financial losses or adapt their practices and explore new operating models.

e. Tackle disinformation and online hate speech

The government can work alongside existing initiatives to improve independent inoculating measures and fact-check mechanisms, effectively debunking false and misleading narratives before they become viral. The social media platforms must engage with multi-stakeholder experts, to review, consolidate, contextualise and strengthen the current social media standards and mechanisms to ensure effective response in situations of disinformation and hate speech, including in Malaysia.



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