CENTRE FOR INDEPENDENT JOURNALISM

Advocating Media Freedom and Access to Information

CALL FOR APPLICATION

Terms of Reference (TOR) for Researchers/Experts
Title: Evidence-Based Research on Data Governance in Malaysia
Project: Safeguarding Our Information Ecosystem: Empowering Civil Society in Malaysia to Strengthen Data Governance and Respond to Emerging Threats
Location: Malaysia (Hybrid - Remote/On-site as required)
Duration: 5 months
Reporting to: Programme Officer and Executive Director

1. Background

Malaysia is undergoing rapid digitalisation, with government services and businesses shifting online, using artificial intelligence (AI) to process vast amounts of personal data. Malaysia's MyDigital initiative aims to make the country a regional digital economy leader by 2030. This includes increasing the use of AI and data-driven technologies in both the public and private sectors (Malaysia Digital Economy Blueprint, 2021).

While these developments promise economic growth and improved public service delivery, they also raise significant human rights concerns, particularly regarding the right to freedom of expression and information and the right to privacy. For example, The MySejahtera app, introduced during the COVID-19 pandemic, collected health data from millions. A 2023 report revealed that the app's data governance was unclear, raising concerns about unauthorised access and potential misuse. Despite its sensitive nature, government-collected data is not protected under the Personal Data Protection Act (PDPA), leaving Malaysians without legal recourse if their information is mishandled.

At the same time, the proliferation of online platforms has amplified both legitimate speech and harmful content. Algorithm-driven systems can reinforce misinformation, hate speech, and algorithmic bias, disproportionately affecting vulnerable and minority communities. In Malaysia, hate speech frequently targets ethnic and religious minorities, migrants, and LGBTQ+ persons, while vague or overbroad regulations risk being used to silence dissent and restrict freedom of expression.

Further, state surveillance, including the use of spyware and mass data collection, poses a direct threat to privacy and the work of human rights defenders, journalists, and civil society actors

Regulatory frameworks have not evolved to keep pace with these changes. Current legal and regulatory responses are not grounded in human rights principles and do not adequately address the risks associated with mass data processing, automated decision-making, or the movement of data across borders. Without stronger oversight and enforcement mechanisms, personal data remains at risk of misuse, leaks, and commercial exploitation. Further, legislation such as the Online Safety Act

2024, amendments to the Communications and Multimedia Act 1998 and the Cybersecurity Act 2024 raise serious concerns over excessive restrictions on freedom of expression, lack of transparency in enforcement and enabling censorship.

This research initiated by CIJ, ARTICLE 19 and Sinar project aims to strengthen data governance in Malaysia by empowering civil society and fostering multi-stakeholder engagement with policymakers and technology companies (including social media platforms). The research will provide evidence-based insights into current information and data governance practices, legal frameworks, and policy recommendations to strengthen data protection and governance in Malaysia. The findings will then contribute to policy advocacy at national and international levels – and build a stronger, rights-based approach to digital governance—one that protects privacy, ensures accountability, and balances security with fundamental freedoms.

The research is also centred and aligned with the objectives of the overall project *Safeguarding Our Information Ecosystem: Empowering Civil Societies in Malaysia to Strengthen Data Governance and Respond to Emerging Threats*, led by ARTICLE 19 and the Centre for Independent Journalism (CIJ), in partnership with Sinar Project, which aims to empower civil society organizations (CSOs) to promote a progressive information ecosystem and enhance engagement with policymakers and technology companies.

2. Objectives
This initiative is aimed at:
1. Conducting a comprehensive study on data and information governance in Malaysia, focusing on legal frameworks, policies, and implementation gaps;
2. Comparative analysis on existing international and regional standards related to data governance.
3. Drafting policy recommendations to improve data governance and safeguard digital rights in Malaysia.

3. Scope of Work
The researcher will undertake the following tasks:
- **Literature Review:** Conduct an in-depth analysis of existing legal and policy documents related to data governance within Malaysia.
- **Comparative Legal Analysis:** Analyse international and regional frameworks (e.g., UN human rights frameworks, GDPR, EU data governance frameworks, ASEAN digital governance frameworks, and international trade law)
- **Focus Group Discussions and Stakeholder Consultations:** Conduct interviews and discussions with government agencies, social media companies, the private sector, academics, CSOs, and legal experts.
- **Case Studies:** Document case studies of data breaches, privacy violations, and enforcement challenges in Malaysia.
- **Report:** Prepare a detailed research report outlining key findings, challenges, and policy recommendations.
- **Validation Exercise:** Present research findings to project stakeholders through a validation meeting before the finalisation of the Report.

4. Deliverables
The researcher is expected to deliver **one** final report that consists of key findings, analysis and policy recommendations. The researcher is expected to produce full report with the following:
1. **Overview of the report** (within 2 weeks) – Outlining research methodology, timeline, and initial findings, to receive feedbacks from CIJ, ARTICLE 19 and Sinar Project.

2. **Progress of the Report** (within 8 weeks) – Progress report summarising research and interviews/meetings conducted and key preliminary findings, to receive feedbacks from CIJ, ARTICLE 19 and Sinar Project.
3. **Final Research Report** – A comprehensive document with analysis, case studies, and policy recommendations.
4. **Validation Exercise** – Presentation of findings in a meeting to validate the findings and seek further inputs on policy recommendations.
5. **Summary of the report** – Summarising key recommendations for policymakers and stakeholders.

5. Qualifications

The ideal candidate should have:
- Advanced degree in law, public policy, human rights, or a related field;
- Strong knowledge of data protection laws, privacy regulations, and digital rights, including familiarity with international and regional data governance frameworks (eg. GDPR, UN Human Rights framework, EU data governance framework, ASEAN digital governance frameworks);
- Experience in legal research and policy analysis, preferably related to data governance;
- Ability to conduct stakeholder consultations and qualitative research;
- Strong analytical and report-writing skills.

6. Reporting

The researcher will report to the Programme Officer and Executive Director at CIJ and will work closely with project partners and other project stakeholders.

7. Application Process

Interested candidates should submit:
- A cover letter outlining their qualifications and experience.
- A CV with relevant research experience.
- A sample of previous legal research work.
- A proposed outline, work plan, timeline and budget (max. EUR 4000).

Deadline for applications: 15 August 2025
Submission email: cijmalaysia@cijmalaysia.net

The Centre for Independent Journalism (CIJ)'s vision is centred on a democratic, just, and free society, where all peoples enjoy free media, and the freedom to express, seek, and impart information. We strive to reflect the diverse identities, experiences and geographies of the communities and peoples we serve, believing that embracing different perspectives fosters innovation, inclusion, and shared growth. Thus, we actively promote inclusivity and substantive equality for all, including non-discrimination on the basis of age, disability, sex, gender, ethnicity, race, religion or belief, marital status, pregnancy/maternity, sexual orientation or any other protected characteristics.

We welcome all applications from a wide range of backgrounds, particularly those from underrepresented groups or communities at risk. Selection will be based on experiences, skills, potential and availability of funding.

NB: Only shortlisted candidates will be contacted.