

**MEDIA STATEMENT**

**2 November 2023**

**International Day to End Impunity for Crimes Against Journalists:**

**More Needs to Be Done, More Needs to Change to Protect Journalists**

Today is the International Day to End Impunity for Crimes against Journalists. It commemorates journalists who have been attacked and killed globally in the course of their work. It also seeks to also raise awareness of the main challenges faced by journalists and media workers and to be cognisant of the escalation of violence and repression against them.

This year's theme – **Violence against Journalists, the Integrity of Elections, and the Role of Public Leadership** – also seeks to give visibility to the role of a safe and free press in ensuring the integrity of elections and our democratic systems. In this context, the obligations of the State are centred around the need to adopt effective measures to uphold the independence of the media, and relatedly strengthen institutional frameworks that combat violence and impunity, and promote media independence, sustainability and diversity.

The 15<sup>th</sup> General Elections in November 2022 and the new Madani government raised our hope for a more progressive media landscape. Nonetheless, the reality of the situation in Malaysia has fallen short of our expectations for media freedom in line with international standards. More needs to be done, more needs to change.

Last year we grappled with journalists facing defamation suits and being questioned by the police for reporting on matters of public interest. We also saw the situation of Sydney Yap, where the State-run news agency threatened to sue her for voicing her concerns about labour issues in the organisation. Instead of investigating her concerns and protecting the affected journalists, the government's apathy towards the issue highlighted the impunity for an organisation under their auspices.

In 2023, we continue to see the new government weaponizing both archaic legislation as well as archaic methods to oppress media and promote censorship. The most prominent instance was when access to a host of news sites were blocked by the Malaysian Communications and Multimedia Commission (MCMC) in the days leading up to and post the state elections. There is a critical need for more transparency and clarity on the process undertaken by MCMC in unilaterally blocking access to these sites with almost no prior warning. While we acknowledge some of the content in these sites may be deemed harmful, there is still a need to ensure due process is upheld and any restrictions to any form of expression and information must uphold international standards of legitimacy, necessity, and proportionality.

With legislations like the Sedition Act, the Printing Presses and Publications Act (PPPA), Section 233 of the Communications and Multimedia Act (CMA), the Official Secrets Act (OSA), Section 114A of the Evidence Act and various other draconian legislations that restricts freedom of expression, speech, and information looming over the heads of journalists, preventing

effective reporting and critical deliberation, it is clear that institutional reform is critical and urgent.

Disinformation and hate speech online exacerbate the situation in regard to the safety of journalists. The current state of information disorder affects media practitioners both directly and indirectly. Not only does disinformation keep them from accurately reporting on important social issues and doing their job by drowning them out, it has created a culture of distrust towards journalists with integrity. Further, journalists are also exposed to online trollin, doxing and other forms of online harassment and trolling. Social media has allowed people to attack them on a personal level verbally and even expose them to threats to their physical wellbeing especially as their personal information is likely to be exposed to the public.

As the conflict between Israel and Palestine rages on bringing to light a plethora of injustices against journalists, and as we call for their protection there, CIJ calls for two of these reforms to be undertaken here to defend the rights of our journalists and media workers.

**Firstly**, CIJ calls for the immediate amendment or repeal of all legislation that impinges upon freedom of expression and threatens the safety of journalists including the aforementioned Sedition Act, PPPA, CMA, and OSA. Until this is reached, the government shall call for a moratorium on all these legislations so that experts and representatives of the public may work to come up with a legislative framework that protects journalists and the public while preserving critical discourse.

Secondly, CIJ calls for the establishment of the Malaysian Media Council as a transparent and independent self-regulatory body for the industry, a call CIJ has made on numerous occasions since the change of government. Having a media council in place will prevent the State and its agencies from becoming the sole arbiter of truth, and prevent the censorship or investigation of media as they continue to perform their role as the fourth estate. It is further imperative that no government representatives sit in the decision making body of the Media Council in order to promote its independence and gain the trust of the public.

It is the responsibility of our Madani government to safeguard journalists' freedom and safety while reporting so that they can work "without fear or favour." Rather than fostering an atmosphere of fear, we should strive to create an environment that acknowledges the vital role that journalists play and guarantees the safety and protection of their rights.

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*The Centre for Independent Journalism is a 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.*