

**Najib's 'reforms' won't unshackle media**  
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Centre for Independent Journalism (CIJ) is disappointed that Prime Minister Najib Razak's promise of sweeping democratic reforms in his public address on the eve of Malaysia Day did not extend to media freedom.

Najib's minor concession in removing the requirement for an annual publishing permit in the Printing Presses and Publications Act 1984 (PPPA) does not address other infringements on freedom of expression within the PPPA itself:

1. Under Section 5 of the PPPA, the Malaysian government still holds power over permits to publish newspapers. The Home Minister has sole power to grant or deny applications, revoke permits which have been issued (which according to the PM's announcement will not have to be renewed annually), and set conditions before issuing them. There is no recourse to judicial review of the Home Minister's decisions regarding the permits.
2. Under Section 3 of the PPPA, the Home Minister controls the licences to use printing presses.
3. Under Section 7 of the PPPA, the Home Ministry controls all publications (defined as books, articles, music, photographs, caricatures, reports, notes etc) in the country and can issue bans on those it deems "undesirable".

The net effect is that the media, print in particular, will continue to be under government control, and journalists will continue to practise self-censorship.

And while the Malaysian government's support for the setting up of a "self-regulatory" press council in a meeting with print editors yesterday sounds promising, CIJ is cautious about the Najib administration's seeming about-turn which contradicts the various attempts over the years, as recent as July 25, 2011, to establish a state-led media council.

The government's unreformed position when it comes to freedom of expression is reflected in its response to the Malaysiakini court challenge to the Home Ministry's rejection of its application for a publishing permit.

Deputy Home Minister Abu Seman Yusop in his affidavit-in-reply filed on Sept 12, 2011, said permits were a "privilege", and the denial of permits cannot be equated to denial of the right to free speech.

This position ignores the people's right to information, especially those who do not have Internet access and are thus deprived of alternative, freer media that can afford a more critical perspective.

The prime minister also needs to clarify whether the government still plans to widen the scope of the PPPA to include online media, in apparent contradiction to its much-touted commitment to Internet freedom.

Lastly, if Malaysian society and the media landscape is to be transformed, reforms have to be comprehensive and it requires major changes in the letter as well as spirit of various laws, such as the Sedition Act 1948, and the Penal Code provisions for criminal defamation. It also requires a paradigm shift that will see broad-based reforms on democratic and human rights, the most crucial of which is to restore judicial independence and introduce police accountability.