

**Repeal PPPA And Work To Regain Public Trust In Media**  
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The Centre for Independent Journalism (CIJ) Malaysia welcomes Prime Minister Najib Razak's call to review existing media censorship laws. We congratulate the Prime Minister on his recent realisation that these laws are no longer "effective" in this day and age.

We hope that the Government "review" of "ineffective" laws would result first and foremost, in the repeal of the Printing Presses and Publications Act 1984 (PPPA), which among others, gives the Home Minister the power to grant/renew licences to print media and states that the Minister's decision is final and not subject to judicial review.

In our view, it is not enough to amend the PPPA. This outdated law must be repealed first before other steps can be put in place to encourage the practice of ethical journalism and the growth of media plurality in Malaysia.

The Government's call to "review" media censorship laws must also be done in tandem with efforts to regain public trust in media, especially print and state-funded media, to make this a meaningful exercise.

We urge the Government to relinquish control of state-funded media - Bernama and RTM radio and TV - and make these publicly-funded media accountable to the public and serve public interest, rather than serve the government in power.

CIJ also urges the Government to cease attempts to set up state-run media councils and instead, provide an environment that enables media and civil society organisations to set up independent self-regulatory media councils, which will promote media freedom and hold media accountable to journalistic ethics.

If the objective is to make media be accountable, self-regulation is better than resorting to defamation suits, which can have a chilling effect on freedom of expression.

In an environment like Malaysia's, where there are no specific laws guaranteeing media freedom - unlike neighbouring Indonesia and the Philippines - and where the judiciary often takes a narrow and conservative interpretation of what constitutes freedom of expression under Article 10 of the Federal Constitution, resorting to defamation suits can result in another way - "legal", of course - of controlling media and curbing it from playing its role in matters of public interest. Defamation, the purpose of which is to protect reputation, can be and has been used to prevent open public debate and legitimate criticism of wrongdoing by officials.

CIJ would like to point out that international best practices on defamation state that public bodies - including the legislative, executive or judicial branches of government or bodies which otherwise perform public functions - should be prohibited from bringing defamation actions.

This principle was adopted to ensure open criticism of government and public authorities, recognising the limited and public nature of any reputation these bodies may have, and the vast means and resources available to them to defend themselves from criticism.

International best practices also state that public officials, by the very nature of their function as civil servants entrusted to carry out a public trust, are required to be subject to wider limits of acceptable criticism compared to ordinary citizens.

**CENTRE FOR INDEPENDENT JOURNALISM MALAYSIA**