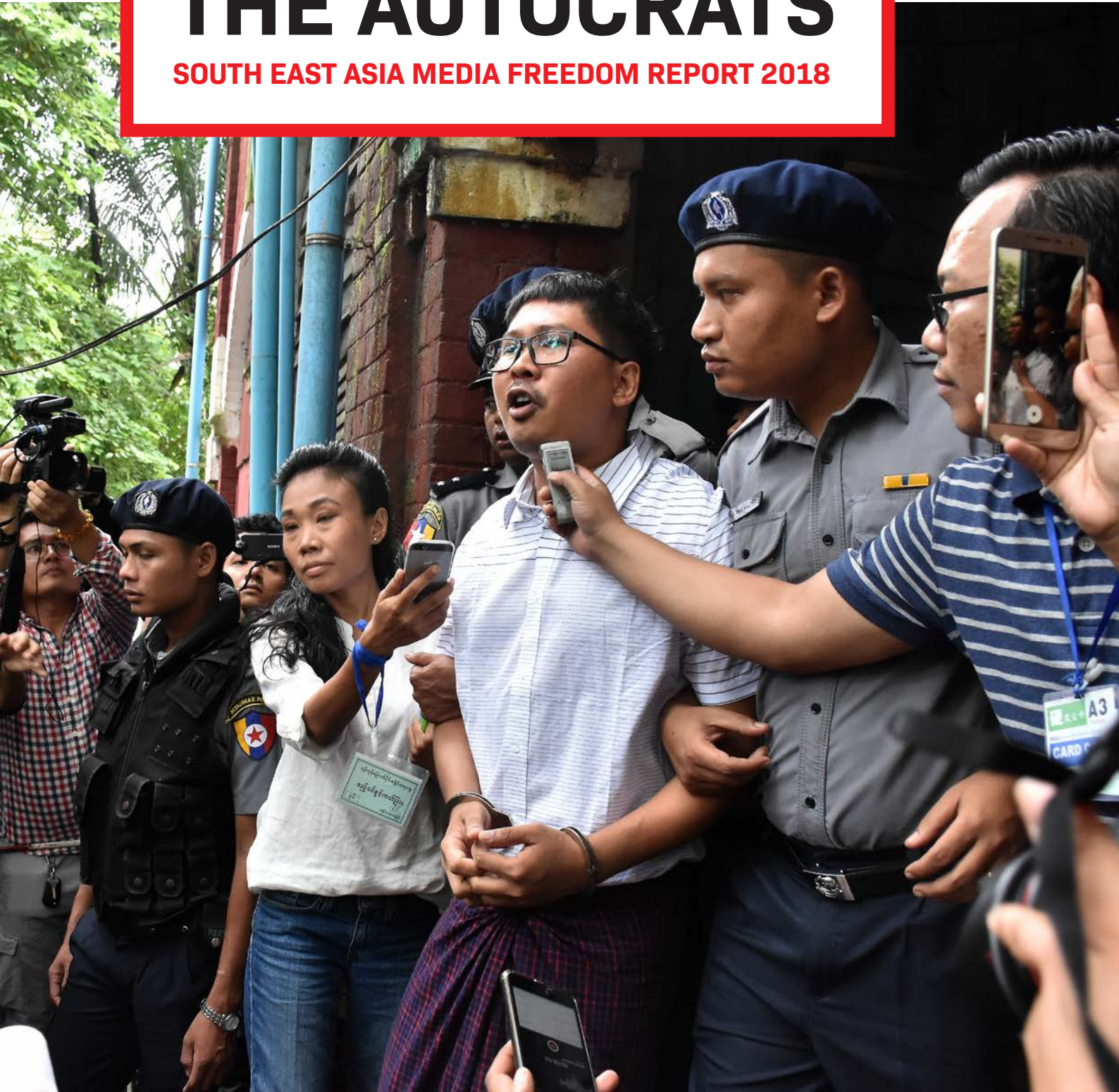


UNDERNEATH THE AUTOCRATS

SOUTH EAST ASIA MEDIA FREEDOM REPORT 2018



A REPORT INTO IMPUNITY, JOURNALIST
SAFETY AND WORKING CONDITIONS

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IFJ-SEAJU SOUTH EAST ASIA MEDIA FREEDOM REPORT

December 2018

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COVER PHOTO: Reuters' journalist Wa Lone outside court in Myanmar. Wa Lone and Kyaw Soe Oo were detained on December 12, 2017, when they were set up by police collecting information for a Rohingya story. In 2018 they were jailed for 14 years under the draconian Official Secrets Act for supposedly violating the draconian Official Secrets Act, a verdict widely believed to be punishment for their reporting on a massacre of Rohingya. Credit: Steven Tickner

ABOVE: Activists burn an effigy during a protest against Philippine President Rodrigo Duterte near the Malacanang Palace in Manila on September 21, 2017. Credit: NOEL CELIS / AFP

FOREWORD

To say that it's not an easy time for media workers in South East Asia is an understatement by any measure.

But where exactly do you begin to create a baseline for media freedom in a region that has endured such a long, complex and prevailing climate of control?

In this first *IFJ Media Freedom Report for South East Asia*, we are acutely aware of those countries that are yet to deliver truly independent media for their people and remain firmly under lock and key in terms of freedom of expression – in Brunei, Laos, Singapore and Vietnam.

But, for the first time, the IFJ and its dedicated and brave network of affiliates in Cambodia, Indonesia, Malaysia, Myanmar, the Philippines, Thailand and Timor Leste that make up the Southeast Asia Journalist Unions (SEAJU), present the start of their story together.

While there are some bright spots from the past year, such as the ousting of the long-running Najib Razak regime in Malaysia and positive progress on media development in Timor Leste, there is little doubt that media freedom in South East Asia is consistently challenged by the overriding influence of a well-entrenched authoritarianism, sometimes resulting in a deferential press.

This is an environment that works negatively, but effectively, to turn the screws on media workers and their efforts to seek the truth and hold powerful forces to account.

From President Rodrigo Duterte's "war on drugs" in the Philippines, through to the absolute annihilation of any semblance of opposition in Cambodia by the Hun Sen regime, to the military junta that keeps a vice-like grip on Thailand, journalists across the region are used to being routinely targeted.

Hopes for Myanmar's democratic re-awakening have now been all but dashed by ethnic cleansing and wide-scale human rights abuses driven by a military apparatus hell bent on misinformation and throwing journalists in jail. And Indonesia, the leading voice of democratisation in the region since 1999, is confronting the challenges and fallout of rising populism and Islamic extremism from the political leadership down.

Already confronting challenges of physical safety and insecure wages and working conditions, this first IFJ-SEAJU examination into impunity, journalist safety and working conditions in South East Asia also clearly shows how media workers are now confronting ever-increasing controls and curbs in the online space.

As I write, brave former war correspondent and CEO of Rappler, Maria Ressa is fighting not only the battle of her career, but a battle for the survival of truth in the political misinformation mire that is the Philippines today. Ressa had just been honoured with the prestigious Gwen Ifill Press Freedom Award in New York and was returning home when she learned that the Philippine government had upped the ante on its campaign of attacks and filed five separate tax evasion cases against her. She turned herself in and posted bail immediately.

Ressa remains unperturbed. She has gone to war with the "disinformation czars". Her work and pursuit of the truth has led both Facebook and Twitter to take down the worst misinformation offenders. She, like many others, is trailblazing a new journalism and taking on fake news in pursuit of critical truths.

Across in Myanmar, Reuters journalists Wa Lone and Kyaw Soe Oo, are in jail – set-up by the military as they tried to reveal the truth about military killings in Rakhine state. Held without charge for seven months, they were eventually found guilty of violating the Official Secrets Act for

KEY THREATS TO JOURNALISM

- 1 Poor wages and working conditions
- 2 Censorship
- 3 Targeted attack for my journalism

SAFETY AND SECURITY CONCERNS:

- 1 Legal issues
- 2 Cyber attack
- 3 Threats

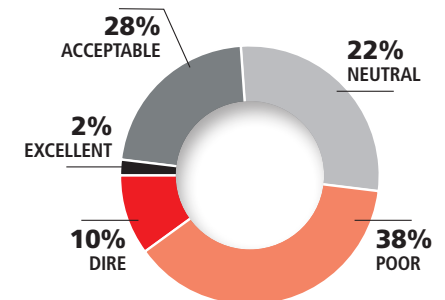
50% FELT INSECURE BECAUSE OF THEIR JOB



35% HAD A COLLEAGUE OR WORKPLACE ATTACKED



RATING ON GOVERNMENT EFFORTS TO PROTECT MEDIA WORKERS:



obtaining information that was already in the public domain. They will now serve 10 years in prison, the same amount as the soldiers who were later found guilty of the murders they were attempting to report on.

But their incarceration and highly-publicised trial has put Myanmar's so-called democracy under the spotlight and served to educate and reinforce the need for protections in the fledgling media industry.



‘There is little doubt that media freedom in South East Asia is consistently challenged by the overriding influence of a well-entrenched authoritarianism, sometimes resulting in a deferential press.’

Maria Ressa, CEO and executive editor of online portal Rappler, gestures to journalists as she posts bail at a court in Manila on December 3, 2018. Ressa, whose news site has battled Philippine President Rodrigo Duterte, paid bail the same day on a tax fraud charge she says is an effort to intimidate the publication. Credit: TED ALJIBE / AFP

In both these cases, we see journalists supported in solidarity and unity. This is critical.

This report is an important step for sub-regional advocacy for the SEAJU network, which was born out of a shared vision for a strong regional network of journalists in 2013.

While recognising the differences between them, SEAJU has been united in a shared commitment to media freedom, the critical need for the

protection of independent journalism and the fundamental right of media workers to be safe to do their jobs.

Across the region in 2018, SEAJU canvassed the views of nearly 1000 journalists. Using UNESCO’s Journalist Safety Indicators (JSIs) as a guiding principle, this report brings to you the pressures, both new and old, that are confronting media workers today.

It explores the illiberal politics and corruption that are running popular

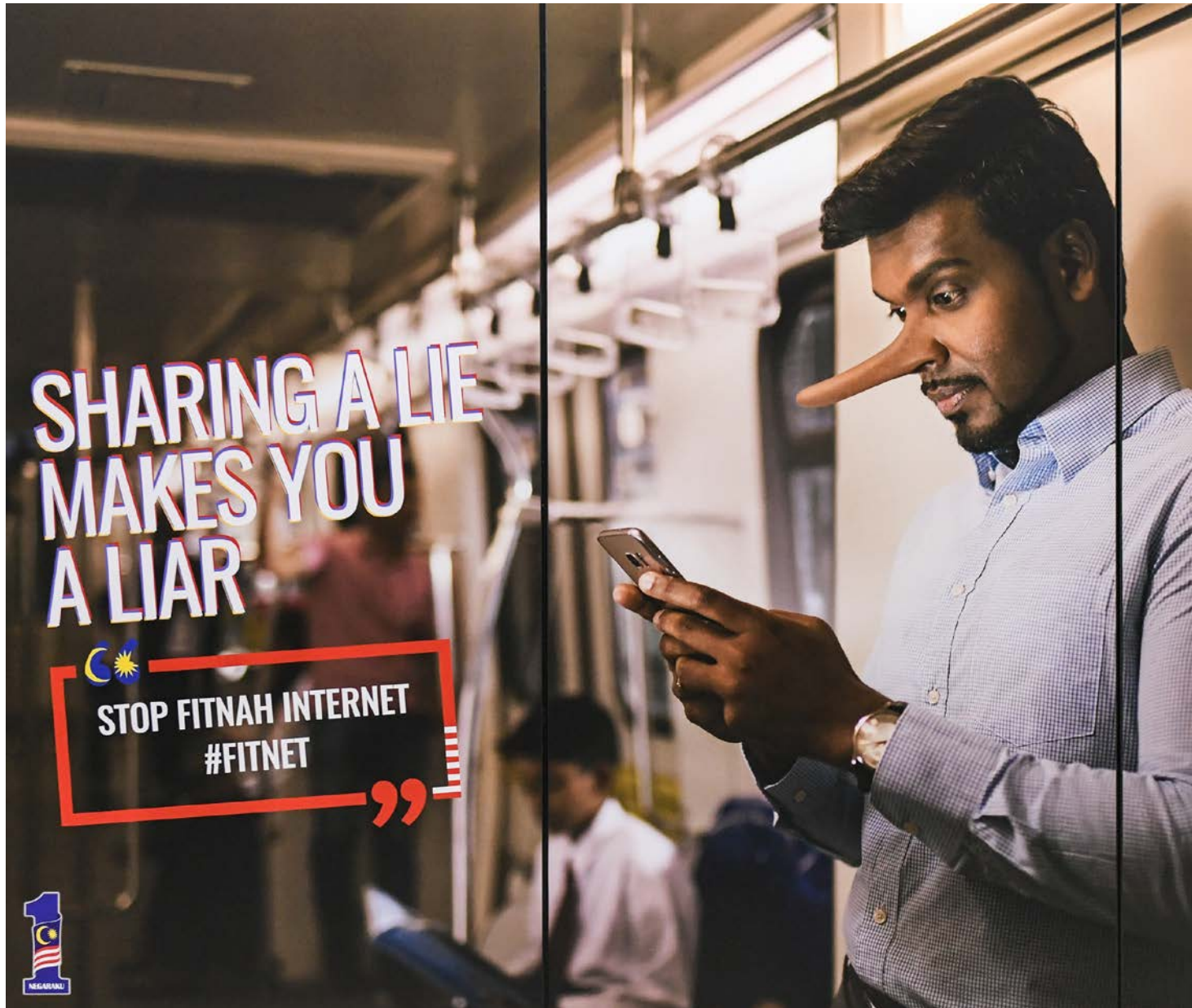
politics and driving a wedge into democracy. It documents the repression and attempts to muzzle and silence the media. And, importantly, it measures journalists’ attitudes to government efforts on safety and impunity.

Underneath the Autocrats is intended to be the first step to hold those in power to account. •

Jane Worthington

Acting Director – IFJ Asia-Pacific

PLOTTING A PATH AWAY FROM IMPUNITY



Prior to the General Elections in Malaysia in May 2018, the Najib Razak government passed controversial Anti-Fake News legislation, which many saw as an attempt to silence critical voices regarding the 1MDB scandal in the lead up to the elections. Credit: MOHD RASFAN/AFP

While Southeast Asia has not exactly been known as a haven for press freedom and expression, the region has clearly become more dangerous for journalists as the risks they face escalate to unprecedented levels.

From assassinations to random assaults by the public, from censorship by repressive regimes to social media bashing and flaming by “troll armies”, the threats are real

and persistent.

Of nearly 1,000 journalists and media workers from Cambodia, the Philippines, Malaysia, Thailand, Indonesia, Myanmar and Timor Leste surveyed by members of the Southeast Asia Journalist Unions (SEAJU) – regional affiliates of the International Federation of Journalists (IFJ) – 81 percent said the media situation in their countries had either seriously declined, worsened to some degree or had not changed at all.



By and large, journalists throughout the region said they felt more insecure and, worse, most felt they could not even count on their employers to help ensure their safety.

And Timor Leste, which gained independence in 1999, remains one of the more encouraging media spots in the region over the past decade.

But by and large, journalists throughout the region said they felt more insecure and, worse, most felt they could not even count on their employers to help ensure their safety.

In fact, many saw their employers as part of the problem, citing poor wages and working conditions as the number one threat to their journalism, followed by censorship and being targeted for attacks because of their work.

A common theme in the country reports of the SEAJU members is the open hostility – even disdain – shown by most governments towards media.

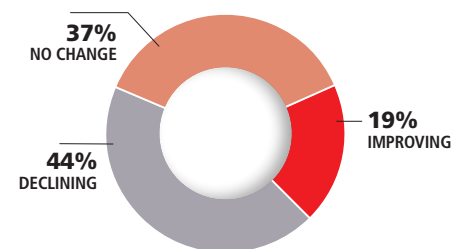
During a press conference in January, Thai Prime Minister Prayut Chan-ocha, who led the 2014 military coup that ousted his predecessor Yingluck Shinawatra, told reporters to direct questions “about heated politics” to a cardboard cutout of himself and then gave a “rock star” devil’s horn salute before walking away.

A month before he assumed office in mid-2016, Philippine President, Rodrigo Duterte, sent a clear message about what he thought of the media: “Just because you’re a journalist you’re not exempted from assassination if you’re a son of a bitch.” From then on, he has openly cursed and threatened not just individual journalists but news organisations he does not agree with, threatening to shut them down.

A crackdown by the Cambodian government on critical media before the July 2018 election was prefaced

PRESS FREEDOM

The report card on media freedom in South East Asia



BECAUSE OF:

- State/political actors (Cambodia, Thailand)
- Government policy & legislation (Philippines, Myanmar)
- Journalist ethics and media professionalism (Timor Leste)
- Media ownership (Indonesia, Malaysia)



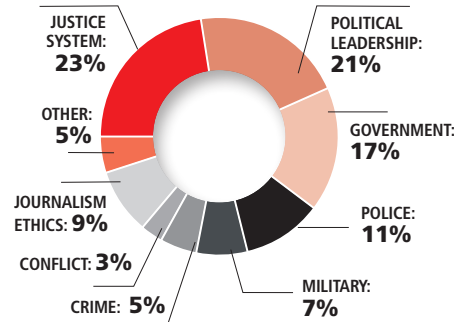
IMPUNITY

Impunity ranking: 7

Justice system ranking: 7

*Scale out of 1-10 based on media worker attitudes/responses (10 being the highest negative score)

WHY:



WHY:

- Cambodia: Censorship
- Philippines: Political statements
- Myanmar: Government policy or legislation
- Timor: Education or training
- Indonesia: Prosecutions or legal processes
- Malaysia and Thailand: Media control



This report, the first ever on media safety in Southeast Asia as perceived by journalists and media workers themselves, is drawn from the results of that survey. It also includes interviews from other stakeholders including government agencies, officials, media experts and civil society groups.

There were some bright spots.

Malaysian journalists are hoping for a new dawn of press freedom following the defeat of former Prime Minister, Najib Razak, in the May 2018 elections.



Acehese students protest against a new law called Undang-undang (law) MD3, where Indonesians could be jailed for criticising national politicians, in Banda Aceh on March 27, 2018. Critics slammed the law as a major step back for the world's third-biggest democracy. Credit: CHAIDEER MAHYUDDIN / AFP

by a statement from the Foreign Ministry in February accusing media of reporting “irresponsibly and without ethical concerns.” While the pressure eased slightly after the polls, more than half of the Cambodian journalists surveyed said the media climate had deteriorated, mainly because of state and political actors, as well as through government policy and legislation.

The initial hopes kindled in Myanmar by the landslide victory of Aung San Suu Kyi’s National League for Democracy have since died as the country’s government continues to press hard on dissent, jailing activists and journalists. The Nobel Peace laureate herself has come under intense criticism for her apparent disregard for basic rights, with several bodies stripping her of her honours.

It is telling that 49 per cent of journalists surveyed in Myanmar said the situation for them had worsened or seriously declined in the past year, with half blaming this on government policy and legislation. Half the respondents also described the culture

The world knows, of course, of the jailing of Reuters reporters Wa Lone and Kyaw Soe Oo for supposedly violating the draconian Official Secrets Act, a verdict widely believed to be punishment for their reporting on a massacre of Rohingya.

of impunity in their country as near or at epidemic levels. And the world knows, of course, of the jailing of Reuters reporters Wa Lone and Kyaw Soe Oo for supposedly violating the draconian Official Secrets Act, a verdict widely believed to be punishment for their reporting on a massacre of Rohingya.

While many see the departure from power of Najib as a sign of better days ahead, many Malaysian journalists remain wary of current Prime Minister Mahathir Mohammad’s commitment to press freedom. As veteran journalist and former National Union of Journalists secretary-general Bob Teoh noted, the “rot” in Malaysian media was started by Mahathir himself.

And while Timor Leste’s four local dailies, two TV stations (one private, one government), and a number of private and government radio stations admittedly paint a robust picture of media in the tiny country of 1.2

million, extreme poverty, tensions over corruption and past partisan political violence continue to cast a shadow over journalism there.

Thus, while the survey conducted by the Timor-Leste Press Union showed 50% believe the situation for journalists has improved somewhat or significantly over the past year, they also said the fear of threats, physical violence and legal persecution remains high.

Of course, physical safety and the impunity with which journalists are killed and assaulted remains one of the main concerns in the region.

The Philippines has seen 12 journalists murdered under Duterte's leadership, bringing the total slain in a country that continues to boast of having the freest press in Asia to 185 journalists since 1986. Except for a handful of half-solved cases – only the gunmen and none of the masterminds have been convicted – almost all the killings remain unsolved. Even the trial of the more than 100 suspects in the November 23, 2009, Ampatuan massacre, where 32 of the 58 victims were media workers, is yet to see a single conviction.

In Cambodia, only two of 13 journalist murders since 1994 have been resolved by the courts.

With the growth of social media, online attacks and harassment have swiftly become a major concern for journalists in South East Asia. Filipino journalists, in particular, have been hard hit by what appear to be coordinated attacks by pro-government “troll armies.”

Indonesian journalists, on the other hand, raised serious concerns about violence, especially “random physical attacks by the general public.”

With the growth of social media, online attacks and harassment have swiftly become a major concern for journalists in South East Asia. Filipino journalists, in particular, have been hard hit by what appear to be coordinated attacks by pro-government “troll armies.”

In Thailand, computer crimes laws have been amended by the ruling military junta to silence criticism from both journalists and activists.

But perhaps the most stunning revelation of the IFJ-SEAJU survey is how the most pervasive threats to

both journalists and their profession are internal.

When asked to name the main reasons why the media situation in their countries was in decline, 42 per cent of the respondents cited problems with ethics and professionalism, 41 per cent pointed to media ownership, and 33 per cent blamed government policy or legislation.

SEAJU and IFJ intend for this report to be used not only by journalist unions and media organisations but, just as importantly, by governments and civil society groups to craft programs and measures aimed at improving media safety and expanding freedom of the press and of expression in the region. •

The Cambodia Daily offices on the last day of publication in September 2017. One of Cambodia's last remaining independent newspapers, it closed on September 3 after 24 years in publication, the latest in a series of blows to critics of strongman premier Hun Sen. Credit: TANG CHHIN SOTHY / AFP



■ CAMBODIA

MEDIA AT THE CROSSROADS

Cambodians check their names on a voting list at a polling station in Phnom Penh on July 29, 2018. The election result extended Prime Minister Hun Sen's 33 years in power after the only credible opposition was dissolved prior to the poll, effectively turning the country into a one-party state. Credit: MANAN VATSYAYANA / AFP





The media outfits were largely protected by the country's royal family via King Norodom Sihanouk, who granted royal approval and often spoke out on press freedom issues.

Since September 2017, Cambodia's media witnessed a crackdown on press freedom that paralleled the government's bullying of the opposition Cambodian National Rescue Party (CNRP) in the lead-up to elections held on July 29, 2018.

The ruling Cambodian People's Party (CPP) ultimately won all 125 seats in the National Assembly, giving Prime Minister Hun Sen the sort of positive result he was banking on, particularly given the CNRP's stronger than expected performance at national elections five years earlier and at commune elections early in 2017. But the ultimate costs to Cambodia's democracy was telling. More laws and restrictions became the order of the day, countering the guarantees of press freedom established under the constitution, as well as Cambodia's responsibilities as a signatory to the Universal Declaration of Human Rights which requires member states to meet its standards on democracy, liberty and human rights.

Justification for the government's behaviour was the usual argument of maintaining stability and social order. But carrying out its highly effective campaign against dissenting voices also pushed the Cambodian media to its limits. Hun Sen's multi-pronged strategy used the law, the tax department, bureaucracy, government-friendly media and security forces to hone in on the avenues used by opposition politicians to make themselves heard via the internet, newspapers, radio and television.

Inevitably journalists were caught in the crossfire. Cambodia's media is now hamstrung by a litany of threats, self-censorship and draconian laws ranging from defamation to lese majeste. Media proprietors face disruption to online services and pressure to toe a government-friendly line, or risk exorbitant tax bills and law suits, which carry prison terms.

In fact, all 67 journalists recently surveyed in the IFJ-SEAJU survey said their work had caused them security concerns. More than half said the media climate in Cambodia had deteriorated with state/political actors



CAMBODIA

- **Media freedom situation:** Worsening
- **Key safety threats:** (1) Attacks on workplaces, (2) Personal threats, (3) Online threats
- **Key influencers on safety situation:** (1) Political and state actors, (2) Government policy and legislation
- **Media safety rating:** Poor to extreme
- **Biggest workplace safety issue:** Media shutdowns
- **Influencing factor on safety:** Ruling party position
- **Media impunity scale:** 6.1*
- **Impunity influence:** Justice system
- **Justice system ranking:** 5.7*
- **Survey base:** Metro only (Phnom Penh)

*Scale out of 10 based on media worker/attitudes/responses – with 1 representing the most positive score and 10 the worst score.

cited as the chief reason, followed by the use of government policy and legislation.

FADING MEDIA INDEPENDENCE

The independence of Cambodia's traditional media can be traced to the foreign owners who were allowed into the country at the same time as United Nations peacekeepers arrived and re-established democratic elections in 1993 after decades of civil war. These media outfits were largely protected by the country's royal family via King Norodom Sihanouk, who granted royal approval and often spoke out on press freedom issues. While the King abdicated in 2004, he remained outspoken on press freedom until his death in 2012. Sadly his heir, King Norodom Sihamoni, has so far not championed his father's cause for media freedom.

The *Phnom Penh Post* became a benchmark for independent journalism while the *Cambodia Daily*

was also regarded as independent, but more strident in its views. Both were allowed to operate relatively free of government pressure, largely due to their penetration rates, including Khmer-language editions, being low and small print runs not exceeding 5,000 each.

A 2017 Reporters Sans Frontiers (RSF) report noted that while 90 per cent of Cambodians did not read newspapers, the influence exerted by those newspapers was felt more acutely among intellectuals and decision-makers in Cambodia and abroad.

Radio Free Asia (RFA) and Voice of America (VOA), broadcasting in Khmer, enjoyed a much greater reach, particularly into the countryside and the traditional heartland of the CPP. However, CPP support has not been diminished by their presence, with Hun Sen easily winning elections in 1998, 2003 and 2008.

In 2017, the Cambodian Centre for Independent Media (CCMI) rated the *Cambodia Daily*, *Phnom Penh Post*, RFA and VoA, along with Voice of Democracy (VoD) and Radio France International, as the top six

Hun Sen's daughter, Hun Mana, controls a vast media empire, mainly television and radio, while others like billionaire businessman and senator Ly Yong Phat are broadening their interests.

outlets for independent journalism in Cambodia. Just two other outlets; Thmey Thmey, established by funding from the Information Ministry, and the Women's Media Centre, which had a broadcast licence until revoked, were also considered independent. Another 25 predominantly locally-owned media outlets – newspaper, television, radio and online – were not considered independent, while four government-friendly television owners held 78 per cent of the market. At the bottom of the list was the government mouthpiece, Fresh News.

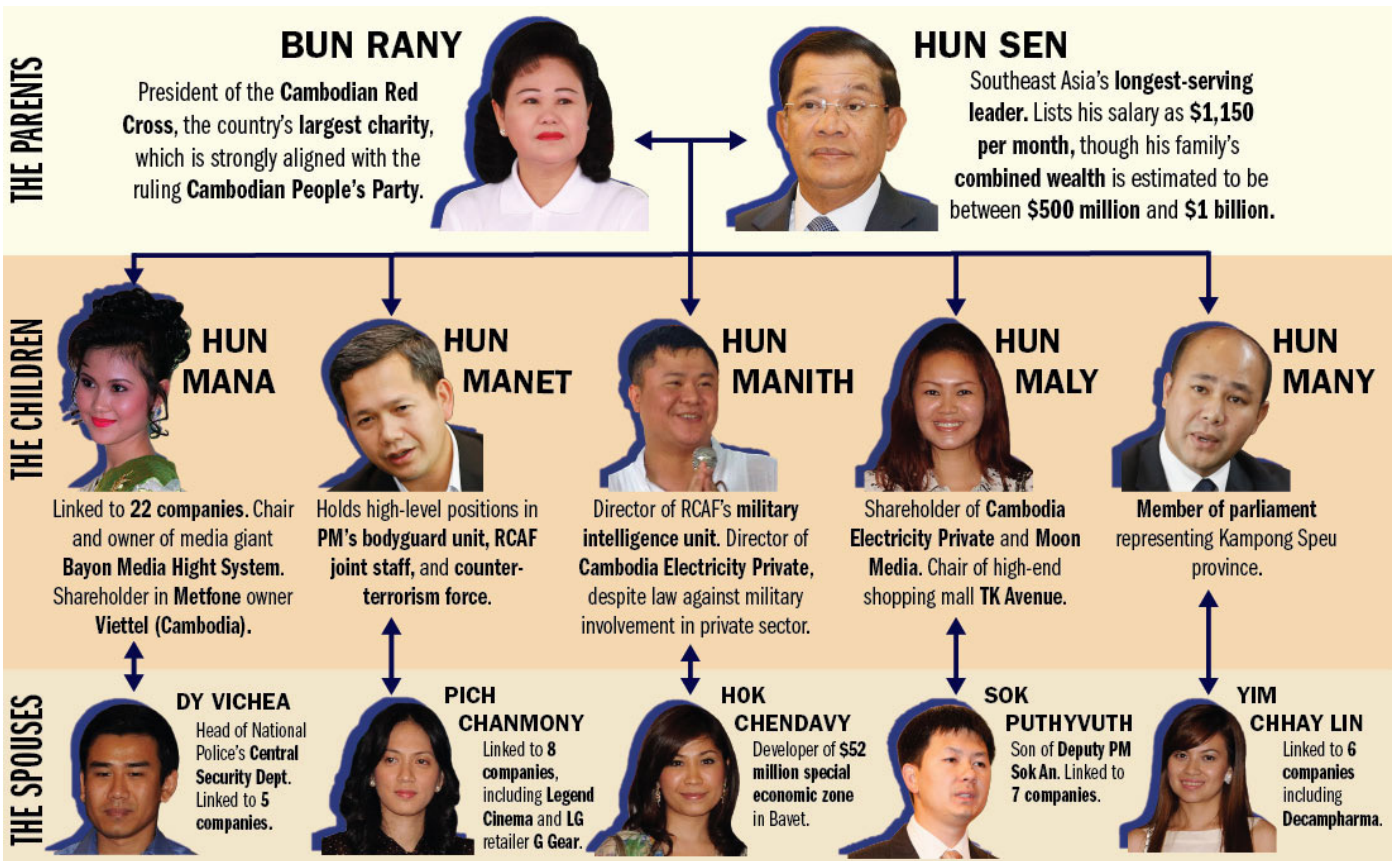
Hun Sen's daughter, Hun Mana, controls a vast media empire, mainly television and radio, while others like billionaire businessman and senator Ly Yong Phat are broadening

their interests to include broadcast networks. Another pro-CPP tycoon, Kit Meng, also has extensive broadcast interests including CNC TV, CTN and My TV.

SOCIAL MEDIA'S GROWING REACH

The emergence of smart phones and the opening up of the internet dramatically changed Cambodia's media landscape. This triggered a disturbing response from the Hun Sen government, which began to emerge more acutely in the lead-up to elections in 2013.

Political parties adopted Facebook with gusto, using it to promote and organise political rallies. The



The Hun Sen business and family tree. Credit: Phnom Penh Post



There was no shortage of warnings to toe the line by Hun Sen who claimed that foreign forces were conspiring to oust his government. The intimidation of the press continued even after CPP's overwhelming win at the polls.

A Cambodian vendor reads the Phnom Penh Post newspaper at her news-stand in Phnom Penh on May 7, 2018. The newspaper, hailed as Cambodia's last independent English daily, was sold to a Malaysian investor with apparent business links to premier Hun Sen, rattling a journalist community that has been battered by the strongman ahead of elections. Credit: TANG CHHIN SOTHY / AFP

government was slow to catch on, but when then CNRP leader Sam Rainsy returned from exile to contest the poll, hundreds of thousands of people blocked the highway linking the airport to the city in an unprecedented show of support.

While government-friendly media ignored Sam Rainsy's return, websites carrying political opinions were growing, in particular those owned

and controlled by non-government organisations, independent newspapers and radio stations that had a long history of criticising Hun Sen's government.

The post-war baby boom means that 70 per cent of Cambodia's population is aged under 35. The youth vote, demanding change, jobs, new motorbikes and better housing, was beginning to find a voice in the CNRP and taking to the online world where independent newspapers and radio stations were trying to extend their reach. This was telling in the 2013 election where CNRP won 55 seats, a gain of 26. The CPP won 68 seats, down by 22.

While Hun Sen and the CPP won that election, the poor showing came as a shock. Meanwhile, the CNRP disputed the results amid unsubstantiated claims of widespread rigging. Rowdy street protests followed in what became known as the

"Cambodian Spring", culminating in the deaths of at least four protestors on January 4, 2014. The CNRP refused to acknowledge the election results and did not take its seats in the National Assembly.

As a result, the CPP government started paying much closer attention to the English-language dailies, US government-funded local radio networks and international media outlets, which were also delivering political content online and enabling the diaspora to have their say and be heard inside Cambodia.

A CHILLING MESSAGE

On July 10, 2016, popular radio host Kem Ley was gunned down in broad daylight while having a coffee at a busy petrol station.

His cold-blooded murder came three days after the NGO Global Witness released a report that



estimated the base wealth of Hun Sen and his family at US\$200 million. The staggering revelation was embarrassing to say the least, given the family had always sought to keep its wealth a secret. Kem Ley was among those calling for an independent inquiry to investigate the claims.

Reporters San Frontiers (RSF) noted a surge in threats at the time, citing its concerns on both the “threats to journalists and in media self-censorship in Cambodia, exacerbated by political commentator and anti-corruption activist Kem Ley’s murder”. It urged the government “to stop intimidating the media.”

Hun Sen’s daughter and media owner, Hun Mana, condemned the “destructive efforts” of Global Witness, the *Phnom Penh Post* and the *Cambodia Daily*, accusing them of colluding to “disparage and defame the Hun family with false information” ahead of elections.

There was no shortage of warnings to toe the line by Hun Sen who claimed that foreign forces were conspiring to oust his government. The intimidation of the press continued even after CPP’s overwhelming win at the polls. All respondents to the IFJ-SEAJU survey answered “yes” when asked whether their work had ever caused them security concerns.

“Harassment is high, online

“Our reporters are concerned for their personal safety when they write about sensitive issues, and they do not want their names on the story ...”

harassment is high, our news website was shut down before the general election in July 2018. Self-censorship is high. Our reporters are scared for their personal safety,” Nop Vy, executive director of CCIM and head of VoD said, in response to the survey findings.

Khieu Sopheak, a spokesman for the Interior Ministry, argued the media situation and press freedom were better this year than in 2017, as there had been no journalist killings.

The Cambodia Association for Protection of Journalists (CAPJ) said 13 journalists had been killed in Cambodia between 1994 and 2018, with only two of the cases resolved by the courts.

The government’s spokesperson meanwhile added that all the cases were still open and being investigated by authorities, but pointed out the worst

On September 4, the *Cambodia Daily* shut down after it received a US\$ 6.3 million tax bill from the government in early August. The *Daily* was considered as one of the only independent media outlets in Cambodia. Credit: Socheata Hean

period for violence against journalists was during the Khmer Rouge era from 1975-79.

“We need time even if it is a slow process,” he said. “We need to bring the perpetrators to court and provide justice for the victims’ families.”

CAPJ President Um Sarin said when an incident happened, they usually followed up with the Interior Ministry, NGOs and human rights groups and also tried to conduct their own inquiries if they had sufficient funds. Most of the attacks were a result of journalists publishing stories about corruption, illegal business operations, personal disputes and the passive response of authorities to problems.

Nop Vy from the CCIM said an operating procedure to deal with threats and attacks against journalists was badly needed, with media organisations and civil society groups involved. This would require collecting data and information on cases involving killings and threats to the media, which would need support from stakeholders and regional organisations.

CRITICS AND CONSPIRACIES

In May, 2017, Hun Sen was admitted to hospital in Singapore for what the administration and government-friendly media described as a back ailment. Upon his return the repression further intensified.

A video of opposition leader and president of CNRP, Kem Sokha, emerged showing him at a gathering of the Khmer diaspora at a Buddhist pagoda in Melbourne where he talked about his election strategy and US support for democracy. The fact that it was filmed before the 2013 elections was ignored by officials. Hun Sen interpreted the four-year-old Kem Sokha video as part of a broader US plot, or a “colour revolution”, to topple his government.

A statement released by Cambodia’s Foreign Ministry in February 2018, “Cambodia: Stability and Development First” attacked the media for publishing “irresponsibly and without ethical concerns”. It went on to target “foreign funded radio broadcasts in Khmer languages by Radio Free Asia, Voice of America, US-funded Voice of Democracy of the Cambodian Human Rights Centre” saying that “hidden under the rhetoric of freedom of press and freedom of expression these radio

Nop Vy from the CCIM said an operating procedure to deal with threats and attacks against journalists was badly needed, with media organisations and civil society groups involved.

stations disseminated exaggerated news aiming at inciting people to disbelieve and stand up against the government.”

On August 5, 2017, the *Cambodia Daily* was sent a US\$6.3million tax bill, which its American owners could not afford to pay by a September 4 deadline.

Kem Sokha was arrested without a warrant on September 3, 2017, the same day the last edition of the *Cambodia Daily* went to print. The following morning its front page led with: “Descent into outright dictatorship”. Two days later Kem Sokha was charged with treason. RFA closed its office the same month, while VoA curtailed its operations. On November 16, the CNRP was officially dissolved by the courts.

So began a steep decline for

media and freedom of expression in Cambodia. Australian film maker James Ricketson, who was making a documentary about exiled CNRP leader Sam Rainsy, was arrested after flying a drone without a permit above a political rally and subsequently charged with espionage. Two RFA reporters were charged with treason, 32 broadcast networks were closed, a strict bureaucratic regime for press passes was put in place and the *Phnom Penh Post* was hit with a US\$3.9 million tax bill.

The newspaper was sold by Australian mining magnate Bill Clough to Malaysian Sivakumar S. Ganapathy, who then set about banning reporters from talking to prominent human rights group Licadho, which was

Detained Australian filmmaker James Ricketson gestures from a prison van on arrival for his trial at a Phnom Penh court on June 15, 2018. Ricketson was arrested in Cambodia last year and charged with spying after he flew a drone over an opposition rally in the capital. Credit: TANG CHHIN SOTHY / AFP



critical of the sale. Almost all of the newspaper's foreign staff resigned, as did key senior Khmer editors.

Asked to rate government efforts to protect journalists over the past 12 months, an overwhelming majority of respondents in the IFJ-SEAJU survey described the situation as "poor/worsening" or "extremely bad". The most common response as to why, was the "ruling party position".

Nop Vy said reporters at Voice of Democracy (VoD) are acutely aware of the dangers of poking the hornet's nest when it came to reporting on the government.

"Self-censorship is high," he said. "We cannot do investigative reporting for personal safety (reasons). Our reporters are concerned for their personal safety when they write about sensitive issues, and they do not want their names on the story but instead, we use VoD for the byline."

CHOKEHOLD ON MEDIA

Dozens of new laws and amendments have been introduced to silence free speech and prevent journalists from doing their jobs. According to Article 319, any "attempt to commit misdemeanours specified in this

Chapter is punishable by the same penalties as misdemeanours".

Ricketson was charged under Article 446 of the penal code, for "collecting information prejudicial to national defence". RFA journalists, Uon Chhin and Yeang Sotherin, were charged under Article 445 relating to espionage and Article 39, relating to human-trafficking.

In February, 2018, the National Assembly also passed additional lese majeste laws, similar to those in Thailand and previously unheard of in Cambodia. The laws, which are open to innuendo and false accusations, carry a term of one to five years in prison.

Cambodia had also become better at monitoring the online space. In June, the Ministry of Information announced all domestic and international Internet traffic would pass through a single data management centre to be created by state-owned Telecom Cambodia, triggering complaints from press groups it could be used to stifle internet traffic and censor content.

The Overseas Press Club of Cambodia said the pool of foreign journalists working in Cambodia shrank from about 150 in mid-2017 to between 15 and 30 by the time Cambodia's election rolled around a year later.

The Foreign Ministry publicly stated that RFA and Voice of America were free to reopen their offices in Cambodia as the government "always cherishes promotion of freedom of press and freedom of expression".

On the eve of the election, Licadho complained that several internet service providers (ISPs) and mobile companies were blocking websites such as RFA and VoA, as well as the websites of all English-language newspapers covering the election. The *Cambodia Daily* attempted to maintain an online presence but it was blocked in Cambodia.

According to a memo from the Ministry of Information obtained by VoA, 15 media were shuttered, including VoD, Vayo FM Radio, Monorom.info and a news site published by the Independent Network for Social Justice.

Cambodia's Prime Minister Hun Sen (centre) prepares to cast his vote during the general election in Phnom Penh on July 29, 2018. Hun Sen's party easily won the election after the opposition and media were silenced. Credit: Manan VATSYAYANA / AFP





Former Cambodian opposition lawmaker Um Sam An speaks to media after he was released by royal pardon in Phnom Penh on August 25, 2018. Credit: TANG CHHIN Sothy / AFP

Nop Vy said VoD had not yet received press cards from the Information Ministry and their chairman had fled to the US over a lawsuit.

One TV station owner, who asked to remain anonymous, said they could not criticise the government as the Ministry of Information would revoke their licence.

Expressing concern about the deteriorating media climate in Cambodia was left largely to outsiders. The United States and Europe set the tone for Western countries with Australia, Canada and Japan, among others, complaining loudly and warning of repercussions.

Of the NGOs, IFJ, Human Rights Watch and Amnesty International led a chorus of international condemnation about the repression, including the jailing of reporters and closure of media outlets.

The UN Special Rapporteur to Cambodia, Rhona Smith, expressed her concerns, when she said: “there are ways in which the government can take small steps that will dramatically improve the human rights situation in the country”.

CLOUDED FUTURE

The political climate in Cambodia eased immediately after the election. Political dissidents were released from prison, although charges remain. In a turn from previous behavior, Hun Sen’s political rhetoric has taken on a more conciliatory tone.

James Ricketson was pardoned and Uon Chhin and Yeang Sotherin from RFA were released. Khem Sokha was moved out of prison and placed under house arrest.

As part of efforts to head off the European Union denying duty-free trading access to Cambodia, the parliament in December 2018 announced a review of the five-year ban on more than 100 members of the main opposition party, Channel NewsAsia reported.

Also in early December, the Foreign Ministry publicly stated that RFA and Voice of America were free to reopen their offices in Cambodia as the government “always cherishes promotion of freedom of press and freedom of expression”.

Despite the overtures, the net result of the past year is that Cambodian journalists remain at the mercy of a prime minister who runs a country with absolute control and without any effective political opposition.

For media figures such as Nop Vy, the culture of impunity against the media needs to be eliminated as do the legal double standards which allow perpetrators of violence and threats against the reporters to go unpunished.

There needs to be a review of press laws, according to Nop Vy.

Cambodia needs to have greater access to information and clear guidelines for reporters to operate “fairly and professionally” under the protection of the law.

“Our reporters help society, but in the end they face threats,” he said. •



■ INDONESIA

VIOLENCE WITHOUT CONSEQUENCE

A press card is not a guarantee of safety for journalists covering news in Indonesia. In April this year, an online journalist was covering a demonstration at the Makassar City Council building, South Sulawesi, when he was brutally set upon by authorities.

A video recording of the incident showed a member of the Mobile Brigade, a paramilitary unit within the Indonesian National Police, dragging then beating and kicking him. Even though he told the officer his identity and profession — the beating continued while he was on the ground.

In another incident, journalist Iwan Bahagia who works for state-owned radio channel RRI, had his home in western Aceh province pelted with rocks by an unknown person. It's believed the attack was retaliation for Bahagia's report on an

extortion attempt against a state agency.

Indonesian journalists raised serious concerns about physical violence in a recent survey conducted by IFJ-SEAJU. Of the 405 journalists who participated in the survey, 80 of them said “random physical attack by the general public” was one of the biggest threats against journalists in the country. It was ranked third on a list of Indonesian journalists' concerns, after “poor wages and working conditions”, and “not being paid regularly”. The list spread across 11 areas, with 64 journalists citing their worries about attacks on their workplace.

Earlier this year, hundreds of protestors from the Islamic Defenders Front (FPI) marched on the offices of *Tempo* in Jakarta, demanding an apology for a caricature the magazine published which they claimed mocked firebrand cleric and FPI leader Rizieq Shihab.

When editor-in-chief, Arif Zulkifli, and several other editorial team members met with the representatives of the protesters inside the *Tempo* office, instead of having a constructive dialogue, the journalists were threatened and intimidated.

The Alliance of Independent Journalists chairperson, Abdul Manan, said physical attacks were still the most common type of violence faced by journalists in the country. At least 39 cases of violence against journalists were recorded in AJI monitoring from December 2017 to November 2018.

Of those, 14 were categorised as terror, threats of violence, and physical attacks.

“In our opinion, the huge number of violence cases has also contributed to the culture of impunity, where perpetrators of violence have never been processed properly by the law, so people are not afraid and not deterred from doing the



Protesters demonstrate against a new law in Jakarta on March 15, 2018. Under the law, which came into effect on the same day, Indonesians can now be jailed for criticising national politicians. Critics slammed it as a major step backwards for the world's third-biggest democracy. Credit: AFP



INDONESIA

■ **Media freedom situation:** Moderate (No change)

■ **Key safety threats:** (1) Poor wages and working conditions, (2) Irregular wage payment, (3) Physical random attack

■ **Key influencers on safety situation:** (1) Media ownership, (2) Professional ethics of journalists

■ **Media safety rating:** Poor

■ **Biggest workplace safety issue:** Personal threats

■ **Influencing factor on safety:** Prosecutions and legal processes

■ **Media impunity scale:** 7.4*

■ **Impunity influence:** Political leadership

■ **Justice system ranking:** 7.3*

■ **Survey base:** 29 provinces with largest numbers: (1) Jakarta, (2) East Java, (3) Central Sulawesi (4) Southwest Sulawesi and (5) Aceh

*Scale out of 10 based on media worker/attitudes/ responses – with 1 representing the most positive score and 10 the worst score.

same thing in the future," Manan said.

He added while press freedom in Indonesia was relatively good compared to the rest of Southeast Asia, "we are seeing a growing trend of pressure on journalists and the media."

"This year we recorded some persecution cases against journalists on social media. This new kind of threat will be a great challenge and also a serious threat in the future of our press freedom."

WEAK IMPLEMENTATION

Journalists in Indonesia are guaranteed protection under the 1945 Constitution and other legislation, including the Human Rights Law and Criminal Code.

In 1999, the enactment of the Press Freedom Law became the legal umbrella for press freedom in the country. Article 8 of the law states that

journalists are legally protected when carrying out their profession. But while the regulations look strong on paper, implementation is a different story.

This weak implementation of Indonesia's Press Freedom Law has been exacerbated by a strong culture of impunity when it comes to investigating cases involving murder, assault and intimidation of journalists.

Eight murder cases of journalists are still unresolved.

A key long-standing case is the murder of Fuad Muhammad Syafruddin, better known as Udin, a journalist for *Bernas Daily*. On August 13, 1996, Syafruddin was attacked by a group of unknown people in Bantul, Yogyakarta. He died three days later. Syafruddin regularly published critical articles about regional authorities and the ruling party. More than 22 years after his death, the

responsible parties are yet to be brought to account.

Another troubling case was the death of journalist Alfred Mirulewan whose body was found on a beach on December 18, 2010. Mirulewan had been investigating unlawful fuel sales on remote Kisar Island. Even though police charged four suspects and a court issued a verdict, submissions were made to the National Commission on Human Rights (Komnas HAM) claiming that the cases were fabricated.

Unfortunately, this strong culture of impunity and the constant intimidation and violence against the media has ushered the press towards self-censorship and timidity.

Former executive director of the Legal Aid Institute for the Press (LBH Pers), Nawawi Bahrudin, said the absence of support from media companies forced some journalists to avoid reporting cases of violence. Bahrudin said the culture of impunity exists because media outlets are reluctant to report the culprits, particularly if the offenders worked for companies or organisations that advertise in the media companies.

Komnas HAM chairperson, Ahmad Taufan Damanik, said the law had not been fully enforced in the past, especially if the military, police or businesses figures were involved. He pointed out the many unfinished investigations into violence related to journalists.

Damanik said resolving cases was vital, given the government had agreed to the International Covenant on Civil and Political Rights. Legally, Indonesia is bound to respect, guarantee and uphold the right to freedom of expression and must also ensure that every attack on a journalist is thoroughly investigated and prosecutions pursued.

The media industry's disappointment over the government's lack of action was shown in the IFJ-SEAJU survey. Nearly half of the surveyed journalists (46 per cent) said the government "hasn't provided the necessary protection for them."

Deputy chairperson of the Press Council's legal commission, Jimmy Silalahi, refers to the unresolved killings of journalists as a "dark number".

The council sends members from its Anti-Violence Against Journalists Taskforce to collect and analyse data from locations where journalists have been attacked. The investigation results

are used as a guide to issue better policies, he said.

Silalahi said the Indonesia Press Council, together with journalist organisations and the media community, had provided intensive training and education for journalists. He added that following the Press Law and the Journalist Code of Ethics would also help ensure legal protection for reporters.

A NEW KIND OF THREAT

But it's not only physical violence that is a concern for journalist safety in Indonesia. Due to the explosion of social media and widespread use of smartphones, journalists have also become targets for online harassment.

One in six of the respondents in the IFJ-SEAJU survey had been subjected to some form of online harassment.

Zulfikar Akbar, a journalist at *TopSkor* sports publication, was abused online when he tweeted in a critical tone about conservative cleric Abdul Somad being denied entry to Hong Kong. He received intimidating phone calls and messages on social media from the cleric's supporters who also urged a boycott of *TopSkor*. Akbar was eventually fired by *TopSkor's* editor-in-chief even after a clarification was issued on his behalf.

Kumparan.com journalist Kartika Prabarini received death threats on her

Instagram account after an article on Rizieq Shihab titled "Taming Rizieq" was published. The story reviewed a number of legal cases Shihab faced. Similar to the anger directed against *Tempo*, Shihab's supporters accused *Kumparan.com* of being disrespectful towards their leader, arguing he must be addressed as "Habib". Personal information about Prabarini was revealed on social media by one of Shihab's supporters, a practice known as doxing.

Prabarini fielded a rash of inappropriate comments about her gender and appearance, while a group calling itself Lawyers of Activists and Islamic Scholars threatened to report her and *Kumparan.com* to the police.

The intimidation only ended after a *Kumparan.com* editorial apologised to Shihab's followers and they agreed to put "Habib" in future stories on the cleric.

SILENCING VOICES

Both legal and direct means have been used to silence and control the media in recent years.

The legal pursuit of journalists using the 2008 Information and Electronic Transaction Law, or ITE Law, remains a serious problem.

From 2008-2018, at least 14 charges were laid against media organisations and journalists under the law, according to data collected by Safenet, a network

Prabarini fielded a rash of inappropriate comments about her gender and appearance, while a group calling itself Lawyers of Activists and Islamic Scholars threatened to report her and *Kumparan.com* to the police.

of volunteers for digital rights defenders throughout Southeast Asia, and the AJJ.

The revision of the criminal code currently being discussed in parliament is also a potential major threat to press freedom in Indonesia. Offences such as punishing the media for insulting or defaming authorities are being introduced in the criminal code's draft bill, yet the media community remains hopeful such offences won't make it through to the final legislation.

Other articles in the criminal code's draft bill include punishing anyone who intends to abolish and replace Pancasila, the foundational philosophical theory of the Indonesian state, and those who spread communist teachings through the media. Members of the House of Representatives have also said they will add an article about contempt of court.

Foreign journalists also face impediments to their work.

In February 2018, a team from BBC Indonesia was kicked out of Papua while covering a measles outbreak. The expulsion was contrary to President Joko Widodo's promise in 2015 that Papua was open to foreign journalists.

The BBC incident added to the long list of foreign journalists already expelled from Papua while doing their job. AJJ said that authorities had deported eight foreign journalists from Papua over the past year for lacking journalist visas.

Papua is one of the worst areas for press protection in Indonesia. Data

Due to the explosion of social media and widespread use of smartphones, journalists have also become targets for online harassment. Zulfikar Akbar, a journalist at *TopSkor* sports publication, was abused online when he tweeted in a critical tone about conservative cleric Abdul Somad. *Kumparan.com* journalist Kartika Prabarini received death threats on her Instagram account after an article on Rizieq Shihab. Credit: AJJ/Screenshots of trolling of *TopSkor* and Kartini Prabarini.





Indonesian police and security guards block the entrance to the Facebook office building in Jakarta during a demonstration by a hardline Muslim group on January 12, 2018, after Facebook blocked several official pages belonging to Islamic organisations. Credit: BAY ISMOYO / AFP

from the Jayapura chapter of the AJI, showed from February to May, 2018 that there were 10 cases of violence against journalists in the province. In May 2017, Yance Wenda, a journalist for news portal *Koran Jubi* was beaten by police while he was covering the arrest of West Papua National Committee (KNPB) activists.

LOW WAGES LOWER STANDARDS

Aside from physical violence and other abuse, the IFJ-SEAJU survey found the biggest problems confronting journalists in Indonesia related to job and income security. These included salaries being paid irregularly, low wages, poor working conditions and the constant threat of unemployment.

AJI Jakarta, the largest chapter in the country, conducts a study every year to determine a decent wage for “novice” reporters in the capital which takes into account a basic salary and monthly benefits. A novice reporter refers to a journalist granted a permanent position or one who has been working at the same company for three years.

For 2017, AJI Jakarta set a decent monthly wage for a novice journalist at 7.96 million rupiah (US\$ 555), an increase from 7.5 million rupiah (US\$ 514) in 2016. Only one media

company out of 31 surveyed paid a higher salary than AJI Jakarta’s standard.

The survey also found that some media outlets paid their young journalists lower than the Jakarta minimum wage. They only received 3.35 million rupiah (US\$ 229), while the capital’s minimum wage was 3.64 million rupiah (US\$ 249) for this year.

The majority of the respondents also said that they worked more than eight hours a day but never received overtime. Anecdotal evidence suggest wages and conditions for journalists working outside Jakarta are even worse.

A study on journalists employed on a non-permanent basis by AJI’s manpower division, which included contributors and correspondents, found they were paid as little 10,000 (US70 cents) to 100,000 rupiah per news item.

While well-paid journalists will very likely reject bribes, underpaid ones are more vulnerable to accept bribes from sources, undermining both their independence and ethics.

The issue of journalists’ welfare has become more challenging with the shift from traditional to digital media. The exponential growth of digital

platforms has closed down a number of print newspapers. Data from the Press Publishers’ Union showed a significant decline of print media starting in 2015 – a huge jump from 2012 when only a small number of print media ceased publishing.

LBH Pers recorded serious rounds of layoffs in 2016 and 2017. The biggest blow was felt by journalists at Koran Sindo bureaus. The company fired 365 of its employees.

The latest round of job losses happened at the 24-year-old *Tabloid Bola*, owned by Kompas Gramedia, which published its last edition in October this year.

Several digital or online media publications were also forced to close.

LAND OF THE MEDIA GIANTS

The 2017 study “Power in Indonesia: Oligarchs, citizens and the digital revolution” found eight large groups control almost all the media companies in Indonesia, their businesses thriving under the country’s old political system and weak media ownership laws.

The owners started their media empires in television and print media, but when the digital era dawned they integrated

their various media platforms into one. Publications owned by politicians or business people affiliated with political parties could force journalists to deliver information beneficial to the owners, rather than the public interest.

Another problem posed by concentrated ownership is content uniformity that only suits a particular group's interests.

These concerns about diversity were reflected in the IFJ-SEAJU survey which found a majority of respondents (52 per cent) said the condition of the media industry had remained the same in the previous 12 months, due in part to ownership.

ETHICS A KEY FACTOR

Another factor that contributed to the press's stagnancy was professionalism and ethics compliance.

In 2017, the Press Council received 627 letters of complaint, with some of them determined to be baseless, and not followed up. This year until November, it has received 479. Most of the complaints related to accuracy, balance and unconfirmed or unverified news. Consumers also protested some words media used which they believed were judgmental.

Eight large groups control almost all the media companies in Indonesia, their businesses thriving under the country's old political system and weak media ownership laws.

The highest number of public complaints in the past nine years occurred in 2015, when there were 838 letters of complaint to the council, according to the AJI.

AJI's Abdul Manan said improving the professionalism of journalists was one of the biggest challenges facing the media in Indonesia. "The high number of public complaints against the media to the Press Council is one of the indicators of that," said Manan.

The growth of digital media in Indonesia, there are now 43,000 online publications, also means there is greater competition to deliver news as quickly as possible

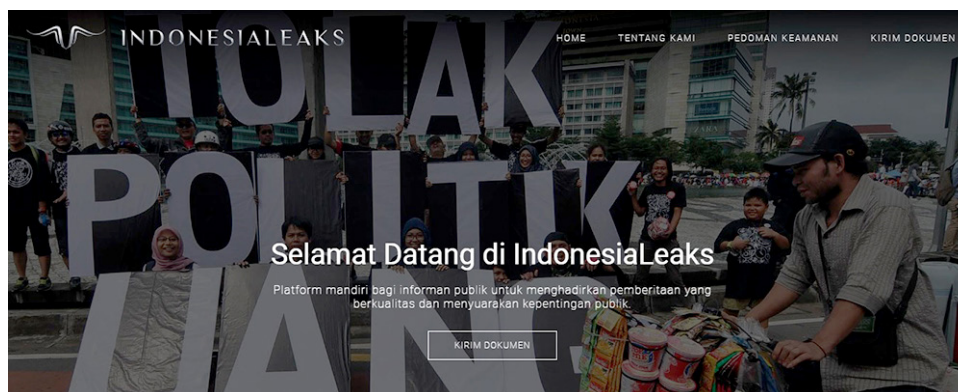
with less regard for accuracy.

Manan said the rapid increase in the number of media outfits, coupled with the lack of education about ethics and proper training, contributed to the high number of public complaints to the country's press council. He also said some media companies published for the sole purpose of economic benefits without regard for the public interest.

"All these factors place an even greater onus on media outlets and journalist organisations to improve reporter skills and supervise their compliance with the code of ethics," he said. •

Indonesian plainclothes anti-terror police carry evidence seized from a house in Surabaya, East Java province, on June 19, 2017, following the arrest of a man suspected of links with the Islamic State (IS). IS claimed responsibility for a May 25 bus station attack that killed three policemen in the world's most populous Muslim country. Credit: JUNI KRISWANTO / AFP





IndonesiaLeaks is an innovative initiative to support the media's watchdog role. The platform, which was launched in 2017, enables whistleblowers to anonymously submit crucial documents to multiple media outlets relating to scandals that involve the public interest. Credit: AJI

INDONESIALEAKS

A COLLABORATIVE APPROACH TO INVESTIGATIVE REPORTING

An innovative initiative to support the media's watchdog role has been the successful establishment of *IndonesiaLeaks*.

The platform, which was launched in 2017, enables whistleblowers to anonymously submit crucial documents to multiple media outlets relating to scandals that involve the public interest.

Submitted information is shared by a network of media outlets who, working both individually and as a group, try and verify its authenticity.

This collaborative effort has changed the old practice of media organisations working alone, and in some cases with limited resources, on investigative reports.

It also widens the journalistic skill sets available to conduct investigations, with, for example, one media outlet having stronger police reporters and another more experienced political reporters.

The results of the investigations are shared among the media groups and published at the same time.

IndonesiaLeaks was founded by the Alliance of Independent Journalists (AJI) Indonesia, the Indonesian Association for Media Development (PPMN) and the Tempo Institute. Eight media companies are registered as *IndonesiaLeaks* members.

IndonesiaLeaks has also partnered with five

NGOs, including Indonesia Corruption Watch and Pers Legal Aid Foundation (LBH Pers).

One of *IndonesiaLeaks*' highest-profile cases involved a report on an alleged bribery case involving a judge.

On October 8, 2018, *IndonesiaLeaks* revealed the alleged destruction of evidence by two Corruption Eradication Commission (KPK) police investigators. The destroyed evidence included the name of Tito Karnavian, who at that time was head of Jakarta police and is now the national police chief.

However, after the publication of the report there were efforts to undermine the credibility of *IndonesiaLeaks*, mainly via Twitter bots. The bots created the #Indonesialeakshoax hashtag and it became a trending topic on Twitter although the number of the tweets was not that many.

There were also calls for police to investigate the motives behind the publication of the *IndonesiaLeaks* report.

AJI President Abdul Manan has also been subject to intimidation as a result of his role with *IndonesiaLeaks*.

In October, the law firm Elvan Games and Partner's Office of Advocacy and Legal Investigation reported to police that Manan - as the initiator of *IndonesiaLeaks* - should face charges of false complaints.

Games also filed a civil suit against *IndonesiaLeaks*, but later withdrew it. •

■ MALAYSIA

NEW HOPES, OLD FEAR

After the once all-powerful Barisan Nasional (BN) lost the May 9, 2018, election, there was fresh hope the Malaysian press would be freed from the legislative shackles it has been under since independence.

Press freedom and the removal of other oppressive security laws were cornerstones of the manifesto of the victorious Pakatan Harapan (PH) coalition, led by former prime minister, Mahathir Mohamad.

The most dubious law was the 2018 Anti-Fake News Act, which became synonymous with the alleged cover up of the 1MDB scandal that dogged ousted leader Najib Razak. In its first parliamentary sitting, the PH-dominated lower house passed a bill to repeal the controversial act.

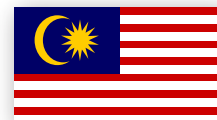
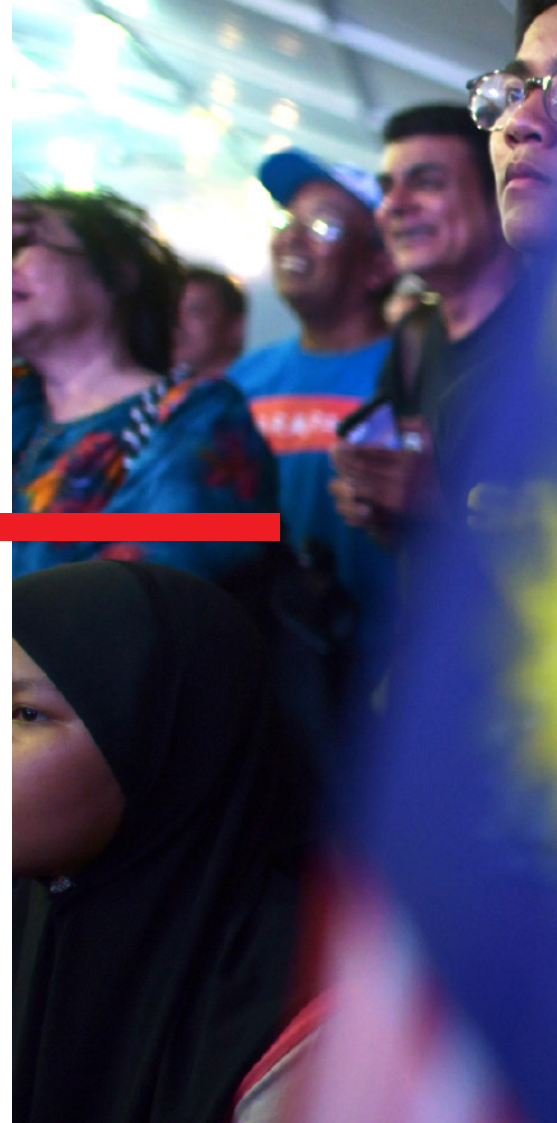
However, moves to abolish other laws described by PH as “tyrannical” have not progressed as quickly. Chief among these is the 1984 Printing Presses and Publications Act which

was used by Mahathir to temporarily revoke the licences of three newspapers during the Operasi Lalang crackdown in 1987, which led to the jailing of over 100 activists and politicians.

Although no reporters were imprisoned in the crackdown, the Publications Act has left a dark shadow over the media, with major newspapers erring on the side of caution or sometimes serving as the mouthpieces of their politician owners.

Ambivalence about the shifting media landscape in Malaysia was reflected in the recent IFJ-SEAJU survey of 92 media workers in Malaysia. Over a third of journalists surveyed said the overall media situation had improved over the past 12 months, but almost as many saw no significant improvement. This was primarily attributed to the ownership of media outlets, where the livelihoods of journalists are dependent on the fortunes of political parties.

The chief reform demanded by IFJ affiliate the National Union of



MALAYSIA

■ **Media freedom situation:** Moderate (No change)

■ **Key safety threats:** (1) Censorship, (2) Targeted for journalism work, (3) Online harassment, (4) Arrest or detainment by authorities

■ **Key influencers on safety situation:** (1) Media ownership, (2) Government policy and legislation, (3) State and political actors

■ **Media safety rating:** Improvement needed

■ **Biggest workplace safety issue:** Legal issues

■ **Influencing factor to safety:** (1) Media control, (2) Ruling party position

■ **Media impunity scale:** 6.3*

■ **Impunity influence:** Political leadership

■ **Justice system ranking:** 6*

■ **Survey base:** Metro (Kuala Lumpur) and Selangor only

*Scale out of 10 based on media worker/attitudes/responses – with 1 representing the most positive score and 10 the worst score.



Malaysian cartoonist Zunar's take on the stifling of press freedom in Malaysia. Credit: Zunar



Supporters listen to Malaysia's People's Justice Party president and leader of the Pakatan Harapan coalition Anwar Ibrahim (not pictured) during a political rally in Port Dickson on October 13, 2018. Credit: MOHD RASFAN / AFP

Journalists, Peninsular Malaysia (NUJM) after the election was to free media outlets of political influence.

“The reason why we suggested that idea is so that there will be a rule where political parties cannot be the majority stakeholder in a media agency in Malaysia. They can still be stakeholders but as minority stakeholders,” said NUJM President, Mohd Taufek Razak.

The Communications and Multimedia Ministry was approached for comment on protections for media workers and other issues covered in the survey, but did not respond to these requests.

REVERSAL OF FORTUNES

The election outcome resulted in a reversal of fortunes for both the mainstream and alternative media, where falling readerships for some

mainstream newspapers has been cushioned for years by funding from the ruling political parties, whether through direct ownership or government-linked advertising.

One of the biggest losers has been the Bahasa Malaysia-language daily *Utusan Malaysia*, owned by the United Malays National Organisation (UMNO), the founding member of BN. The daily was once the most widely read publication in Malaysia, but in November it announced the closure of all its state bureaus and a printing plant. In September, 800 of *Utusan's* 1,500 staff were offered severance packages, which came after an announcement that it had defaulted on its loans.

At the same time, charges against alternative media outlets considered to be aligned to PH were being dropped.

On July 30, the nine sedition charges against political cartoonist Zunar were dropped. In court in Kuala Lumpur, the Attorney-General's office determined it would not pursue the case and withdrew the charges against him. Zunar was facing 43 years in prison for the combined nine charges. His cartoons had targeted former Prime Minister Najib, among others, and his books and public exhibitions of work were also banned under the former regime.

In September, *Malaysiakini's* editor-in-chief, Steven Gan, and CEO, Premesh Chandran, were both acquitted of charges under Section

233(1) of the 1998 Communications and Multimedia Act for uploading a video deemed offensive to the former attorney-general under Najib.

The number of lawsuits against mainstream outlets aligned to BN was also growing. In November, *Utusan* was ordered to pay damages to Finance Minister Lim Guan Eng over an article alleging he had control over land designated as “inalienable” under Islamic law, when serving as Penang chief minister.

Prime minister in-waiting, Anwar Ibrahim reached a settlement with *Utusan Malaysia* and broadcaster TV3 over a story alleging he bribed judges and prosecutors. Both were also ordered to run public apologies.

The IFJ-SEAJU survey revealed that job security is a major concern of many media practitioners in the country, due to the threat of their organisations being crippled by defamation lawsuits.

Veteran journalist and former NUJ secretary-general Bob Teoh expressed wariness about Mahathir’s commitment to press freedom reforms. He said the “rot” in Malaysian media was started by the prime minister himself.

CAUTION ON MEDIA COUNCIL

Despite reluctance from some media outlets, the long-mooted Media Council – aimed at regulating the industry – is taking shape. The PH government has indicated support for the council in several statements.

Major print and online outlets have had several meetings to discuss the role the council will play. There has been some pushback over the council functioning as a mediator in lawsuits against the press, but the media groups are in favour of reviewing a number of security laws. These include both the Publishing and Communications and Media Acts, the 1972 Official Secrets Act, the 1960 Internal Security Act and the 1948 Sedition Act.

Malaysiakini editor-in-chief, Steven Gan, wants to see these laws amended, but said that any review of existing security laws needs to be accompanied by institutional reforms so press freedom remains unaffected by power changing hands.

A student activist holds up a caricature of Malaysian Prime Minister Najib Razak behind mock bars during a protest in Kuala Lumpur on August 27, 2016. The protest was over a financial scandal involving the state fund, 1MDB. Credit: MOHD RASFAN / AFP





A. Kadir Jasin – a former group editor of *New Straits Times Press* who now serves as a special media adviser to the prime minister and sits on the supreme council of Mahathir’s party, the Parti Pribumi Bersatu Malaysia – has promised media groups their proposals will be taken to cabinet.

In October, Kadir said in a blog that the extent of press freedom in the “New Malaysia” would depend on its practitioners’ “professionalism, expertise and sense of fair play.” He also gave an assurance there would be no instructions to the press from the Prime Minister’s Department.

But the ruling coalition hasn’t been united on the issue. Days after Kadir’s blog, a lawmaker from Anwar’s Parti Keadilan Rakyat (PKR) called for the adviser to be investigated under the Sedition Act for allegedly insulting a sultan.

The reinvention of 93-year-old Mahathir as a “reformist” has also been called into question. While he was swept to power promising curbs on the financial excesses of the Najib administration, other pledges on freedoms appear to have been put on the back-burner.

In the first few days following the election victory, veteran journalist and former NUJ secretary-general Bob Teoh expressed wariness about Mahathir’s commitment to press freedom reforms. He said the “rot” in Malaysian media was started by the prime minister himself.

Teoh said Mahathir’s speech at the World Press Convention in 1985 indicated his “authoritarian social responsibility theory” in relation to the press. Mahathir said: “so long as the press is conscious of itself being a potential threat to democracy and conscientiously limits the exercise of its rights, it should be allowed to function without government interference. But when the press obviously abuses its rights, then democratic governments have a duty to put it to rights.”

Over three decades later, Mahathir said: “In the previous regime, we felt restricted. There were pro-this or pro-that newspapers, but we will not block their reports so long as it brings (a good) purpose,” he said.

Several PH leaders have acted as cheerleaders for Mahathir’s reformist credentials when his commitment

Two men stand in front of a wall of pictures of Malaysian leaders at the United Malays National Organisation (UMNO) office in Kuala Lumpur on May 10, 2018. Credit: MOHD RASFAN / AFP

seems to be on the wane – such as when he said the reforms promised in the manifesto were made without the expectation of winning.

Anwar has repeatedly stressed that Mahathir is committed to the reform agenda. “He has shown some quite significant changes, he himself has undertaken some of these issues. But it will take a team to make sure we move consistently with him, support him, and always be tough to ensure that the reform agenda will not be hijacked.”

‘PIECEMEAL APPROACH’

While legislative reforms are underway to change repressive laws, there are concerns they are limited and piecemeal.

A prime example of this is Section 233 of the Communications and Multimedia Act which penalises the use of networks and services to transmit communication deemed offensive. It has long been a bone of contention, with former opposition leaders saying

its vague scope had allowed government figures to use it to silence both the media and public.

Human rights group Suaram said in its 2017 report that Section 233 of the Communications and Multimedia Act had overtaken the Sedition Act as the legislative tool of choice to suppress dissent. Former deputy communications and multimedia minister Jailani Johari, said in November, 2017 that 269 cases were investigated under the act that year, with over half of those under Section 233.

Communications and Multimedia Minister Gobind Singh Deo, a lawyer by training, said in September that repealing the entire act would be problematic, and instead focused on a review of Section 233 as per the administration's election pledge.

In an open letter to the minister on October 21, activists Gayathry Venkiteswaran and Sonia Randhawa

said the scope of the review was too narrow.

"Your focus seems to be on Section 233 (on improper use of network facilities or network service), but not on Section 211 (on the prohibition of offensive content), or Section 263 (blocking websites)," they wrote.

"There were no references in your announcement about reforming the Malaysian Communications and Multimedia Commission or media reforms, as far as democratising licences to broadcasters."

They added that the act does not provide an "enabling environment for independent media" or guidance on how to "prevent the dominance of large corporations or conglomerates in the media industry".

Gobind also raised eyebrows after the Seafeld Sri Maha Mariamman temple riots in November when he said the government would enforce

Section 233 if it pertained to national security and racial harmony. Eighteen cars and two motorcycles were torched in scuffles at the temple on November 26, in an escalation of tensions over a land dispute between property developer One City Development and temple devotees.

The temple riots also resulted in the Home Ministry lifting the moratorium announced by Gobind in October on the use of the Sedition Act to punish rioters. The moratorium followed widespread public condemnation of its continued use, most notably against a relative of an outspoken Umno leader who was investigated for sedition after allegedly insulting Mahathir.

"Do not turn PH into BN, as these laws have facilitated some of the country's worst human rights violations," warned Latheefa Koya, a

Human rights group Suaram said in its 2017 report that Section 233 of the Communications and Multimedia Act had overtaken the Sedition Act as the legislative tool of choice to suppress dissent.

Former Malaysian prime minister and candidate for the opposition Pakatan Harapan, Mahathir Mohamad (centre), leaves a polling station after casting his vote in Alor Setar on May 9, 2018. Malaysians went to the polls in one of the country's closest elections which pitted scandal-hit Prime Minister Najib Razak against his one-time mentor. Credit: JEWEL SAMAD / AFP





The Malaysian government on March 26 tabled a bill in parliament to combat 'fake news' which could see offenders jailed for 10 years, sparking fears it would be used to stifle the opposition before the country's election. Credit: MOHD RASFAN / AFP

The legislative controls have yet to be used on the media in the honeymoon period since the election. However, certain moves seem to indicate that lawsuits would be the preferred method of control.

to be “open to all organisations, journalists and individuals actively involved in the regular production of news content whether in print, broadcast, or published online.”

This is significant as it indicates the old divisions – particularly between those working in mainstream and alternative media – have to be torn down for media reforms to be effective. •

member of Anwar's PKR party.

The National Human Rights Society said the continued use of “these obnoxious laws violates the integrity and credibility of building a New Malaysia distinct from the old.”

The legislative controls have yet to be used on the media in the honeymoon period since the election. However, certain moves seem to indicate that lawsuits would be the preferred method of control.

A landmark Federal Court decision in September ruled that the common law Derbyshire principle – which forbids public authorities from bringing a defamation action – is not applicable in Malaysian courts as existing laws are available, including the 1956 Government Proceedings Act.

The ruling was made in an appeal by Deputy Domestic Trade and Consumer Affairs Minister Chong Chieng Jen against the state government of Sarawak. PH lawmakers, including Gobind, said after the decision that no government should be granted the right to sue individuals for defamation.

NO SILVER BULLET

The fledgling steps taken to establish a Media Council are probably the most tangible move towards improving the media situation in Malaysia.

But former NUJ chief Teoh warned it was not a “silver bullet” to resolve all the problems confronting the media. So long as mainstream news outlets continued to be owned by political entities, a high degree of public mistrust will prevail. The media will be seen as more of a “lapdog than watchdog”, Teoh said.

Teoh said the broad membership of any future press council was crucial, and should include owners, journalists, publishers, editors and advertisers moving in the same direction.

The draft constitution for the Media Council recently put forward by two journalists groups, the Centre for Independent Journalism (CIJ) and Gerakan Media Marah, reflects this. It calls for the council

■ MYANMAR PROMISES, PROMISES

Myanmar’s ambitious democratic reforms promised in 2012 by the military-backed U Sein Their government and lauded at the time by the international community have now gone into reverse.

The former president’s early pledges that his government would take “decisive action to prevent violent attacks against civilians”, hold perpetrators of abuses accountable, and “address contentious political dimensions, ranging from resettlement of displaced populations to granting of citizenship” did not happen.

A national ceasefire agreement signed in October 2015 with the country’s ethnic armed groups is now in shreds. Land confiscation for development projects continues unabated and the Myanmar army still wages war against ethnic armed groups in its attempts to increase its militarisation of the country.

Any optimism generated by the country’s fledgling reforms have since been further shattered by the failure of Aung San Suu Kyi’s National League of Democracy (NLD) to deliver on its massive 2015 election win and the impunity of military offensives against the country’s ethnic minorities.

Under today’s Suu Kyi’s NLD, dissent in Myanmar has been muzzled and political activists and journalists arrested and jailed.

Following NLD’s win, voters expected the pace of democratic reform to pick up. Instead the promise of a new era of transparency and openness has been all but drained of hope.

Journalists say despite the NLD election victory, life under Suu Kyi is little different. They still face harassment, threats, intimidation and constraints on their ability to report events such as the mass displacement of the Rohingya, the armed conflict in Kachin and Shan states and land confiscation cases where the military is involved.

This concurred with the results of the IFJ-SEAJU survey with 49 per cent of journalists saying the “media situation



MYANMAR

- **Media freedom situation:** Worsening
- **Key safety threats:** (1) Poor wages and working conditions* (no answer given by largest no of respondents)
- **Key influencers on safety situation:** (1) Government policy and legislation, (2) Media ownership, (3) Professional ethics of journalists
- **Media safety rating:** Moderate
- **Biggest workplace safety issue:** Digital attacks
- **Influencing factor on safety:** Media control
- **Media impunity scale:** 7.5*
- **Impunity influence:** Justice system
- **Justice system ranking:** 6.8*
- **Survey base:** 19 states with largest numbers: (1) Yangon, (2) Shan, (3) Mandalay

*Scale out of 10 based on media worker/attitudes/responses – with 1 representing the most positive score and 10 the worst score.

in Myanmar had worsened or seriously declined in the past twelve months” with 50 per cent blaming this on government policy or legislation.

The survey also found 50 per cent of journalists found the culture of impunity in Myanmar was near or at endemic levels and pointed to the country’s justice system “as the predominant negative influence”. Thirty-six per cent rated the justice system efforts to effectively deal with threats and acts of violence against journalists as poor.

In its March 2018 report the UN Human Rights Commission, through the United Nations Special Rapporteur on human rights in Myanmar, Yanghee Lee, said the “civilian National League of Democracy government had fallen back on the repressive practices of previous military governments, with



Under today’s Suu Kyi’s NLD, dissent in Myanmar has been muzzled and political activists and journalists arrested and jailed.

human rights defenders, civil society members and journalists again finding themselves in a perilous position.”

A senior media leader for journalists in Myanmar told the IFJ that since the NLD came to power two years ago, over 100 people have been charged under Article 66(d) of the country’s controversial Telecommunications Law, which criminalises online defamation. Self-censorship is the rule with any story that might upset the authorities, especially the military.

AN UNJUST LAW, IS NO LAW AT ALL

Being a journalist in Myanmar has never been easy. During 50 years of military control Myanmar journalists and publishers had to deal with the Press Scrutiny Board, put in place by the



military regime under the 1962 Printers and Publishers Registration Act.

To get their work published, journalists had to first submit it in triplicate to the Press Scrutiny Registration Division for approval. The process took up to three weeks, rendering breaking news stories useless. Articles criticising the regime or its policies were censored and risked jail for their authors.

Under military rule, Myanmar had one of the world's worst records for media freedom. In 2009, Reporters Without Borders (RSF) ranked it 176 out of 180 countries in its annual World Press Freedom Index. Despite its poor ranking, by 2012, the international community was hailing the U Thein Sein government's newly-introduced reforms.

However, a closer look at new legislation introduced under U Thein Sein, reveals that for journalists many of

the laws are double-edged.

A UN report released this year said that the 2014 Media Law "while far from perfect, indicated that freedom of the press in Myanmar was on a positive trajectory by guaranteeing journalists freedom from censorship to express, publish or distribute freely". But this legislation was also used by the Ministry of Information to file suits against 11 staff members of the *Myanmar Thandawsint* (Myanmar Herald) for publishing critical commentary about President Thein Sein the same year it came into effect.

Meanwhile, legislation such as the 2013 Telecommunications Law allows authorities to intercept any information that threatens national security or the rule of law. The 2004 Electronics Transactions Law prohibits the electronic transfer of information "liable to

Supporters of jailed Reuters journalists Wa Lone and Kyaw Soe Oo release balloons during a rally in Yangon on December 12, 2018, demanding their release. Messages of solidarity poured in from around the world on the one-year anniversary of the arrest of the two journalists who were investigating a massacre of Rohingya Muslims in Rakhine state when they were arrested. Credit: MYO KYAW SOE / AFP

undermine national security, including communications about cultural or economic affairs, and has been used to criminalise internet activism." The UN report also added that the Criminal Code, the 1923 Official Secrets Act and other laws have also been applied in ways that restrict media freedoms.

One case in point was the November 2017 jailing by the Myanmar courts of two foreign journalists, their driver

and a local journalist employed as their translator for two months on charges of filming with a drone without official permission. The news team was working on a documentary for TRT World, an English-language affiliate of Turkish Radio and Television Corporation and had flown a drone close to the parliament in the capital, Naypyidaw.

In another case, Mok Choy Lin, a Malaysian, and Lau Hon Meng, a Singaporean, local reporter Aung Naing Soe and driver Hla Tin were detained by police on October 27 and charged with breaking Section 8 of the Import Export Law.

“Without clear legislation on drone use, Myanmar’s legal authorities are making up the rules as they see fit to suppress the news media. Journalists should never be jailed for their reporting activities,” said CPJ’s, Shawn Crispin.

The Myanmar Press Council (MPC) became independent of the Ministry of Information in 2013 with the aim of representing and protecting journalists and press freedom. However, in recent years there has been increasing disappointment and a loss of faith in its ability to do just that.

Aung Hla Tun, a former vice-chair of the MPC and Reuters reporter, said at a forum in August 2017 that “the greatest responsibility of media today in Myanmar is safeguarding our national image, which has been badly tarnished by some unethical international media reports.”

Aung Hla Tun was appointed as Myanmar’s deputy minister of information in January 2018.

On August 18, 2018, elections were held for the 19 members of the MPC, which was seen as an opportunity to refresh and reinvigorate the MPC.

Following the elections, the new head of the MPC, Ohn Kyaing, said that: “Myanmar Press Council (MPC) will use his position to shield government and military officials from prosecution by the International Criminal Court and to train journalists who lack the skill to do so themselves.”

ENEMIES OF THE STATE

Reports dominated international media headlines in 2017 and early 2018 of mass killing of civilians, systematic rapes and the forced displacement of

A senior media leader for journalists in Myanmar told the IFJ that, since the NLD came to power two years ago, over 100 people have been charged under Article 66(d) of the country’s controversial Telecommunications Law.

more than 700,000 Rohingya people by the military. The Office of the UN High Commissioner for Human Rights (OHCHR) classified the Myanmar offensives against the Rohingya as “a textbook example of ethnic cleansing.”

In August 2018, the UN released a report accusing Myanmar’s military of genocide against the Rohingya. Investigators alleged Myanmar’s army was responsible for war crimes and crimes against humanity and the country’s ethnic minorities. The UN report accused the military of “killing indiscriminately, gang-raping women, assaulting children and burning entire villages” and claimed the Myanmar military was responsible for many of the atrocities in Rakhine, Shan and Kachin states.

Journalists who tried to report on the plight of the Rohingya at the hands of the military in 2017 also became targets of the security forces.

Two Reuters reporters, Wa Lone, 32, and Kyaw Soe Oo, 28, were set up by police with a promise of “official leaked documents” of a mass killing. Both were arrested on December 12, 2017, and held in jail for seven months without charge.

Then on July 9, a Yangon district judge charged Wa Lone, 32, and Kyaw Soe Oo, 28, with breaching the vaguely-worded Official Secrets Act – which carries a maximum penalty of 14 years in prison. Both journalists pleaded not guilty.

The IFJ said at the time of the Yangon court hearing that the pair were victims of entrapment by police.

“The Myanmar government has not only failed to protect Wa Lone and Kyaw Soe Oo for investigating human rights abuses, but has politically and cynically used the country’s justice system to punish them and send a warning to other reporters that press freedom comes with restrictions and severe punishment,” the IFJ said.

The pair were sentenced on September 3, 2018 to seven years in

jail. Despite widespread condemnation from foreign governments, the UN, human rights groups and journalists’ associations, Myanmar’s State Counsellor and Nobel laureate, Aung Suu Kyi, appeared unsympathetic to the plight of the two reporters.

While attending the World Economic Forum in Hanoi, Vietnam, she incensed the international community when she dismissed the convictions and sentences and challenged anyone to point out why the judgment was problematic.

“They were not jailed because they were journalists, they were jailed because ... the court has decided that they have broken the Official Secrets Act,” she said.

Human Rights Watch’s (HRW) Asian Division deputy director, Phil Robertson said Suu Kyi had “once again got it all wrong”.

“She fails to understand that real ‘rule of law’ means respect for evidence presented in court, actions brought based on clearly defined and proportionate laws, and independence of the judiciary from influence by the government or security forces. On all these counts, the trial of the Reuters journalists failed the test,” he said.

The court’s use of the colonial-era Official Secrets Act – which allows the government to decide what is “secret” – stretched the credibility of Myanmar’s judicial system to the limit. The so-called secret documents were already in the public domain, no evidence was presented to prove the journalists intended to give them to an “enemy”, and a police officer testified that the journalists were framed at the instructions of their superiors.

The UN Special Rapporteur, Yanghee Lee, demanded their release in her 2018 country report. She said it was “unconscionable that two journalists remain detained for uncovering information about a massacre for which the Myanmar military has



Swe Win (centre), the editor of *Myanmar Now*, is escorted to a court by police in Mandalay on July 31, 2017. Swe Win was detained following a complaint by a member of the ultra-nationalist Ma Ba Tha movement over articles he had written about its leader, the firebrand monk Wirathu. Credit: STRINGER / AFP

accepted responsibility”.

On 12 December, 2018, *TIME* named Kyaw Soe Oo and Wa Lone among the group of journalists that the magazine honoured and named as Person of the Year, along with murdered Saudi journalist Jamal Kashoggi, for their dedicated pursuit of the truth despite a war on facts.

The magazine showed their wives, Chit Su Win and Pan Ei Mon on its front cover while holding photographs of their jailed husbands. *TIME* said the two journalists “remain separated from their wives and children, serving a sentence for defying the ethnic divisions that rend that country. For documenting the deaths of 10 minority Rohingya Muslims, got seven years. The killers they exposed were sentenced to 10.”

The two journalists were fortunate Reuters assisted them and their families with legal support, but many freelance and locally employed journalists are not so lucky.

The IFJ-SEAJU survey found only 7 per cent of journalists had safety and security measures provided by their employers, while 34 per cent said their employers’ procedures for dealing with safety and security were “extremely bad.”

Human Right Watch’s Phil Robertson

said that since the NLD assumed power, there had been a crackdown across the board by government officials against investigative journalism that exposes malfeasance or rights abuses.

“Instead of using her parliamentary majority to rid Myanmar of the rights abusing laws being used to persecute journalists, she and her ruling party have doubled down on using those laws to eliminate critical reporting about their administration,” he said.

MUZZLING THE MEDIA

In recent years, the Myanmar government and military have run a campaigns to muzzle and intimidate the country’s independent media and its journalists. Surveillance of journalists by the military-controlled Home Affairs Ministry remains a common practice.

International human rights organisations and journalism advocates claim laws introduced during colonial rule are still being used by the government to suppress freedom of speech and freedom of association,

with both the government and military becoming more aggressive in using laws to target journalists and critics that don’t conform to the official line.

“Since almost every story, video, and speech eventually ends up online, often spread by a mobile phone, the Telecommunications Act has become the law of choice to restrict free expression,” said Robertson. “Other laws have been used opportunistically against journalists, like the Official Secrets Act employed against the Reuters journalists, and the Unlawful Associations Act used against reporters trying to cover the continuing fighting in the north. As a result, being a journalist in Myanmar has become the equivalent of walking through a legal landmine field every day. Not surprisingly, self-censorship is on the rise in many newsrooms.”

Latt Latt Soe, journalist and former executive member of the MJA, cited 2018 research by the media freedom group Athan that “43 journalists were charged under 25 lawsuits.”

Of those, 15 lawsuits were filed by government personnel, three by the

military and seven by civilians. The Telecommunications Law was cited in 19 lawsuits. Other laws used were the Unlawful Association Act, Aviation Law, Export and Import Law, Immigration Law, Burma Official Secrets Act, Section 500 of the Myanmar Penal Code, News Media Law, and the Law Protecting the Privacy and Security of Citizens.

Internet use by people in Myanmar surged in three years from 1 per cent in 2014 to around 33 per cent by the end of 2017. The increased demand for extra internet content has resulted in the government and military closely scrutinising journalists' reporting.

Under the Telecommunications Act, in particular Article 66(d), journalists are being sued for criminal defamation. Local media reported that the majority of cases have been filed since the NLD took office in 2015.

The IFJ, HRW, Fortify Rights, Amnesty International and CPJ all continue to denounce Article 66(d), as a crude strategy used by the government and the military to suppress reporting and criticism of them.

In a statement released in June 2017, the IFJ and the MJA called on the

government to get rid of Article 66 (d), saying its growing and continued use "is an attempt to silence critical voices and intimidate the media."

Freedom House reports that the "majority of plaintiffs in the cases were affiliated with the state, including public officials, political party officials, and military officers, while the majority of the accused were activists, online journalists, or other civil society representatives."

Ko Swe Win, chief correspondent for *Myanmar Now*, was arrested in July 2017 under 66(d) for a Facebook post criticising ultranationalist monk Wirathu for his support of the killers of Muslim lawyer Ko Ni.

Ko Swe Win said the monk's support for the killers violated the principles of Buddhism. A complaint was subsequently brought against him by a supporter of Ma Ba Tha, a Buddhist nationalist group. To add to his difficulties, Ko Swe Win had to travel to the court hearings in Mandalay – a 1,200km round trip from his home in Yangon.

Ko Swe Win estimated he appeared in court as many as 30 times and said

it "was a deliberate case of judicial harassment designed to disrupt his professional life and to send a chilling effect to media outlets and personnel throughout Myanmar, particularly for reporting on inflammatory speech and activities of Buddhist nationalists."

In June 2017, an editor of *The Voice Daily* faced charges under Article 66(d) and the News Media Law for lampooning a military propaganda film, *Union Oath*.

A human rights activist was arrested in June 2017 for live-streaming a high school play in which his son criticised the military. He was jailed in May 2018 for three months under Article 66(d).

LOOK WHO'S STALKING

The number of social media users in Myanmar has risen over 12 months by 29 per cent, or four million people, to 18 million, according to Freedom House. At least 16 million people in Myanmar now regularly use mobile phones.

The two largest Facebook groups are run by the military and the NLD. The military posts to its True News Information Page and the NLD uses the State Counsellors's Information Committee account to provide the public with "unbiased information to counteract fake reports from

Myanmar navy personnel escort Rohingya Muslims back to their camp in Sittwe, Rakhine state, on November 30, 2018. Nearly 100 Rohingya Muslims were forced back to Myanmar after being detained at sea en route to Malaysia, stirring fears of a fresh refugee boat crisis. Credit: AFP





Under the Telecommunications Act, in particular Article 66(d), journalists are being sued for criminal defamation. Local media reported that the majority of cases have been filed since the NLD took office in 2015.

Journalists stage a protest to demand the release of Reuters journalists Wa Lone and Kyaw Soe Oo in Pyay on December 27, 2017. The Reuters journalists were charged with breaching the Official Secrets Act while investigating the massacre of Rohingya. Credit: THIHA LWIN / AFP

international media.” In one post, the NLD said “there are coordinated efforts to disseminate misinformation particularly about the ongoing plight of the Rohingya.”

Activists and journalists report being targeted by government media for their posts. The abuse includes intimidation and internet bullying, while women report cyber-stalking, blackmail threats with the posting of doctored images of a sexual nature and threats of sexual violence.

Freedom House reported that the government spent US \$4.8million on surveillance technology and a social media monitoring team set up to increase surveillance capabilities. The Telecommunications Law allows the government to harvest data, despite the constitution prohibiting access of personal communications.

Journalists in the IFJ-SEAJU survey suspected their computer or data had been “infected”, with 14 per cent saying they had received threats on the internet and 56 per cent fearing computer or data attacks via the internet.

CAREFUL WHO YOU TALK TO

International journalists attempting to report from conflict zones in the western, northern and eastern border regions of Myanmar are regularly refused access. Local journalists also risk arrest and jail under the Unlawful Associations Act.

In a recent high-profile case, three journalists, three drivers and another male were arrested at a checkpoint in Shan State as they returned from a region controlled by an armed ethnic fighting government troops.

Journalists Aye Nai and Pyae Phone Aung and Lawi Weng were arrested under Article 17(1) of the Unlawful Associations Act while covering a “drug burning” event under the control of the Ta’ang National Liberation Army (TNLA).

The military announced on September 1, 2018, that it was dropping the charges “in the national interest of the country and the people”.

A senior Yangon-based journalist, who covered the Rohingya crisis, said after the arrests he had become more cautious in his reporting.

“We know we have been warned ... the arrests to Aye Nai and Pyae Phone Aung and Lawi Weng prove that we can be arrested anytime at any place. I have stopped writing about them (military and security forces). Journalists are afraid to do their job. I was warned recently by a senior official to be careful.” •

FANNING HATE AND MISINFORMATION

Facebook is widely popular in Myanmar, yet the government role in “controlling” the spread of hate speech against Rohingya and other minorities has left the country riven by ethnic tensions and fuelled by misinformation.

While access to the internet and social media is still fairly new, the number of social media users has risen sharply by 29 per cent or four million people over the past year. At least 16 million people now regularly use mobile phones.

Citizens may have new freedoms to exercise their rights - freedom of expression, association and peaceful assembly - but the online space has also played a decisive role in contributing to a new era of hate speech.

Before and after the conflicts in the northern part of Myanmar’s Rakhine state in August, 2017, Facebook provided an environment ripe for hostility. Just 4.3 per cent of Myanmar’s 52 million population is Muslim and the crisis in Rakhine state became the largest and fastest refugee influx to hit the region in 20 years. But that story wasn’t the one being told inside the country.

Myanmar’s government has a reported 6.42 billion kyat (US \$4million) budget for social media monitoring in Myanmar, but many journalists are questioning just what it is actually monitoring.

In September 2018, the UN Independent International Fact-Finding Mission on Myanmar released its report calling for the “investigation and prosecution of Myanmar’s Commander-in-Chief, Senior General Min Aung Hlaing, and his top military leaders for genocide, crimes against humanity and war crimes.”

The UN report investigated the influence of “rampant hate speech in Myanmar disseminated through public pronouncements, religious teachings and traditional and social media including Facebook.” UN investigators said the government was responsible for tackling hate speech and the coordinated campaigns against Muslims and Rohingya, but had not only failed to address the practices but had “actively participated in and fostered them.”

“The government did not take any action to stop the people who were spreading the hate speech on social media; not only monks and nationalists. So the conflicts are happening more and more,” said Thar Lun Zaung Htet, the founder of local news agency Khit Thit Media.

Particularly concerning to the UN investigators were discriminatory public statements made by Myanmar government officials, including its military and security forces and politicians.

The report noted how the State Counsellor’s Information Committee dismissed reports of serious human rights violations as “fake news”. It also highlighted how State Counsellor Aung San Suu Kyi explained away the atrocities in Rakhine State as an “iceberg of misinformation” and her Information Committee used “doctored” photographs “to advance the narrative that Rohingya were burning their own villages.”

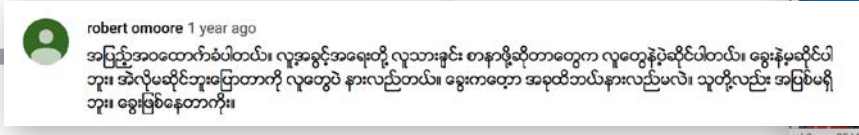
Examining a “vast amount of hate speech across all types of platforms”, the investigators found more than 150 online public social media accounts, pages and groups that repeatedly disseminated hate messages “against Muslims in general or Rohingya in particular.”

Nationalists regularly comment that Rohingya are not human beings, but dogs, and that human rights are words that should only be used for human beings.

Because of Facebook’s saturation in Myanmar, investigators closely examined influential Facebook accounts with over 10,000 followers, some over a million.

The two largest Facebook groups are run by the military and the NLD. The military posts to its True News Information Page and the NLD uses the State Counsellor’s Information Committee account to provide the public with “unbiased information to counteract fake reports from international media.” In one post, the NLD said “there are coordinated efforts to disseminate misinformation particularly about the ongoing plight of the Rohingya.” This attempt by the NLD to discredit reporting of the military’s massive crackdown on the Rohingya is disingenuous.

Cartoons, doctored images, hate speech by Buddhist monks and derogatory commentary by the country’s military commander Min Aung Hlaing, led Facebook to issue bans against a country’s political or military leadership for the first time.



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Left: Some of the “fake” images doctored by the Myanmar military to allegedly show Rohingya illegally entering Myanmar. The photograph is actually taken from Rwanda’s genocide in 1994. Credit: The Guardian
Right: Supporters of the Myanmar military display a banner denouncing Facebook’s alleged political meddling during a rally in Yangon on September 11, 2018. Credit: SAI AUNG MAIN / AFP

With the NLD prepared to label critical coverage in the mainstream media as “fake news” and the never-ending posting of internet opinion as fact, trust in genuine reporting of news events is being eroded.

Journalists told the IFJ that this had a serious effect of generating distrust among the public of their news gathering. This was dangerous when combined with the meteoric rise in reliance on social media for news by a Myanmar public largely uninformed about how to “read” media critically.

Cartoons, doctored images, hate speech by Buddhist monks and derogatory commentary by military commander Min Aung Hlaing, led Facebook to issue bans against a country’s political or military leadership for the first time.

Reuters reported in August 2018, that Facebook was banning 20 Myanmar individuals and organisations from Facebook — including Min Aung Hlaing and the military’s Myawady television network, for spreading “hate and misinformation.”

Facebook removed 18 Facebook accounts, one Instagram account and 52 Facebook Pages, followed by almost 12 million people.

Many journalists say the NLD government of Aung San Suu Kyi struggles to distinguish the difference between mainstream media and social media, now both actively competing for the same audiences. With so many social media accounts in Myanmar, many more people are acting as citizen journalists online and in social media platforms, but without ethics or knowledge of news writing standards.

“Myanmar journalists don’t have enough support for covering stories,” said Htet Khaung Linn, a senior Journalist of Myanmar Now Media, referring to the court and defamation cases that are plaguing the media.

According to local NGO Athan, under the previous government, there were 11 cases under the 2013 Telecommunications Law. Under the NLD government term, there were 91 cases before the amendment to the Telecommunications Law. There have been another 62 cases since amendments to the law in August 2017. Among these, 20 cases were filed by members of parliament and public officials.

Of the 21 complaints filed against 29 journalists, the largest number (23 per cent) were for political criticism, followed by news coverage (8 per cent). Half of all cases came out of Yangon, the commercial hub of Myanmar. The flow-on is that few journalists dare to write stories critical of Myanmar and its leaders.

Thar Lun Zaung Htet said under the NLD government there are now more court cases against journalists than ever.

“There are many lobbyists for the country’s leaders, people cannot know which (news) is true. People think social media is news. They have been attacking mainstream media. Even I get threats on social media. They don’t know that if there is no (accredited) news media, democracy cannot survive,” he said.

Activists and journalists report being targeted by government-friendly media for their posts. Online abuse includes intimidation and internet bullying, while women report cyber-stalking, blackmail threats, doctored images of a sexual nature and threats of sexual violence.

Thar Lun Zaung Htet said “because people in Myanmar see journalists as dangerous, I think there is now less independent media.”

“There are pros and cons (with social media), but there are more cons than pros,” he said. “Because they (users) think that they can provide news themselves there is now no need for mainstream media.” •

■ THE PHILIPPINES REPRESSION AND RESILIENCE





Activists burn an effigy of Philippine President Rodrigo Duterte near the US Embassy in Manila on November 30, 2018, during the commemoration of the 155th birthday of revolutionary hero Andres Bonifacio. Credit: NOEL CELIS / AFP

On the morning of September 23, 2009, a convoy of vehicles on its way to register a candidate intending to run for governor of Maguindanao province in the southern Philippines was stopped by gunmen at a checkpoint on a highway near Ampatuan town.

The gunmen also halted two other vehicles that happened to be passing by.

The vehicles were taken to a hilltop a few kilometres from the highway where the passengers were methodically gunned down. In the end, 58 people were killed, 32 of them media workers.

The Ampatuan massacre was not only the worst incident of electoral violence in recent Philippine history, it was also the single deadliest recorded attack on the media anywhere.

One would think the inevitable shock and outrage that followed the bloodbath would have prodded the Philippine government to finally put an end to the media killings that have long made the country one of the most dangerous places in the world to practise journalism.

But there has been no letup in media killings. The total number of journalists murdered since 1986, when the country supposedly returned to democracy after the ousting of Ferdinand Marcos, now stands at 185, according to the National Union of Journalists of the Philippines (NUJP).

There are no signs of any government willingness to stop the targeting of journalist and media organisations who believe this official apathy, or even open hostility, has fuelled a culture of impunity which has emboldened those seeking to silence the press.



THE PHILIPPINES

- **Media freedom situation:** Worsening to seriously declining
- **Key safety threats:** (1) Cyber-attack, (2) Poor wages and working conditions, (3) Censorship, (4) Government attack on workplace
- **Key influencers on safety situation:** (1) Media assaults, attacks and killings, (2) Government policy and legislation, (3) Professional ethics of journalists
- **Media safety rating:** Poor
- **Influencing factor to safety:** Political statements
- **Biggest workplace safety issue:** Not recorded
- **Media impunity scale:** 7.7*
- **Impunity influence:** Political leadership
- **Justice system ranking:** 7.5*

The Philippines remains the deadliest peacetime country for journalists, with 185 journalists killed since 1986

■ **Survey base:** Metro, regional, local and foreign correspondents

*Scale out of 10 based on media worker/attitudes/responses – with 1 representing the most positive score and 10 the worst score.

IN THE FIRING LINE

Luis Teodoro of the Centre for Media Freedom and Responsibility (CMFR) said in an interview with NUJP that studies by various media groups suggest “the actual perpetrators (in) attacks on journalists, including killings, are usually state agents, policemen, military people, local government people, even the national government.”

“When a policeman shoots somebody we have found that ... usually he’s been put up to it by a mastermind who did not like the way he was being depicted in the media. So the reason why journalists are killed, particularly in the communities, is because there are interests, there are groups, there are people who want to silence them,” Teodoro said. “One of the things we found out is that 90 per cent of those who were killed were reporting on local corruption and criminal syndicates.”

Lawyer Jacqueline de Guia, spokesperson of the Commission on Human Rights, which has investigated a number of journalists’ murders, told NUJP their records show “most of



The body of an alleged drug dealer lies on the ground after he was killed by an unidentified assailant in Manila on March 23, 2018. Days earlier, President Rodrigo Duterte threatened to withdraw the Philippines from the International Criminal Court over its inquiry into his deadly drug war. Credit: NOEL CELIS / AFP

these are politically motivated. These journalists have been described as hard-hitting journalists and most often they have spoken strongly against politicians or been openly vocal or may have had certain advocacies that may have run contrary to government's thrust or programs."

But Undersecretary Joel Egco, executive director of the Presidential Task Force on Media Security (PTFoMS), which Duterte created soon after he assumed office, has a more mundane explanation. Media killings, he told NUJP, are more often than not "related to the hostile or violent political environment where these incidents actually took place." He claimed that "some of the victims were deeply involved in politics, some were even local politicians themselves."

Still, it has not helped that only 17 of the media killings since 1986 have been partly resolved, with most of the perpetrators hired hitmen. The only exception is Alfredo Arsenio, former mayor of Lezo town in Aklan

province. As both mastermind and gunman, he was convicted of murdering broadcaster Heron Hinolan on November 13, 2004, albeit on a downgraded charge of homicide.

Not even the enormity of the Ampatuan massacre has served to speed up the trial of the 188 men accused of multiple murders. Nine years after the carnage, only 112 suspects have been arraigned and none of the accused have been convicted.

DUTERTE DEALINGS

Under the current president, Rodrigo Duterte, 12 journalists have been murdered since mid-2016: Larry Que, Jun Briones, Rudy Alicaway, Leo Diaz, Christopher Lozada, Mario Cantaoi, Marlon Muyco, Apolinario Suan, Edmund Sestoso, Carlos Matas, Dennis Denora and Joey Llana.

Eleven of the 12 killings happened before Duterte marked his second year in office, the highest number of journalist murders in the first two years

Eleven of the 12 killings happened before Duterte marked his second year in office, the highest number of journalist murders in the first two years of any Philippine president.

of any Philippine president.

On May 31, 2016, a month before he formally assumed office, he signalled what he thought of the media when he said at a press conference in his hometown, Davao City: "Just because you're a journalist you're not exempted from assassination if you're a son of a bitch."

He has also openly and angrily threatened to shut down news organisations who criticised his administration.

One of these, the online outfit Rappler, has had its licence rescinded by the Securities and Exchange Commission for allegedly violating foreign ownership bans stipulated in the constitution. While the decision is under appeal, Duterte has banned Rappler reporters from covering him.

As November ended, the government stepped up its game against Rappler and its CEO and executive editor, Maria Ressa, filing five separate tax evasion cases against her.

The timing of the filing put Ressa, who was returning to the Philippines after receiving the 2018 Gwen Ifill Press Freedom Award in New York from the Committee to Protect Journalists (CPJ), at risk of arrest on her arrival. However, she immediately showed up at court and posted bail on December 3, the day after arriving home.

Media and press freedom supporters within the Philippines and abroad rallied around Ressa and denounced the charges as intended to silence the incisive and critical reporting on the many issues hounding Duterte and his government.

Ironically, around the time the tax evasion charges were filed, the Bureau of Internal Revenues, the state's tax collector, handed the news outfit a notice naming it one of the country's top withholding agents. Those granted this distinction are either large taxpayers, among the country's top 20,000 private corporations, or among the top 5,000 individual taxpayers.

"Now is certainly not the time to be afraid," Ressa vowed, adding that Rappler and its staff would continue to do investigative reporting.

Duterte has also threatened to block the renewal of the franchise of the broadcasting giant ABS-CBN and file plunder and tax evasion charges against the family that owns the *Philippine Daily Inquirer*.

Duterte's constant threats to shut down media outfits are seen as the third most serious threat under his administration by Filipino journalists (17.6 per cent) who were surveyed by the NUJP. The survey is part of a broader review of media safety in Southeast Asia by the IFJ and its regional affiliates banded together under the SEAJU network.

TROLL ARMY ON THE MARCH

Much of Duterte's anger has been triggered by critical media coverage of his "war on drugs", a brutal anti-narcotics campaign launched when he became president, which has claimed more than 5,000 lives in what authorities call "legitimate" operations.

It is not surprising then that assaults and other threats to Philippine media have spiked to record levels.

On May 3, 2018, World Press Freedom Day, three major Philippine media groups – the NUJP, the Philippine Centre for Investigative Journalism, and the Centre for Media Freedom and Responsibility – released a report, "Speak Truth to Power, Keep Power in Check".

It detailed how Duterte's presidency "has altered and controlled the public

Philippine Senator Antonio Trillanes speaks to members of the media at the senate building in Manila on October 22, 2018. A local court denied a motion by the Department of Justice for an arrest warrant for Trillanes over his 2003 coup case. Credit: TED ALJIBE / AFP



discourse so radically in its favour” that it had “narrowed the celebrated freedom of the Philippine press and the people’s cherished right to know.”

The report identified at least 85 cases of assault on the media under Duterte from June 30, 2016 to May 1, 2018, including murders and attempted murders, death threats, online harassment, police surveillance and the revocation of operating licences.

It noted that Duterte’s undisguised hostility towards the media, he called them “presstitutes”, had been picked up by his allies and appointees who “sponsored a misinformation army online and off”. The president’s “troll army” was well-funded and professionally managed and hurled insults at the media accusing detractors of corruption and misconduct without basis “in fact or in law.”

Among the detractors are Mocha Uson, a former starlet with a substantial social media following, serving as an assistant secretary in the Presidential Communications Operations Office, and pro-Duterte blogger, RJ Nieto, who once wrote under the pseudonym “Thinking Pinoy”.

The IFJ-SEAJU survey showed “cyber-attack (and) online harassment/trolling” as the second worst threat faced by Filipino journalists (25 per cent).

Reuters journalists Manuel Mogato and Karen Lema, were attacked online after reporting Duterte’s self comparison to Adolf Hitler and referencing the Holocaust, when he said he would be “happy to slaughter” up to three million drug addicts. Mogato, a member of the Reuters team which won a Pulitzer Prize for its coverage of Duterte’s “war on drugs”, had his Facebook account defaced and profile picture replaced with the logo of Uson’s blog.

Julie Alipala, a former director of the NUJP, came under attack from a Facebook group called Phil Leaks after she reported on the deaths of seven young tribal men from the Sulu province who the military claimed were members of the Abu Sayyaf extremist group. The families of the victims said they were farmers on their way to harvest fruit when they were attacked by the soldiers.

In retaliation, Phil Leaks posted an image of Alipala on its Facebook wall

Phil Leaks posted an image of Alipala on its Facebook wall and accused her of having been paid to defend the Abu Sayyaf. Because of the threats she faced, her employer removed Alipala from Zamboanga City, where she was based.

Activists hold a protest at the gate of the House of Representatives denouncing the Congress move to extend Martial Law in Mindanao in Manila on December 13, 2017. The extension of martial law across the southern third of the country was granted to combat Islamic militants and leftist rebels. Credit: NOEL CELIS / AFP





and accused her of having been paid to defend the Abu Sayyaf. Because of the threats she faced, her employer removed Alipala from Zamboanga City, where she was based.

Women journalists appear to be easier targets for online attacks. Several reported being bombarded with threats on social media to rape them or their children, or wipe out their families.

News websites and media organisations critical of Duterte's leadership have also been hacked and taken down, including the NUJP, which has faced multiple attacks.

THREATS FROM INSIDE AND OUTSIDE

Because of the anonymous nature of the attacks, journalists feel they have no way to respond to, or prepare for them, adding to their sense of vulnerability.

This has resulted in some degree of self-censorship on the newsroom floor. Journalists have reported to unions and colleagues being asked to water down or even pull reports seen as too critical of the Duterte administration which might invite retaliation from

Journalists have reported to unions and colleagues being asked to water down or even pull reports seen as too critical of the Duterte administration which might invite retaliation from the government and its supporters.

the government and its supporters.

Even prior to undertaking an assignment, there have been hints and suggestions to reporters to tone it down. This anxiety is reflected in the IFJ-SEAJU survey which found 13.2 per cent of respondents identified censorship as the worst threat to their profession.

Proposed legislation, including amendments to the constitution, also threaten to further erode press

An activist displays a placard depicting President Rodrigo Duterte as a clown during a protest in favour of the freedom of press in Manila on January 19, 2018. Philippine journalists had taken to the streets in support of Rappler news facing state-enforced closure, accusing President Rodrigo Duterte of trampling on press freedom. Credit: TED ALJIBE / AFP

freedom and freedom of expression already undermined by existing repressive laws. The criminal libel provision of the Revised Penal Code mandates jail terms of up to 50 months and the Anti-Cyber Crime Law triples the penalty for libel to a maximum of 12 years' jail if committed online or through electronic means.

Proposed changes to the Human Security Act, or anti-terror law, could potentially punish reports on groups or persons deemed terrorists by treating them as instances of "incitement" or "glorification."

And a proposed amendment to the 1986 Constitution would change a provision of the Bill of Rights to read: "No law shall be passed abridging the *responsible* exercise of the freedom of speech, of expression, or of the press,



Activists are sprayed with a water cannon as they scuffle with policemen during a protest against Philippine President Rodrigo Duterte in Manila on November 30, 2017. Credit: NOEL CELIS / AFP

Unfortunately, worsening labour and economic conditions have forced some journalists to turn to unethical practices to make ends meet.

or the right of the people peaceably to assemble and petition the government for redress of grievances.”

Media figures and academics have argued this begs the question “who decides what is responsible?”

PAUPERS AND REPORTERS

Aside from the dangers to their physical safety, Philippine journalists also have to contend with challenges to their economic and psychological wellbeing.

In the face of increasing physical danger and intimidation, the most number of survey respondents (27.2 per cent) said the greatest threat they faced was “low wages (and) poor working conditions.”

Many Philippine media workers, whether in major news organisations or in small community outfits, earn very low wages and work in difficult conditions. Security of tenure, along with the benefits and privileges that go with it, is diminishing as more and more

media companies replace retired or laid-off workers, with contractual hires.

The industry has also seen successive rounds of mass layoffs by the major networks over the past couple of years that have displaced hundreds of media workers, many of them seasoned veterans.

Shrinking news staff have come under mounting pressure from increased workloads without commensurate compensation, and new hires are expected to hit the ground running despite their lack of experience and training.

Major media companies, mainly in broadcast, have also increasingly required their news divisions to generate income. Many news and public affairs programs that have failed to meet revenue targets have been axed. For example, News5 scrapped two primetime news programs – the morning show *Aksyon sa Umaga* and the late night

ReAksyon – as it remodelled as a more “lucrative” sports channel. As a result, many news programs have resorted to “dumbing down” content in a bid to increase ratings and revenues.

Small community outfits in the regions and provinces are also hard hit, many of them unable to pay their staff even the legal minimum. Because of this, many resort to unorthodox ways to pay their employees, such as requiring them to take in advertisements for commissions.

Unfortunately, worsening labour and economic conditions have forced some journalists to turn to unethical practices to make ends meet.

But discussions on media ethics still tend to revolve around individual responsibility; journalists who are caught are unceremoniously axed and their reputations tarnished. And while there have been some advances in efforts to include the ethics of

media owners and management in the journalism ethics conversation, they have not been enough to lead to genuine accountability at higher levels.

Media companies also rarely invest in their workers' safety and improvement of professional skills, despite the fact that many journalists, particularly those in the provinces, can easily find themselves the victims of the natural disasters they cover.

This was brought to the fore during super typhoon Haiyan in 2013, which claimed the lives of a number of broadcasters in Tacloban City, and two storms which later hit northern Mindanao and destroyed local journalists' homes while they were working.

With the exception of journalists employed by foreign wire services and the largest local media outfits, reporters covering hazardous assignments, including in conflict zones, often do so without rudimentary safety gear. Most also do not receive hazard pay or other compensation for being exposed to danger.

Unfortunately, there have not been many recent efforts to document or gauge respect for gender rights and equality in the media. And while the popular perception is that positive steps are being taken, this is probably due

to the increasing number of women in leadership roles and not from any grassroots improvement in the situation.

The constant exposure to violence, the grief and anger of bereaved families, the pressures and threats from law enforcement officers, and the online attacks by Duterte supporters, have seen a number of them report symptoms of trauma. These include difficulty sleeping, flashbacks and emotional breakdowns. However, only one major news network is known to have any program to address stress and trauma among its workers.

The sole organisation that has trained peer supporters is the NUJP, which offered assistance to journalists affected by Haiyan and the Mindanao storms. However, financial constraints have hampered its capacity to deliver a much-needed service.

RESILIENT, ALWAYS

The situation seems bleak for Filipino journalists. But it is not the first time they have had to face serious

challenges to their profession and their duty to keep the public informed.

It was fiercely independent Filipino journalists who kept the flame burning when the dictator Ferdinand Marcos shut down the media in 1972 after declaring martial law. Emerging from the shadows as the "mosquito press", newspapers were clandestinely produced, helping reveal the worst excesses of Marcos' tyrannical rule.

Today's journalists, besieged though they may be, remain just as jealously protective of their rights and freedoms. They also have the added benefit of strong professional organisations and support systems, as well as extensive international networks they can count on when push comes to shove.

The greater challenge may be the threats from within the industry that endanger their economic, professional, and psychological welfare. Now, more than ever, they need to unite and build strong unions and associations to protect and advance their rights, improve their skills and strengthen their ethics. •

Journalists and supporters take to the streets in Manila on January 19, 2018, in support of the Rappler news site after the government withdrew its corporate registration. Rappler's chief executive was also called to answer a "cyber-libel" complaint in what media watchdogs describe as payback for critical coverage of the president's deadly 'war on drugs'. Credit: TED ALJIBE / AFP



■ THE PHILIPPINES

DEAR TROLL ARMY

When *Inquirer Mindanao* reporter Julie Alipala wrote a story that dismantled the Philippine Armed Forces' claim of killing seven "terrorists" in a firefight, she was just doing what all journalists are supposed to do: going beyond being a stenographer and scrutinising official actions.

But hours after her newspaper published the story, Alipala found herself the target of a viral Facebook attack with one poster calling her a "certified hack".

This is par for the course for many reporters after President Rodrigo Duterte's social media muse, former assistant press secretary Mocha Uson, started hurling the term "presstitutes" at every reporter critical of her boss.

It was the second part of that attack, posted on the anonymous Facebook page Phil Leaks, that alarmed the journalism community. It called Alipala a supporter of the terrorist group, Abu Sayyaf. The allegation, under the country's Human Security Act, posed grave implications for her physical safety and ability to pursue her profession.

On the post's comments thread, trolls called for Alipala to be killed under Duterte's *Tokhang* campaign against drug addicts and peddlers where cops shoot first and then scramble to present plausible evidence of guilt.

Another woman reporter in Mindanao, Kath Cortez, also braved a deluge of threats when she reported on a feud between Duterte's son and granddaughter and for her coverage of Marawi residents' protests demanding their return to the Islamic city pulverised by the military in a five-month battle with extremists.

DEHUMANISING ASSAULTS ON WOMEN

In Manila, editors and reporters of the feisty digital news outfit Rappler eat death and rape threats for breakfast. Throughout the day, they get swamped by memes targeting the sexuality of their mostly women staff.

Al Jazeera correspondent Jamela Alindogan says the attacks are aimed at demeaning and dehumanising journalists, especially women, using tactics like identity theft.

Colleagues have been called whores. I got pummelled as a "menopausal bitch". It stopped only when I pointed out that chemotherapy for breast cancer will wreak havoc on a woman's reproductive system.

The attacks against journalists are not new. Military-linked Facebook accounts accused me of being a propagandist for the Communist Party of the Philippines in 2015, an operation echoed by the attack on Alipala.

Military officials also used Facebook to accuse me of being in cahoots with alleged rebel arsonists when I shared a post on the burning of a school by paramilitary and military forces. The logic was ludicrous: because I put out the information quickly, which denied them the chance to build another tall tale, they turned me into a long-distance member of a conspiracy.

Only the loud protests by journalist groups and my move to file charges led to a public withdrawal of the claim and an apology from officers.

Attacks have also been extended to family members. This tactic was used on award-winning photojournalist Ezra Acayan when trolls called for the rape of his mother and sister.



Maria Ressa (centre), the CEO and editor of Rappler, speaks during a protest on press freedom in Manila on January 19, 2018. Credit: TED ALJIBE / AFP

Screenshots of trolling/threats to Maria Ressa, Pia Ranada and Julie Alipala. Credit: NUJP

In Manila, editors and reporters of the feisty digital news outfit Rappler eat death and rape threats for breakfast.

Pia Ranada Robles ✓
Who said I'll stop doing my job? Make this bigger than it is? It's people like RJ Nieto who think writing critically about the government is tantamount to a national security threat :))))
1 hour ago · Like · 24

Jojo A. Robles
You still don't get it, do you? Ok, then. Just look out for flying hollow blocks on the way home. Nasty things, those. I'm done with you. Keep riding RJ's coattails. I'm not famous enough to make you as big a star as you want to be. But make it a real story next time, is my request.
1 hour ago · Like · 113

Roi Lipardo and 228 others

Miguel Punongbayan Yabut

Me to the RP Government: Make sure Maria Ressa gets publicly raped to death when Martial law expands to Luzon. It would bring joy in my heart.~

12 minutes ago · Like · Reply · 5

Colleagues have been called whores. I got pummelled as a “menopausal bitch”.



Prize For Independence award winner Inday Espina-Varona speaks ahead of the Reporters Without Borders (RSF) Press Freedom Awards ceremony in London on November 8, 2018. RSF awards the prize to reporters who resist pressure in carrying out their work. Credit: BEN STANSALL / AFP

GRAND STRATEGY

Rappler mapped out the genesis of the attacks; 26 fake accounts that reach 3 million social media accounts on a digital highway powered by a mix of automated bots and the regime’s social media influencers. It also found the original social media account that shared a fake Al Jazeera website to lure netizens into mistaking disinformation for legitimate news.

The Philippines popped up in exposes of Cambridge Analytica’s dirty digital swarm which played a role in the election of US President Donald Trump.

Rappler and other media outfits have reported that some troll accounts targeting Philippine journalists originate from Eastern Europe, where the Russian influence runs deep.

Rappler chief executive officer, Maria Ressa and two other critical journalists, Ellen Tordesillas and Ed Lingao, were recently named in a conspiracy theory that they were part of an organised movement to oust Duterte. The viral social media post came from an account linked to the president’s son, former Davao vice-mayor, Paolo Duterte.

The list, full of the usual faulty “intelligence” that characterises Duterte’s tirades, has become a laughing stock. But there is genuine concern behind the mockery.

Social media and on the ground attacks are clearly interlocked in the Philippines.

First, the raucous screams of the mob, then, a series of blows from Duterte that give the lies an “official” nature. Almost always, these eventually lead to physical attacks, often using the state security and legal apparatus.

The cases themselves are fantasies and embarrassing in their sloppiness. But the regime which ousted Chief Justice Ma Lourdes Sereno is also focused on denying critics their operational sphere.

In the case of Rappler, making it nigh impossible to conduct business transactions with a freeze order by the corporate regulatory body, followed by libel cases, an outrageous tax-evasion case and, finally, an arrest warrant for Ressa.

FIGHTING BACK

How can journalists stop this toxic flood? Rappler, Vera Files, ABS-CBN, the *Philippine Star* and Agence France-Presse are all involved in fact-checking. The big television networks and Rappler’s Move.ph have teams fanning out across the country to teach media literacy. But there is no magic wand.

Ressa notes, “If you repeat a lie ten times, truth can catch up, but if you say a lie a million times, that becomes the truth.”

More than fact-checking, going to war with the disinformation czars and their minions has helped journalists. Ressa’s stubborn pursuit of executives of social media giants Facebook and Twitter has resulted in the worst pages and fake accounts being taken down. Rappler and the Vera Files have partnered with Facebook in fact-checking and identifying the sources of disinformation.

Journalists have also placed public alerts on accounts that threaten us and we continue to work with some of the saner supporters of Duterte. Yes, they exist.

Journalists brought the dangerous and clearly false accusations against the Marawi coverage of photojournalist Jes Aznar to the attention of Joel Egco, the Task Force on Media Safety head, and friendly military officers. They issued strong statements that shamed the attacker, who incited physical attacks on Aznar – though they also got plenty of grief for their aid.

In my case, key people in Cabinet Secretary Leoncio Evasco’s circle confronted the person who threatened to accost and sexually abuse me just “to see how brave you are.”

In most cases, the public alerts are also coordinated with Facebook, resulting in takedowns.

Media outfits have learned to ease up on intense rivalry, allowing staff not only to defend colleagues from other companies, but also to celebrate their good work.

Journalists normally hate becoming the subject of news. But as targets of attacks, we have no choice but to fight back and use the same media platforms where these assaults are launched.

INDAY ESPINA-VARONA

■ THAILAND

DROWNING WITH THE DICTATOR



A protester displays a placard with a caricature depicting Thai Prime Minister Prayut Chan-Ocha as Pinocchio before a demonstration to mark the fourth year of junta rule in Bangkok on May 22, 2018. Credit: JEWEL SAMAD / AFP



Prime Minister General Prayut Chan-ocha was in a playful mood when he pointed to a cardboard cutout of himself at a press conference in January and said: “Whoever wants to take photos and ask about heated politics and conflicts, just ask this guy.”

The general, who seized power from the elected Pheu Thai government of Yingluck Shinawatra in a May 2014 coup, then gave a “rock star” devil’s-horn salute to the dismayed press pack at Government House and walked away.

It’s not the first time Prayut has shown his disdain for the Thai media. He’s thrown a banana peel at a cameraman, threatened to execute critical journalists and played with the ear of a sound technician kneeling on the ground during a press conference.



THAILAND

- **Media situation:** Worsening
- **Key safety threats:** (1) Not being paid regularly, (2) Attacks on workplace, (3) Being reprimanded or sacked
- **Key Influencers on safety situation:** (1) Media control, (2) Prosecutions
- **Media safety rating:** Poor
- **Influencing factor to safety:** Media control
- **Biggest workplace safety issue:** Legal issues
- **Media impunity scale:** N/A**
- **Impunity influence:** Military
- **Justice system ranking:** N/A**
- **Survey base:** Nine regions with largest results from Bangkok

*Scale out of 10 based on media worker/attitudes/responses – with 1 representing the most positive score and 10 the worst score.

**Insufficient survey base collected in Thailand to determine representative scale

But behind the clumsy attempts at humour, the Thai press has been subjected to menacing intimidation as the military junta embarked on its roadmap to bring “peace and stability” to the country. This comes after a decade of political division ignited by the rise of Telco billionaire Thaksin Shinawatra who was ousted in a bloodless coup in 2006.

Since the junta’s National Council for Peace and Order (NCPO) came to power in 2014, dissenting voices, peaceful protestors and journalists have been subjected to arbitrary detention, intimidation and criminal prosecution. The Internet Law Reform Dialogue (iLaw), an NGO that documents cases related to freedom of expression, calculated the NCPO had summoned at least 35 reporters for “attitude adjustment” and prosecuted 14 reporters under politically motivated charges.

One of those, outspoken journalist Pravit Rojanaphruk was charged in August 2017. He faces up to 20 years in jail for Facebook posts critical of the government, which allegedly breached the sedition and computer control laws.

Among other repressive diktats to silence journalists, the NCPO also issued orders No. 97/2557 and No. 103/2557 prohibiting reporters and media from distributing information the junta regarded as “malicious” or “false” or with the aim to discredit it. The orders were made under Section 44 of the interim constitution - also known as the “dictator law” - which empowered Prayut to independently issue orders.

The once independent National Broadcasting and Telecommunications Commission (NBTC) was also restructured to crack down on satellite and digital TV stations regarded as sympathetic to Thaksin’s “red shirt” political supporters.

Compounding the restrictive conditions, traditional media found themselves struggling for financial survival in the face of a weak economy,



Thailand's prime minister, Prayut Chan-ocha, points at a lifesize cardboard cutout of himself in an attempt to avoid questions from the media in January 2018. Credit: Screenshot ABC



falling advertising revenue and the flourishing of digital media.

After stacking the election process and parliament in its favour via a rewrite of the constitution, the NCPO confirmed in early December 2018 that after four-and-a-half years voters would go to the polls on February 24, 2019.

On December 11, it lifted its prohibitions on public gatherings and political activities so the election can proceed. But it has kept in place orders restricting media criticism of the junta, including its actions and policies. Criminal cases in relation to the restrictions already underway will still proceed in military and civilian courts.

"Thailand can't hold credible elections when political parties, the media and voters are gagged by threats of arrest and criminal prosecution," said Brad Adams, Asia director at Human Rights Watch (HRW).

The climate of fear was reflected in a IFJ-SEAJU survey which showed 48 per cent of respondents believed the culture of impunity in Thailand was endemic. A total of 42 per cent said this was due to the negative impact of the military, while 23 per cent blamed the government and justice system.

However, one senior Thai editor

who spoke to the IFJ with the request of anonymity, said painting all Thai journalists and media organisations solely as victims of the regime would be naive. He said there were many media owners who were happy there was a coup as they believed it would bring political and economic stability.

"Basically we (the media) were split like the rest of the country," he said referring to the chasm between the pro-Thaksin "red shirts" and the pro-establishment "yellow shirts". Adding that it influenced the "way we did our jobs".

The Thai press has been subjected to menacing intimidation as the junta embarked on its roadmap to bring "peace and stability" to the country after a decade of political division.

"This explains why in certain areas, certain mainstream media are less critical of the coup, of the junta; it allowed for self-censorship," he said.

ROYALLY MISTAKEN

Thailand's lese majeste law, Section 112 of the Criminal Code, carries penalties of between three to 15 years' jail for anyone who "defames, insults or threatens the king, the queen, the heir-apparent or the regent." But there is no definition of what constitutes an "insult" and Section 112 has long been used by both sides of politics to jail critics and deter open speech, even when a charge is only tenuously connected to the Thai royals.

From May 2014 to October 2018, 94 people were charged under Section 112, according to data from iLaw. The majority were in 2014 (24) and 2015 (37), but in 2018 there have been none.

One pundit believes the high number of cases in 2014 and 2015 had more to do with the ailing health of the late and much-revered King Bhumibol Adulyadej, who passed away on October 13, 2016, and discouraging talk about secession and the political awakening of Thailand.

The "softening" on Section 112 came too late for Somyot Prueksakasemsuk,

Thailand's lese majeste law, Section 112 of the Criminal Code, carries penalties of between three to 15 years' jail for anyone who "defames, insults or threatens the king, the queen, the heir-apparent or the regent."

editor of the now-closed *Voice of Taksin* magazine, who was released on April 30, 2018, after serving six years in jail for publishing stories deemed by judges as insulting to the monarchy. He was sentenced to 11 years' jail in January 2013, but the sentence was reduced in 2017 on the grounds that he did not write the two articles in question. On his release, Somyot decried the lack of democracy in Thailand, saying the junta had taken the country "backwards".

Both the 2007 Computer Crime Act (CCA) and the country's sedition law, under Article 116 of the Thai Criminal Code, have been used hand in hand to silence criticism, particularly for comments posted on social media.

The amended CCA was adopted on December 16, 2016, which opened the way for government officials and big business to pursue defamation cases for the introduction of "false" and "distorted" information into a

computer. The intention of the original Act was to stop computer hackers, according to the Freedom on the Net 2018 report.

In its 2017 report, the Thai Journalists Association (TJA) described it as a year of "control, harassment and struggle" with the government using the excuse of national security as a way to oppress the media.

iLaw says in the four years prior to the coup, there were only four sedition cases reported. But from May 2014 to August 2017, there were at least 66, including eight administrators of a satirical Facebook page called "We love Prayut".

The IFJ-SEAJU survey found 71 per cent of respondents believed legal issues had the biggest impact on their

work safety and security. A total of 39 per cent also put it down to state intervention and police raids, and one in three (32 per cent) blamed threats to individuals and media organisations.

THE ADJUSTMENT BUREAU

Outspoken junta critic and longtime press freedom advocate Pravit Rojanaphruk has felt the wrath of the ruling junta many times.

A respected journalist and columnist at *The Nation* English-Language newspaper for over two decades, he was detained for the first time shortly after the junta seized power in May 2014 and held incommunicado for a week.

In September 2015, he feared he would permanently disappear when he was taken to a military base, blindfolded and again held incommunicado in a small cell and questioned by military police.

He was released two days later after being forced to sign a pledge not to be involved in anti-junta activities, the Committee to Protect Journalists (CPJ) said at the time. Military officers also threatened to freeze his bank account if he continued criticising them.

Pheu Thai party legal adviser Chusak Sirinul (right) speaks to a police officer on May 17, 2018, during an attempt to stop a press conference marking the fourth anniversary of the coup d'état. Credit: LILLIAN SUWANRUMPHA / AFP



“The first one was not very alarming because we were at liberty to walk in the military base or camp,” Pravit said. “But the second time around I was held in solitary confinement without any real human contact. I was kept locked in a very small four-by-four metre room without any vista to the outside world.”

After his release *The Nation*, his employer for 23 years, asked him to resign to avoid the paper facing government pressure while publicly stating its editorial stance had not changed due to “the incident”.

The junta also tried to restrict his movements. In May 2016, it barred him from leaving the country to attend World Press Freedom Day events in Helsinki, Finland.

But Pravit kept on writing about suppression by the junta, most notably abuse of Section 112.

On August 8, 2017 his unwillingness to be silenced finally caught up with him when he was charged with two counts of sedition and five of violating the CCA which carried penalties of up to 20 years’ prison. The charges

were laid at the police department’s Technology Crime Suppression Division and related to Facebook postings criticising the junta-drafted new constitution, Yingluck Shinawatra’s court case over government rice subsidies and Pravit’s handling of floods.

The case hasn’t been sent to prosecutors. Some of the restrictions Pravit says he signed as an “MOU” (memorandum of understanding) demanded by the junta have now been lifted.

In November 2017, Pravit was awarded the CPJ’s International Press Freedom Award in New York, in recognition of his outspoken work denouncing the repression of free speech and persecution suffered by journalists in Thailand.

ACCESS DENIED

The consumer shift from traditional print and broadcast media to digital and online, has presented the military regime with both a challenge and

headache on how to control the media and public dissent.

This is amongst the heaviest internet and social media users in the world, with a growing trend towards mobile phone use due to greater affordability.

Amendments to the CCA had empowered more government bodies to request websites be taken down, according to the Freedom on the Net 2018 report.

In May 2017, the Thai Internet Service Providers Association (TISPA) said its members had blocked access to more than 6,300 URLs on NBTC orders for “threatening national security”, the report said.

In the first half of 2018, Facebook restricted 285 pieces of content, almost all of which were alleged to violate the *lèse majesté* laws, according to the company’s own transparency report released in November. This compared to 365 pieces of content being restricted in 2017, 10 times the amount in 2014. It also handed over user data to the Thai government for the first time in 2017. From mid-2014 to the end of 2017, the military government made 386 requests to Google to remove 9,986 items, almost all of which were identified

Thai journalist Pravit Rojanaphruk flashes a V-sign as he stands with his mouth taped outside a military base in Bangkok after being summoned by the junta on May 25, 2014, following a coup three days earlier. Pravit continues to be an outspoken freedom and democracy advocate and a critic of the military. Credit: STRINGER / AFP





The two main English-language newspapers, the Bangkok Post and The Nation, are both carrying large debts and struggling to pay operating costs while maintaining basic staffing levels in their newsrooms.

Members of the media wait for a press conference at the command centre near the Tham Luang cave where the daring mission of 12 young footballers and their coach was underway in July 2018. According to the IFJ-SEAJU research, 77 per cent of Thai respondents said their work had been a safety concern in the past year. Credit: LILLIAN SUWANRUMPHA / AFP

as government criticism, according to Google's transparency report. Last year, Google agreed to remove content named in 93 per cent of the requests.

Pravit, who now writes for *khaosodenglish.com*, believes the military has come to understand the importance of controlling social media, as the influence of traditional media dwindles.

"The military has become increasingly wary of how people learn and communicate through the internet," he said. "Both the Computer Crimes Act and the use of the Sedition charges were hardly used in the past prior to the coup. But since 2014 they've been used to intimidate as well as punish anyone they deem as a threat to military rule."

Civil liberties groups and internet companies and business are also worried about a proposed cybersecurity law, which would allow a new government agency to spy on internet traffic, remove

content and seize computers without judicial oversight.

The National Cybersecurity Committee (NCSC) will have the authority to access the computers of individuals or private companies, make copies of information, and enter private property without court orders. Criminal penalties would be imposed for those who do not comply.

PRESSED FOR TIME

Right now, Thailand's traditional media is in a desperate struggle for survival.

All the major Thai papers have taken severe financial hits in recent years. The country's biggest paper, *Thai Rath*, which once boasted a circulation of one million readers, has seen its profits plummet from 2 billion baht (US \$61million) in 2013 to 1 billion (US \$30.5million) in 2016, according

to the 2018 – *Thailand Media Landscape*, published by InfoQuest.

Two other major Thai-language newspapers performed just as badly over the period. *Daily News's* profits tumbled from 300 million baht (US \$9.2million) to 100 million (US \$3.1million), while *Matichon's* fell from 100 million baht (US \$3.1million) to 64 million (US \$1.9million).

The two main English-language newspapers, the *Bangkok Post* and *The Nation*, are both carrying large debts and struggling to pay operating costs while maintaining basic staffing levels in their newsrooms.

Post has closed its educational magazine *Student Weekly*, and another periodical *Koo Sang Koo Som* stopped publishing at the end of 2017 due to falling circulation. *Chiang Mai News*, a daily, which started in June 1991,



Activist Somyot Prueksakasemsuk arrives at the criminal court in Bangkok on January 23, 2013. A prominent Thai political activist accused of insulting the monarchy, he was handed an 11-year prison term in the latest tough sentence under the kingdom's lese majeste laws. Credit : AFP PHOTO/ Nicolas ASFOURI

stopped printing on March 5, 2018, and now publishes only on its website and Facebook page.

"The media is in an adaptation phase," said Pichitra Tsukamoto, a media scholar from Chulalongkorn University. "Income-generating methods and business models may have to be revised."

One Thai newspaper editor was far more blunt: "I think it's a real, real concern. Revenues have dropped like nothing, for the newspaper groups; that's all migrated over to social media."

Digital media advertising in Thailand hit 11.8 billion baht (US \$360 million) in 2017, edging out the 10 billion baht (US \$305 million) spent on newspaper advertisements for the first time, according a study by international media and consumer monitor Kantar Worldpanel.

But digital TV stations which borrowed money to pay for their licence concessions from the military government are also suffering

financially. In May, they requested Prayut invoke Section 44, the so-called dictator law, to impose a debt moratorium on the combined 4.8 billion baht (US\$ 146 million) they owed in licence fees.

"Which means they are indebted to the state," said the editor. "That opens yourself to internal pressure and self-regulation."

Triple V Broadcast announced a voluntary redundancy program for "efficiency" and "long-term cost restructuring of human resources" and on January 1, 2018, laid off 127 of its staff.

Digital TV channels are not only suffering from business losses but efforts to control them through the NBTC.

Since the 2014 coup, the Thaksin-friendly Voice TV has been censored 52 times with presenters suspended, programs banned, channel blacked out and threats issued to revoke its digital TV licence.

In 2018, Voice TV had a primetime

program *Tonight Thailand* banned for 15 days and the *Daily Dose* was banned for three days in July, as was *Wake-up News*.

Satellite station PEACE TV, a red-shirt channel, has been penalised 34 times under the Prayut regime. It was blacked out twice in 2018; once for 15 days from February 6 and a second time, for 30 days from May 9.

REFORM OR REGRESSION?

But the biggest threat hanging over the long-term future of the Thai media's independence is the junta's "Protection of Media Rights and Freedom, Ethics and Professional Standards" legislation.

The proposed media regulation law is contained in the junta's 20-year National Strategy, which is protected by the latest constitution and forces politicians to follow it or face impeachment.

Kulachada Chaipipat, advocacy manager at the Southeast Asian Press Alliance, believes it will be passed by either the current administration or the new parliament after the election.

"It's already part of the reform

The biggest threat hanging over the long-term future of the Thai media's independence is the junta's "Protection of Media Rights and Freedom, Ethics and Professional Standards" legislation.

agenda of the junta," she said. "The time has passed that they will totally strike out this law."

Media outlets and associations have been given two drafts of the bill, but are unsure of what is in the final one currently being assessed by the government's legal officers.

The most troubling aspects are requiring "professional" media workers and organisations to be registered with the new national Professional Media Council which will have "over-arching" powers.

Concerns were also raised about the council being under state control. Draft legislation outlines that two ministries would sit on the board and funding would come from the government and the NBTC.

Kulachada said some contentious issues about government interference had been erased after negotiations with stakeholders such as the TJA,

professional groups and academics.

"What they (the stakeholders) are trying to do now is at least mitigate the impact," she said.

Some in the Thai media agree that the industry needs reform, particularly in terms of ethics and professionalism, and much of the blame is placed on the current Press Council, which is independent and self-regulating.

"We've never had such regulations," said Pichai Chuensuksawadi, a former *Bangkok Post* editor-in-chief, referring to the draft legislation. "We've had the Press Council in Thailand which tried to deal with ethics. But to be honest there have been instances where the Press Council has tried to investigate ethical standards or issues with members ... but there is a weak spot there."

Pichai said sanctions were meant to be meted out against members who breached ethics which would be published by other councils members,

but "I've never seen this done".

The laissez-faire attitude to membership of media unions and associations was reflected in the IFJ-SEAJU survey, with 80 per cent identifying themselves as "non-members". Regarding the media situation in Thailand, 42 per cent thought it had worsened over the past year "to some degree", mainly attributing it to state and political actors (35 per cent) and government policy or legislation (29 per cent).

Kulachada believes the Press Council will continue in some form, but under the umbrella of its successor. She said the ineffectiveness of the Press Council in resolving disputes, lack of interest from its members who are more focused on financial survival, and division along political lines had contributed to its weakened state.

"In a way the Press Council has lost credibility and they cannot function independently or effectively," she said.

It's her belief that the self-interest shown by Thai media groups had led to them placing less importance on core issues such as ethics and skills training, as well as pay and job security. It had also helped provide the junta with a credible pre-text for the need for media reform.

"Basically, we are sliding back 20 years in terms of media reform." •

Media organisations in Thailand issue a statement denouncing the proposed Media Regulation Bill. A total of 30 media organisations including the NUJT and Thai Journalists Association (TJA) issued a joint statement denouncing the bill, stating it would restrict press freedom rather than protect it. Credit: Kasamakorn Chanwanpen The Nation



TIMOR LESTE

PRESS FREEDOM AT A PRICE





Timor Leste has been one of the more encouraging media spots in the region over the past decade.

A fairly lively media environment has grown since independence in 1999. A small nation of 1.2 million people it now hosts five local dailies, four weeklies, seven TV stations (six private, one government) and about 20 local radio stations throughout the country. However extreme poverty, dangers in reporting corruption issues and partisan political violence in the past, still cast a shadow over the journalists recently surveyed.

The IFJ-SEAJU survey canvassed 58 working journalists in Timor Leste. The results are relatively positive. A total of 50 per cent believe the situation for journalists has improved somewhat or significantly in the past year. Seventy per cent believe it is static or has improved. But disturbingly, the fear of threats, physical violence and legal persecution remains high for journalists in Timor Leste.

FEAR OF ATTACK

The capital Dili is the seat of political power, the economic base for a business class largely reliant upon government development projects and, of course, the home for most of the media. With a population of just 222,000, it can be an uneasy and overly intimate mix.

The economy is highly reliant upon national oil revenue and its subsequent expenditure though private contractors remains the subject of intense speculation, with much of the country's oil wealth in recent years poured into megaprojects at the expense of much-needed public services including running water, schools and health clinics. UN figures released just prior to the election showed almost half the population lives below the extreme poverty line.

East Timorese attend a Fretilin Party campaign rally in Dili on May 9, 2018, three days before the election. Campaigning was marred by violence and political mudslinging. Credit: Valentino Dariell DE SOUSA / AFP

Faith in government oversight remains low and the task of exposing corruption over the past decade has fallen largely to journalists. During the 2018 election campaign, opponents of Xanana Gusmao, prime minister from 2007 to 2015, highlighted the rampant cronyism that dominated the National Congress for Timorese Reconstruction (CNRT) party's decade in power. One example is Gusamao's nephew, Nilton Gusmao, who held lucrative government contracts and today is said to be one of the country's wealthiest men. It takes a certain kind of bravery to report on such matters in a small city.

One journalist said to the IFJ: "It can be a dangerously small place. In the morning you might accuse a businessman of corruptly receiving money from a relative in politics. It could destroy him. In the afternoon you'll join him in the same supermarket queue . . . It is difficult to do strong reporting on



TIMOR LESTE

- **Media situation:** Improving
- **Key safety threats:** (1) Poor wages and working conditions, (2) Physical random attack
- **Key influencers on safety situation:** (1) Professional ethics of journalists (2) Government policy and legislation
- **Media safety rating:** Improvement needed
- **Influencing factor to safety:** (1) Education/training, (2) Media control, (3) Ruling party position
- **Biggest workplace safety issue:** Individual threats
- **Media impunity scale:** 4.1*
- **Impunity influence:** (1) Political leadership, (2) Police
- **Justice system ranking:** Not recorded
- **Survey base:** Metro

*Scale out of 10 based on media worker/attitudes/responses – with 1 representing the most positive score and 10 the worst score.

a high politician. I am aware of that. I have to manage myself carefully. I get used to leaving Dili after a story”.

While there were only two reports of physical attacks made on journalists last year in the survey, a quarter of those surveyed noted being physically threatened for their reporting in the same period and a third of them actively fear physical attacks on themselves or their families.

With billions of dollars of oil revenue flowing through government hands the opportunities for corruption are high and the stakes for journalists reporting on such expenditure even higher. Those risks haven't deterred some of Timor Leste's most notable reporters. For those reporters, death threats, threats to harm or threats to sue are not uncommon.

On a positive note, the vast majority of journalists surveyed (89 per cent) felt there was not a culture of impunity for physical or character attacks upon journalists in Timor Leste. Journalists appear to have high confidence in the courts and the judicial system. Only 9 per cent consider that the courts do not treat attacks upon journalists with due seriousness. Confidence in police and political leaders on the same question however is particularly low. Seventy-two per cent of journalists cite police and politicians as the dominant negative influence upon impunity for attacks against reporters.

LOW PROFITS, LOW WAGES

The biggest threat journalists noted in terms of the creation of a strong media in Timor Leste was chronically low wages. Out of 12 listed threats, almost half nominated poor wages and working conditions as the single biggest threat to their craft.

Quite aside from the difficulty of surviving on low wages, the broader impact is seen in a very high churn rate for journalists in the local media environment. There is a distinct absence of mid-career reporters in Timor Leste, which evidences the attrition from the industry. Wages are so poor that practitioners are easily lured into public relations, government jobs or advisory media positions with politicians. With a low profit base, private media has extreme difficulty in retaining good staff.

Raimundos Oki, freelance journalist said: “Most journalists are moving to the state media if they can or more likely they move into NGO's or government. Most journalists I know become media officers with the government or a minister. I understand. They get a guaranteed wage, they get a pension. But it is bleeding us.”

UNDER PAID, UNDER PRESSURE

On the surface, the population is well served with multiple media outlets. But most of these organisations are barely viable financially. All of them, public or private, are highly reliant on government funding.

Veteran reporter, Jose Belo, believes that appointments to state media are highly politicised and that private media is equally vulnerable to government influence. He estimates that the vast majority of advertising income across all media is sourced from the government. He also estimates that government departments account for more than half of all newspaper subscriptions. The Government funding is welcomed by many as providing assistance to the industry but Belo notes, “If you do a good story here you go broke. The ministers and their departments will hate you and the money will stop”.

Belo was the editor of newspaper *Tempo Semanal*, which was broadly viewed as the main source of investigative journalism in Timor Leste. *Tempo Semanal* folded two years ago and in the view of Oki investigative journalism has halved

Timor Leste President Francisco Guterres (centre) shows his marked finger after casting his ballot during the general election in Dili on May 12, 2018. The Alliance for Change and Progress (AMP), a coalition of three opposition parties, won an absolute majority in Parliament. Credit: VALENTINO DARIELL DE SOUSA / AFP





Several journalists note that the relative poverty of journalists makes them vulnerable to receiving payments from businesspeople and politicians for favourable coverage.

Journalists rally in Dili on May 29, 2017, in support of Raimundos Oki, a journalist working for the *Timor Post* charged with criminal denunciation by the country's then prime minister, Rui Aria de Araujo. Credit: VALENTINO DARRIEL DE SOUSA / AFP

since its demise.

"Investigative journalism is the most important type of journalism and we have gone rapidly backwards since that paper closed," he said. "Young journalists want to do it. We now train for it, we talk about it, we aspire to it. The energy is there but the outlets are few."

Belo recently relaunched himself online with his website *tempotimor.com* but is struggling to bring on the journalists who want to work with him.

"There are great young journalists, educated and who want to be trained on the job. There are good people in private media. There are strong people. But life is not easy here. We surrender to money or we suffer."

Several journalists note the relative poverty of journalists makes them vulnerable to receiving payments from businesspeople and politicians for favourable coverage. While not seen as an endemic problem the behaviour is widely suspected.

A more benign example of financial influence has been through the payment

of accommodation fees and "per diems" for journalists travelling with official parties throughout the countryside. The IFJ affiliate, the Timor-Leste Press Union (TLPU) views the practice as potentially compromising to political and business reporting. They have undertaken to end all such arrangements this year and have reached agreements with state and private media to cover related costs for staff journalists.

NEW LAWS, REGULATORS, THREATS

A new Media law was implemented in Timor Leste in 2015 in the face of vocal opposition from journalists and notable concern by international press groups. The most controversial element of the law were criminal defamation provisions. These were removed to ensure passage through parliament. But several concerning elements were enacted in the new media law, including a scheme to issue government licences to enable the practice of journalism in Timor Leste. Australian barrister and

IFJ observer for Timor Leste, Jim Nolan, notes that the new laws have wisely been implemented gently.

"It is absurd to think that any society that aspires to free speech can achieve it by licensing journalists, including online commentators," Nolan said. "In the reverse, journalists can be deregistered by a government-appointed body and prosecuted if they continue to write and publish. In the wrong hands this could be extremely draconian."

The Media Law established a Press Council to regulate and oversee the behaviour of journalists. Against earlier expectations, the Press Council appears to have been well accepted by journalists. Although all are aware of its punitive powers, very few surveyed criticised its current operation. The council has taken on a strong general advocacy role for journalists and has been effective in mediating complaints about the media that may otherwise end up in the courts. Nolan notes, "the Press Council seems to be operating

quite well with individuals well-disposed to the interests of journalists. I see them as a mixed blessing. There are good people there but as a body they are vulnerable to abuse.”

ANTI UNION

One of the reasons for the Press Council’s popularity among journalists this year was the actions and subsequent sacking of Press Council member, Francisco Belo Da Costa. Da Costa was the editor-in-chief of Grupo Media Nacional (GMN), which spans both print and broadcast, when he was reputedly sacked for his activities in seeking to improve staff conditions on behalf of the Press Council and the journalist union TLPU.

“He was putting the Press Council and union position to GMN that journalists should be paid overtime,” said Oki. “He is a very senior guy and was promptly sacked. If they can sack a guy like him, they can sack anybody. Younger journalists know that well. They are under a lot of pressure to not be involved in a union. They can’t speak publicly. Union membership is high but they can’t be seen to be involved in campaigns. It is a fact.”

Jose Belo concurs that the sacking of Francisco Belo Da Costa was one of the most negative events for journalism in Timor Leste in the past year. “He was a good journalist and good editor. I don’t

Da Costa was the editor-in-chief of Grupo Media Nacional (GMN), which spans both print and broadcast, when he was reputedly sacked for his activities in seeking to improve staff conditions on behalf of the Press Council and the journalist union TLPU.

think it was just about his work with the Press Council. He was doing stories about politicians getting government contracts. He was doing stories about businessmen that the GMN guys were affiliated with. That is what finishes journalists here.”

THE CRIME OF JOURNALISM

Although Criminal Defamation was struck out of the 2015 Media Law, another law has been applied to effectively bring it back, threatening journalists with criminal convictions and imprisonment.

A little known provision of the old Portuguese criminal code, Section 285 Slandorous Denunciation, seems to have come back into vogue. Jim Nolan calls it a “ghost of a colonial Portuguese law that just hung around and almost no-one

noticed it.” It is a ghost that can put a journalist in prison for up to three years.

It was applied in 2013 against journalists Oscar Maria Salsinha and Oki whose newspapers both accused a public official of accepting a bribe. They were both acquitted.

Oki was charged with the offence again in 2017, together with his editor, Lourenco Martins, for an article suggesting the prime minister improperly awarded a supply contract. Prosecutors were seeking 12 months imprisonment. Again the journalists were acquitted, but the impact of these criminal cases has had a chilling effect on journalists.

“I was grateful to the court but the law is still a threat to every journalist in the country,” said Oki. “It hangs over every word we write.” •

Francisco Belo Da Costa was sacked from his role as editor-in-chief with GMN due to his role on the Press Council. Credit: Supplied



TIMOR LAWS STILL A CONCERN

In 2017, two Timor Leste journalists faced criminal charges for just doing their jobs.

When he was prime minister, Rui Maria de Araujo's administration brought charges of "slandorous denunciation" against *Timor Post* journalist Raimundos Oki and a former editor Lourenco Martins over an article published on November 10, 2015.

The article made accusations of possible "bid rigging" in relation to a government computer contract.

If convicted, the prosecutors were seeking a year's jail for Oki and placing Martins on probation.

Timor Leste abolished criminal defamation after rewriting its laws following independence in May, 2002. But the duo were charged under the obscure s285 provision of Timor Leste's penal code - that of "defamatory false information" which survived the rewrite.

By instituting criminal proceedings, Timor Leste prosecutors sidestepped the country's 2014 Press Law which favours mediation of press complaints. They also ignored the fact that the *Timor Post* had published an immediate correction of the one item in the story which contained an acknowledged mistake, the misspelling of the company which was named.

The charges and trial provoked outrage among the small Timor Leste journalist community, and, in an unprecedented move, on May 29, 2017, there was an industry-wide demonstration. All major publications in Dili carried statements from their editors denouncing the charges and the prospect of convictions, and a jail term for Oki.

It was the first time Timor Leste journalists had taken to the streets of Dili to demonstrate their support for press freedom in solidarity with their colleagues. They had no doubt that Oki had come in for special attention because he was one of a tiny group of journalists doing investigative work.

In court, the prosecutors produced little else than the text of Oki's article. However, the provision of the s285 penal code the pair were charged under requires proof of publication "with the intent of having criminal proceedings initiated against the person". No evidence of this intent was placed before the court.

The prosecutors' approach carried the implication that any exercise of investigative journalism directed to exposing public malfeasance would risk investigation and charges under the penal code.

This is antithetical to the expression of freedom of the press embodied in articles 8 and 9 of the Press Law which establishes the right for journalists not to be subjected to any interference that threatens their independence and objectivity, and, the right to freedom of expression and freedom from harassment.

After the trial proceeded in fits and starts throughout early 2017, the decision was handed down in the Dili District Court on the afternoon of June 1, 2017.

As the time of the judgment approached, the small courtroom in central Dili filled to overflowing. In addition to overseas observers in attendance, in the front row of the public gallery was former first lady, and well known human rights advocate, Isabel da Costa Ferreira who is the spouse of the current Prime Minister Tuar Matan Ruak.

When the verdict dismissing the charges was announced, the public gallery burst into spontaneous applause.

Oki said he was relieved to be cleared and said the case would be seen as a bellwether for press freedom in Asia's youngest nation. "I am happy to hear the court's ruling that cleared me, I hope this can serve as a lesson for me and other journalists to not be afraid but still careful in writing a sensitive article," he said.

The following morning, Oki and representatives from the IFJ attended the offices of the Press Council of Timor Leste. The president, Gil Guterres, made it clear that the Press Council expected that Oki's case would be the last that reached the courts. He stressed that the mechanism

It was the first time Timor Leste journalists had taken to the streets of Dili to demonstrate their support for press freedom in solidarity with their colleagues.

for handling complaints against the press was now contained in the Press Law and that all such complaints should be referred to the council in the future. The council also had talks with the Prosecutor-General's Office and the police to this end.

The decision was significant for a variety of reasons. It demonstrated that there can be no substitute for a rigorous application of the law as it is written as a starting point to preserve and enhance the rule of law. The courage and professionalism of the young judge who heard the case cannot be overstated.

The acquittal is not the end of the matter, however. While such laws are on the books, they represent a source of permanent temptation for politicians and ambitious prosecutors to seek "pay back" against political opponents. It's not just the law which represents a potential source of intrusion upon the press, but the chilling effect the prospect of prosecution has on the exercising of press freedom.

While the decision is cause for celebration, it provides a very real illustration of the threats to a free press and the state of the law affecting freedom of expression in Timor Leste.

JIM NOLAN

■ A SURVEY INTO IMPUNITY, JOURNALIST SAFETY AND WORKING CONDITIONS IN SOUTH EAST ASIA

EXECUTIVE SUMMARY



Philippine Senator Antonio Trillanes speaks to reporters at the senate building in Manila on October 22, 2018, after a court denied a Department of Justice request for an arrest warrant over his 2003 coup case. Credit: TED ALJIBE / AFP

RESEARCH METHODOLOGY:

The International Federation of Journalists (IFJ) conducted research to determine the safety of journalists in South East Asia. Using UNESCO's Journalists' Safety Indicators (JSIs) as a guiding framework, the IFJ and SEAJU jointly mapped and surveyed media workers on the extent to which journalists can carry out their work safely and to identify actions taken by stakeholders to promote journalists' safety and fight impunity.

The research was aimed at expanding and strengthening the campaigning capacity of journalists in seven IFJ-affiliated South East Asian countries to protect and promote press freedom it is the first regional application of the JSI framework and the first publication of a South East Asian press freedom report by the IFJ.

A key objective of the research is to build on this work year by year to track issues of press freedom and accord a rating..

The IFJ-SEAJU research was conducted with the help of the following IFJ affiliates and members of the SEAJU in South East Asia:

- Indonesia: Alliance of Independent Journalists, Indonesia (AJI),

- Cambodia: Cambodian Association for Protection of Journalists (CAPJ),
- Myanmar: Myanmar Journalists Association (MJA),
- Malaysia: National Union of Journalists Malaysia (NUJM),
- Philippines: National Union of Journalists of the Philippines (NUJP),
- Thailand: National Union of Journalists, Thailand (NUJT)
- Timor Leste: Timor Leste Press Union (TLPU)

METHODOLOGY DESIGN:

The IFJ, supported by UNESCO, hosted meetings with SEAJU leaders and researchers to map out the research, including the timeline, methodology, key issues and focus areas.

The first meeting held in Jakarta, Indonesia, on May 2, 2017. Lead researchers for each country were identified

and a plan of action discussed.

A second meeting held in Colombo, Sri Lanka, on December 5, 2017, coincided with the International Day to End Impunity for Crimes Against Journalists. Lead researchers established the focus of the survey questionnaire, desk research and key interviews.

PRIMARY RESEARCH:

The primary research was completed in three sections:

1 Desk Research: To review the current laws and legislation in each country related to media, press freedom, journalist safety and institutional frameworks enacted for journalists’ safety.

2 Survey: The IFJ and SEAJU survey was managed by one lead researcher in each country. The surveys were translated (where needed) and distributed to journalists through unions, associations, networks and workplaces. A target number of surveys for each country was determined in consultation with IFJ affiliates as being representative of the total number of journalists in each country. Attention was given to the geographic and gender spread of the survey through targeted approaches.

Survey results were analysed to identify key trends, patterns and themes in each country and give an overall view of the experience of journalists in the South East Asia region. This was useful for identifying responses across several key thematic areas.

Survey questions were divided into a number of key sub-sections including personal detail, locational

Survey results were analysed to identify key trends, patterns and themes in each country and give an overall view of the experience of journalists in the South East Asia region. This was useful for identifying responses across several key thematic areas.

information, professional profile and workplace experience. In addition, journalists were asked for their perceptions on press freedom, employer responses to safety issues, government action, journalist safety and impunity in each country.

The survey was completed by nearly 1000 journalists and media workers across South East Asia with the highest proportion of responses coming from Indonesia.

There were 694 males, 229 females and 4 identifying as “other”.

The highest proportion of female journalists was in the Philippines, which was almost equal parity to male journalists.

RESPONSES	TOTAL	MALE	FEMALE	OTHER
South East Asia	979	694	229	4
Cambodia	67	62	5	0
Indonesia	406	311	95	0
Malaysia ¹	92	23	18	1
Myanmar	190	159	31	0
Philippines	135	69	64	2
Thailand	31	23	7	1
Timor Leste	58	47	9	0

The quantitative research gathered, was further supported by the qualitative data compiled through the interviews and desk research in each country.

Questions relating to threats to media workers were based on determining the top three to five threats in each country.

Threats were identified via the highest number of responses per country across a number of questions.

An impunity scale was calculated on a ranking identified by respondents on a scale of 1 to 5 with these results then scored accordingly (1 being no problem, 5 being epidemic). This was then recalculated to create an average score out of 10 (10 being the lowest, the worst possible score).

3 Interviews: Interviews conducted in each country were undertaken with key stakeholders. The stakeholders were identified by the lead researchers, in consultation with the IFJ. They included union leaders, politicians, security chiefs and commissioners, NGOs and media owners and others. •

1 Gender breakdown not complete due to questions not answered

KEY FINDINGS AND RESULTS

Demographics:

The greatest proportion of journalists were aged 26-35 with 42%, followed by 36-45 with 28%.

AGE	18-25	26-35	36-45	46-55	55+
	9%	42%	28%	11%	6%

Professional Career:

- 64% of respondents were reporters/journalists, 11% were editors with smaller numbers in other professional sub-sections.
- 47% identified as working in print, followed by 19% in digital and 10% in multimedia
- In Indonesia, 34% worked in digital media
- 40% were employed by metro and local media respectively
- 49% were employed in public media¹
- In Cambodia, 100% of respondents were employed in private media
- In Thailand, 35% were self employed
- 57% were full-time regular employees, followed by 23% identifying as freelancers
- The most common beats covered were: general news (1); politics/governance (2); crime/law (3); In Myanmar, 69% of respondents covered human rights

Media Situation:

The biggest threats across South East Asia were: poor wages and working conditions (1); censorship (2) and targeted attacks (2)

By country, the key threats were as follows:

- Cambodia: “attacks on workplace”
- Indonesia, Myanmar, Timor Leste: “poor wages and working conditions”

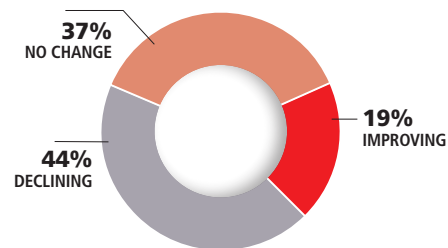
- Malaysia: “censorship”
- Philippines: “cyber attacks”
- Thailand: “Not being paid regularly”
- 50% of journalists said their work created safety concerns for them
- In the past 12 months, 41% had negative experiences associated with their work²
- 34% of those were personally attacked; 15% had suffered computer or data attacks.
- 44% said the media situation in their country had worsened or seriously declined in the past year. The result was more acute in the Philippines where 72% felt this way, aligning with the ongoing crime situation in the country, combined with the Duterte administration’s war on drugs and negative comments made against the media.
- In both Malaysia and Timor Leste: the situation had improved somewhat or significantly with 40% and 52% of respondents respectively giving a more positive response on the evolving press freedom situation in each country. Key reasons identified for this outcome were: journalist ethics and professionalism (1); media ownership (2); and government policy or legislation (3). This aligned with political developments in each country as well as the further development of the press council in Timor Leste and legal outcomes in both countries.

Government efforts:

- Government efforts to provide sufficient protection to journalists were ranked as worsening by 38% of journalists in South East Asia, though 77% of respondents in Timor Leste ranked it as acceptable.
- Key influencers on responses to “government efforts” were in

PRESS FREEDOM

The report card on media freedom in South East Asia



BECAUSE OF:

- State/political actors (Cambodia, Thailand)
- Government policy & legislation (Philippines, Myanmar)
- Journalist ethics and media professionalism (Timor Leste)
- Media ownership (Indonesia, Malaysia)



order from highest: media control (1); prosecutions or legal process (2); ruling party position (3). Political statements were identified as the biggest influence in the Philippines where President Duterte has taken an outwardly hostile approach to professional journalists.

Workplace issues:

- Only 37% of surveyed journalists had received safety and security support through their work.
- 33% ranked employer handling of safety and security issues as worsening or extremely bad³. A lack of awareness was identified as the key influence on this outcome.
- 35% said their workplace or a colleague has been attacked in the past 12 months prior. In the Philippines this was the case for 50% of all journalists surveyed; in Timor Leste it was 54% and in Indonesia it was 43%.
- 45% ranked their employers handling of the incidents as neither positive or negative and the key influence for this response was communication

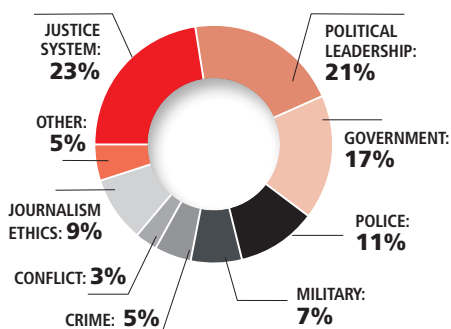
IMPUNITY

Impunity ranking: 7

Justice system ranking: 7

*Scale out of 1-10 based on media worker attitudes/responses (10 being the highest negative score)

WHY:



WHY:

- **Cambodia:** Censorship
- **Philippines:** Political statements
- **Myanmar:** Government policy or legislation
- **Timor:** Education or training
- **Indonesia:** Prosecutions or legal processes
- **Malaysia and Thailand:** Media control

■ Key safety and security concerns for journalists were identified as: legal issues (1); threats to individuals (1); threats to organisations (3)⁴. In Myanmar the biggest concern is computer/data attacks

■ 63% were members of professional organisations or unions; and 42% said their union/organisation had it conducted meetings/discussions or dialogues with government/state on the issue of media safety.

Impunity:

- The three predominant negative influences on impunity in South East Asia were identified as: justice system (1); political leadership (2); government (3).
- In Thailand the military-led government was identified as the biggest influence by 42% of journalists.
- The overall regional ranking for the South East Asian governments' handling of impunity was 7.1

KEY THREATS TO JOURNALISM

- 1 Poor wages and working conditions
- 2 Censorship
- 3 Targeted attack for my journalism

SAFETY AND SECURITY CONCERNS:

- 1 Legal issues
- 2 Cyber attack
- 3 Threats

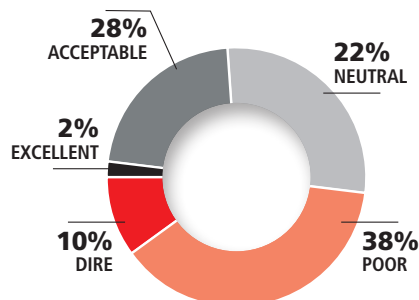
50% FELT INSECURE BECAUSE OF THEIR JOB



35% HAD A COLLEAGUE OR WORKPLACE ATTACKED



RATING ON GOVERNMENT EFFORTS TO PROTECT MEDIA WORKERS:



out of a possible score of 10 (1 being excellent and 10 being extremely poor).

- Criminal and civil justice system handling of threats and violence against journalists was 7.1 out of a possible score of 10 (1 being excellent and 10 being extremely poor). •

1 Note this question was not answered by respondents from the Philippine
 2 This question was not answered by Philippine respondents
 3 This question was not answered by Philippines respondents
 4 This question was not answered by Philippines respondents

■ MEDIA VIOLATIONS: NOVEMBER 2, 2017 – NOVEMBER 1, 2018

CAMBODIA:

Killings of journalists: 0
Threats against lives: 0
Other threats: 0
Non-fatal attacks: 0
Threats against media institutions: 0
Attacks on media institutions: 0

Arrests/Detentions: 0
Legislation/Government Restrictions: 3

Threats against media institutions: 3

February 14, 2018: Phnom Penh

The National Assembly unanimously passes *lèse majesté* laws. The law stipulates that a prosecutor can file a criminal suit on behalf of the monarchy against anyone deemed to be insulting the royal family. The law carries a term of one to five years in prison and a fine of between \$500 and \$2,500.

May 2, 2018: Phnom Penh

The Ministry of Information announces all domestic and international Internet traffic will pass through a single Data Management Centre (DMC) to be created by state-owned Telecom Cambodia.

July 28, 2018: Phnom Penh

In the 48 hours prior to the elections, 17 websites including Voice of America, Radio Free Asia (RFA), Voice of Democracy, and the Phnom Penh Post, are taken offline on request of the Ministry of Interior and Ministry of Telecommunications.

INDONESIA:

Killings of journalists: 0
Threats against lives: 0
Other threats: 14
Non-fatal attacks: 19
Threats against media institutions: 4
Attacks on media institutions: 0

Legislation/Government Restrictions: 3
Arrests/Detentions: 3

Non-fatal attacks: 19

November 14, 2017: West Java

Journalist Adi Marsiela is assaulted by a policeman while covering a trial at the Bandung City Library and Archives Building in Bandung, West Java. With the trial marred by protests, supporters of the accused, Buni Yani, clash with reporters at the scene. A police officer grabs Marsiela by the throat, dragging him from the building and later holding held him in a room. He is later released.

December 23, 2017: South Sumatra

A police officer intimidates Muhammad Wiwin, a journalist for state-owned television station TVRI, while he covers a murder case in Tanjung Baru village. The officer orders his subordinates to take Wiwin's camera. The reporter flees.

December 30, 2017: Banten

A group of young men attack TVOne contributor Kusnaedi Baduyin while he is covering a gang brawl in Tanah Tinggi Central Market in Tangerang. A dozen gang members, some armed with lengths of wood, are angered by the journalist filming the brawl.

January 5, 2018: Southeast Sulawesi

A police officer intimidates MNC Media journalist Andy Lopes Eba at Murhum Police station in Bau-Bau, Southeast Sulawesi, for taking pictures of a suspected thief who had been beaten by an angry mob. The policeman orders Eba to stop reporting.

January 11, 2018: Bali

Police intimidate Reuters TV journalist Wayan Sukarda and *Radar Bali* daily photographer Miftahuddin Mustofa Halim as they were cover a raid at the home of a Chinese-national with suspected criminal links. They demand both journalists to delete all photos and video.

January 25, 2018: Southeast Sulawesi

A police officer intimidates *Zonasultra.com* journalist Rusman Edogawa as he reports an electrocution death in Tiwu Subdistrict, North Kolaka region. The officer forcibly deletes photos from Edogawa's smartphone. The case is settled by *Zonasultra.com*.

February 12, 2018: South Sulawesi

Security officers intimidate *PojokSulsel.com* journalist Muhammad Fadly while he investigates consumer complaints against travel agent and South Sulawesi council member Syahrudin Alrif.

February 13, 2018: East Java

A suspect in a corruption case hits the camera of Transmedia journalist Agung Wibowo in Jombang, East Java, for taking photos as he is escorted to a police station.

February 14, 2018: West Java

A public order officer assaults *Suara Indonesia News* journalist Iwan Kurniawan as he attempts to cover the story of an alleged extramarital affair in Bogor, West Java. The officer strangles Kurniawan outside the Sukaraja Subdistrict Office and challenges him to a duel. Kurniawan reports the officer to local police.

February 17, 2018: East Java

A public order officer pushes and shoves BBS TV television journalist Pendik Riyatno as he covers the Angklung Caruk 2018 Festival in Gesibu Balambangan Banyuwangi.

February 21, 2018: Aceh

Security officers at Zainoel Abidin hospital in the capital Banda Aceh chase eight print journalists covering the alleged poor treatment of a comatose patient.

March 30, 2018: South Sulawesi

Ten debt collectors beat a journalist from online media in Pallangga, Gowa district, as he takes photos of a confiscated motorcycle.

April 9, 2018: South Sulawesi

A police officer pulls, drags, strangles and hits an *Inikata.com* journalist covering a rally near the Makassar parliament, despite the reporter showing his press card. The journalist takes legal action and reports the assault to police.

April 12, 2018: Aceh

An unknown person pelts the home of radio journalist Iwan Bahagia's home with rocks. The attack is believed to be triggered by Bahagia's reporting an extortion case involving a state agency.

April 28, 2018: Central Java

A football player from the Indonesian Rembang Football Association seizes and damages the camera and memory card of a Sarmang TV journalist.

May, 2018: Lombok

The head of a committee organising a local Ramadan event, Lalu Mohammad Faozal, assaults a journalist in Mataram, West Nusa Tenggara, when he is sought for comment on people's disappointment with the event.

May 8, 2018: East Java

A health agency officer berates and hits the camera of TV journalist Didik Setia Budi in Sumenep, Madura, when he is questioned over the health of two paralysed brothers.

June 5, 2018: West Papua

A mob attacks *Radar Papua* reporter Novrianto Terok at a gas station in Manokwari while he is reporting on the torching of a motorcycle. The reporter attempts to flee but is chased down by the mob and suffers serious injuries in the attack. Terok reports the attack to police.

July 4, 2018: East Java

Journalist Oryza Ardiansyah is beaten by a player and a uniformed man while covering a football match at Jember Sports Garden Stadion. The pair become angry when Ardiansyah takes photos on his smartphone of the Sindo Dharaka team members arguing with the referee.

Threats against media institutions: 4**November 16, 2017: South Sulawesi**

A university student reports *Suaracelebes.com* and *online24jam.com* to Makassar police accusing them of defaming Mayor Danny Pomanto over a corruption case.

January 21, 2018: West Java

Persib Bandung soccer club revokes the press access of a *Viva.co.id* journalist after he tweets on the unruly behaviour of the club's supporters following a loss.

May 30, 2018: West Java

The Indonesian Democratic Party of Struggle mobilises a mob to rally in front of the *Radar Bogor* office in Bogor, West Java, after the newspaper criticised former president and party chairperson

Megawati over a government allowance. The protesters storm the newspaper's office lobby, assaulting, chasing and intimidating staff and destroying chairs, tables and other furniture.

February 14, 2018: West Java

Head of the Security Directorate at Batam Industrial Utilization Body, Brig. Gen. Suherman, reports a Batam News journalist to police for defamation. Although not mentioned in the article, the security head says he has been defamed. Editor-in-Chief Muhammad Zuhri says Suherman only submitted his right of reply after reporting the journalist.

Other threats: 14**November 11, 2017: West Papua**

A group of people threaten and force Kompas TV Sorong journalist Flora Batlayeri to delete videos she takes of a fight at a dance in Sorong.

December 6, 2017: Papua

A Mimika police officer goes on a rampage against a group of journalists in Jalan Budi Oetomo in Timika. The officer, armed with a gun and a saw, starts cursing and threatening the journalists. He is allegedly angered that a colleague was named as a suspect for attacking online reporter Saldi Harmanto. The police apologise for the attack the following day.

December 6, 2017: West Java

An unknown man intimidates and abuses *Inilah* daily photographer Bambang Prasetyo while he covers a controversial construction project in Tamansari subdistrict, Bandung.

January 22, 2018: Southeast Sulawesi

Criminal Investigation Unit chief demands a *Kabarbuton.com* journalist remove video footage of him recorded during a crime investigation at the city's regional hospital. The journalist says he deletes the footage out of fear of reprisal.

February 7, 2018: South Sulawesi

Kaballang village head, Simonding, threatens journalist Syamsul Alam when he is asked to comment on possible embezzlement of rice subsidies for the poor in his village in Duampanua sub-district, Pinrang.

February 10, 2018: South Sumatra

Chairman of the Indonesian People's Community Forum, Alian Toni, threatens *JakartaDaily.id* editor for his coverage of alleged misappropriation

of funds by the Tulang Bawang Education Agency.

February 22, 2018: Central Sumatera

A police officer in Bungo, Jambi, pressures a journalist to delete pictures from his camera of a robbery suspect in custody.

March 6, 2018: South Sulawesi

A member of the Mobile Brigade (a paramilitary unit within the Indonesian National Police also known as Brimob) intimidates a journalist from *Radar Sulteng* reporting on a blaze at the Brimob housing complex. The reporter is forced to delete photos of the fire.

March 15, 2018: East Nusa Tenggara

Kupang Mayor, Jefri Riwukore, abuses *Victory News* journalist Leksi Saluk, calling him a "dog" and a "monkey" over a story on the mayor's overseas business trip.

March 16, 2018: Jakarta

The Islamic Defenders Front (FPI) holds a rally in front of the *Tempo* office in Palmerah, South Jakarta, over a cartoon published on February 26, 2018 which they say is insulting and belittling their leader Rizieq Shihab. Some protesters throw plastic cups, intimidate staff and grab the glasses of editor-in-chief, Arif Zulkifli, as they demand an apology from the paper.

March 23, 2018: Jakarta

Eight security staff at Alexis Hotel intimidate and interrogated a journalist for over an hour after he tries to cover the closure of the hotel. The Jakarta administration had earlier revoked the hotel's business licence over alleged prostitution on the premises.

March 29, 2018: Maluku

Ambon gubernatorial candidate Said Assagaff intimidates journalists taking photos of his meeting with heads of local government departments and agencies. He demands the photos to be deleted.

April 4, 2018: Lombok

An official at the Mataram City Hall intimidate and threatens Suara NTB journalist Muhammad Kasim for asking questions about the city's budget.

July 9, 2018: North Sumatra

Online reporter Muhammad Arief Tampublun is offered bribes and is intimidated by an unknown person, in an attempt to stop him investigating a gambling case involving a provincial official. Tampublun reports the incidents to the police.

■ MEDIA VIOLATIONS: NOVEMBER 2, 2017 – NOVEMBER 1, 2018

Legislation/Government Restrictions: 3

November 11, 2017: East Java

The East Java Police announce they will ban media companies not registered or verified by the Press Council from covering their future activities.

February 26, 2018: Sumatra

The head of Padang's Environment Office prohibits journalists from taking pictures of the Koto Tengah dump site. The official argues publishing photos is a bad idea while an annual government evaluation of the "cleanest and greenest" cities in Indonesia is underway.

March 22, 2018: Jakarta

Aides of the Jakarta governor demand journalists hand over recorded interviews with the heads of the Jakarta Public Order Agency and the Tourism Department Toni Bako. The interviews relate to the controversial closure of the Alexis Hotel.

Arrests/Detentions: 3

December 5, 2017: Yogyakarta

Police arrest three journalism students trying to stop forced evictions in Kulon Progo, Yogyakarta, to make way for the building of the new Yogyakarta International Airport.

The three are arrested, along with 12 other students and activists, who were present as eviction notices were being served by authorities on residents in Palihan village, Kulon Progo.

January 15, 2018: Aceh

Police officers interrogate four journalists as witnesses over a defamation case involving stories published by their media companies into fraudulent mosque certificates, allegedly issued to sway voters in a regional election. The case is settled out of court.

March 6, 2018: North Sumatra

Cybercrime police arrest two local journalists from *Sorotdaerah.com*, Jon Roi Tua Purba and Lindung Silaban, over claims they defamed North Sumatra police Inspector, General Paulus Waterpauw.

MYANMAR:

Killings of journalists: 0

Threats against lives: 0

Other threats: 0

Non-fatal attacks: 0

Threats against media institutions: 0

Attacks on media institutions: 0

Arrests/Detentions: 2

Arrest/Detentions: 2

July 9, 2018: Yangon

Reuters journalists Wa Lone, 32, and Kyaw Soe Oo, 28, are charged with breaching the colonial-era Official Secrets Act. The journalists were researching security forces' involvement in the deaths of Rohingya when they were detained. They plead not guilty to the charges.

On September 3, Judge Ye Lwin sentences the pair to seven years' jail, with time spent in custody since their detention on December 12, 2017 taken into account.

On November 5, their lawyers lodge an appeal against the decision with Myanmar's High Court.

October 10, 2018: Yangon

The Yangon Regional Government files a controversial lawsuit against Eleven Media executive editors, Kyaw Zaw Lin and NaYi Min, and chief reporter, Phyo Wai Win, for a story accusing the government of mismanaging public money.

The trio are freed on bail in late October, after President Win Myint orders authorities to settle the dispute through negotiation. According to Myanmar's Media Law, a conflict or dispute must be solved through the Myanmar Press Council. Only when the mediation fails can the case be brought to court. The court dismisses the case on November 9.

MALAYSIA:

Killings of journalists: 0

Threats against lives: 0

Other threats: 1

Non-fatal attacks: 0

Threats against media institutions: 0

Attacks on media institutions: 0

Other threats: 1

September, 2018: Kuala Lumpur

Staff salaries at *Utusan* are delayed for the second consecutive month due to 'unforeseen circumstances'. This comes after executives have their salaries delayed in August. *Utusan* also offers voluntary separation schemes to over half of its 1,500 employees.

PHILIPPINES:

Killings of journalists: 3

Threats against lives: 0

Other threats: 1

Non-fatal attacks: 3

Threats against media institutions: 1

Attacks on media institutions: 0

Legislation/Government

Restrictions: 1

Arrests/Detentions: 1

Killings of journalists: 3

April 30, 2018: Dumaguete City

Edmund Sestoso, a broadcaster in Dumaguete City is shot multiple times on his way home from work. The gunmen also shoot out the tyres of a pedicab as it attempts to take Sestoso to hospital. He dies the following day.

June 7, 2018: Mindanao

Dennis Denora, the publisher and columnist of community paper *Trends and Times* and officer of the Davao Region Multi-media Group, is shot by unidentified persons near the wet market of Panabo City in Davao del Norte. Denora's colleagues said he was "fearless" in his commentaries in both broadcast and print.

July 20, 2018: Albay

Joey Llana, a blocktime broadcaster for dwZR radio station, is shot 14 times by assailants as he leaves his home at 4am on his way to host his program at morning program.

Other threats: 1**September 17, 2018: Manila**

Philippine Daily Inquirer reporter Julie Alipala is labelled a terrorist in a Facebook post by Phil Leaks. The post targets Alipala after she publishes a report questioning the killing of seven young men during a military encounter in Patikul, Sulu.

Non-fatal attacks: 3**July 30, 2018: Bulacan**

Rosemarie Alcaraz is hit on the thigh with a baton by a guard as she covers the NutriAsia factory strike for Radyo Natin-Guimba. Joseph Cuevas, a reporter for Kodao Productions, is also confronted by guards who threaten to destroy his camera if he doesn't cease filming. Both reporters are wearing press identification.

September 19, 2018: Negros Occidental

Radio broadcaster, Rey Siason's home is shot at by armed men on motorcycles in Talisay City in Negros Occidental. Siason is not home during the attack; while his 16-year-old daughter in the property escapes injury.

Threats against media institutions: 1**January 15, 2018: Manila**

The Philippines' Securities and Exchange Commission (SEC) revokes the Rappler Holdings Corporation and *Rappler's* registration for allegedly violating the Constitution, and a law which bars foreign management or control in nationalised sectors, including media.

Legislation/Government Restrictions: 1**February 20, 2018: Manila**

Rappler journalist Pia Randa receives a text message from a senior official advising President Rodrigo Duterte has banned her from Malacanang, the Philippines' Presidential Palace. Despite covering the presidential beat for a number of years and being a member of the Malacanang press corps, Randa is blocked from entering the executive office at the palace.

Arrests/Detentions: 1**July 30, 2018: Bulacan**

Hiyas Saturay, Eric Tandoc, Avon Ang and Psalty Caluza from *AlterMidya*, and Jon Angelo Bonifacio, of the UP Diliman publication *Scientia*, are arrested while covering the NutriAsia factory strike.

THAILAND:**Killings of journalists: 0****Threats against lives: 0****Other threats: 3****Non-fatal attacks: 0****Threats against media****institutions: 0****Attacks on media institutions: 0****Arrests/Detentions: 4****Legislation/Government restrictions: 1****Other threats: 3****February 9, 2018: Bangkok**

The military's 4th Army Area files a complaint against *Manager Newspaper* journalists and editors over a report on a torture case in the deep south.

March 30, 2018: Chiang Mai

Chiang Mai Governor Pavin Chamniprasart recommends police charge *Citylife Chiang Mai* magazine for being disrespectful to royalty and endangering tourism after it posts a student's painting of ancient kings wearing pollution masks on Facebook.

September 20, 2018: Bangkok

Agribusiness conglomerate Charoen Pokphand details a lawsuit against *Thansetthakit Newspaper* regarding a story on an alleged land grab in an eastern province.

Legislation/Government restrictions: 1**September 11, 2018: Bangkok**

Authorities shut down a panel discussion at the Foreign Correspondents' Club of Thailand titled "Will Myanmar's Generals Ever Face Justice for International Crimes?". Thai police deliver a letter to the club's management saying the discussion could be used by "third parties" to cause unrest and endanger national security.

Arrest/Detentions: 4**March 8, 2018: Bangkok**

Noppakow Kongsuwan, a journalist from *Khaosod Newspaper*, is convicted for violating public assembly restrictions imposed by the ruling junta. Noppakow says he was covering the protest in Bangkok as a reporter and was not participating in it.

March 20, 2018: Bangkok

An appeal court accepts an indictment from the Thung Kham mining company against public broadcaster Thai PBS for a September 1, 2015 broadcast on a citizen journalist's battle with the company.

May 21, 2018: Thai-Myanmar border

Jamorn Sornpetchnarin, a freelance documentary filmmaker, is arrested at the Thai-Myanmar border for filming villagers in Loei province trying to block a Thung Kham mining site.

August 31, 2018: Samui

Samui Provincial Court issues an arrest warrant for the administrators of CSI-LA, a popular Facebook page, which publishes investigations of crime and corruption. Police arrest 12 Facebook users who shared posts from the page, under the Computer Crimes Act.

TIMOR LESTE:**Killings of journalists: 0****Threats against lives: 0****Other threats: 2****Non-fatal attacks on journalists: 0****Threats against media****institutions: 0****Attacks on media institutions: 0****Other threats: 2****September 27, 2018: Dili**

Francisco Simões Belo, news editor for National Media Group (GMN) receives a letter from GMN information director, Francedes Sun, dismissing him from his position because of his involvement with the Timor Leste Press Council. Francisco, who was elected by the Timor Leste Press Union (TLPU) members as its representative on the council, is also accused of not concentrating enough on the GMN newsroom, while he was represents journalists at the Press Council.

November 10, 2018: Dili

Traffic police seize the telephone of TVTL reporter Fortunato Martins after he uses his phone to take a video of an incident between a traffic policeman and a driver. Police grab the phone and delete the footage on the grounds the reporter had not asked their permission before shooting the video.

■ A SURVEY INTO IMPUNITY, JOURNALIST SAFETY AND WORKING CONDITIONS IN SOUTH EAST ASIA

Across South East Asia, media workers and journalist organisations are struggling with increasing threats to their safety.

The International Federation of Journalists (with the support of UNESCO) is conducting research to determine the safety of journalists in South East Asia. This survey was created using the Journalist Safety Indicators (JSIs) to pinpoint matters that show, or impact upon, the safety of journalists and the issue of impunity.

To help inform this research, you have been identified as a key respondent and thus we request you take a few moments to respond to the questions below. You are assured that any information that you provide shall remain confidential, and usage of the same shall be for research purposes only.

1. PERSONAL INFORMATION: – FOR VERIFICATION ONLY

Full name
Email address
Gender (Male, Female, Other)
Nationality (if Other – please state)
Current age (18-25, 26-35, 36-45, 46-55, 56 and above)

2. LOCATIONAL INFORMATION

Country where most of your journalism is conducted in South East Asia (Cambodia, Indonesia, Malaysia, Myanmar, Philippines, Timor Leste, Thailand, Other – please state)

Province/Region (Please provide a full list of provinces/regions for your country in your survey to the IFJ AP)

3. PROFESSIONAL CAREER:

Current occupation (choose the most suitable to describe your work)

- Reporter
- Multimedia journalist
- Photographer/Photojournalist
- Audio-visual/Technical media worker
- Media support/Stringer
- Producer
- Editor/Director
- Broadcaster/Presenter

- Blogger/Social Media Journalist
- Other

Primary area of work:

- Television
- Radio
- Print
- Digital
- Multimedia
- Social Media

Location of media where you are primarily employed:

- Metro
- Regional
- Local
- Other

Type of media where you are primarily employed:

- Community
- Public
- Private
- Self-employed
- Other

Work status:

- Full-time regular
- Part-time regular
- Full-time contract
- Part-time contract
- Freelance
- Self-employed/Owner enterprise
- Other

Type of journalism primarily engaged in?

Choose three only:

- General
- Investigative
- Politics/Governance
- Crime/Law
- Human Rights
- Education
- Technology/Innovation
- Environmental
- Business/Industrial
- Foreign Correspondent
- Sport
- Religion/Culture
- Other (please specify)

4. SITUATION FOR MEDIA WORKERS

What are the biggest threats currently to your journalism? Number from 1 being the biggest threat to 12 the least likely threat:

- Arrest or detainment by the authorities
- Physical random attack by the general public

- Targeted attack for my journalism
- Cyber attack online or through my devices
- Censorship
- Theft of sensitive information
- Threats to myself or others close to me
- Not being paid regularly
- Poor wages or working conditions
- Being reprimanded or sacked from my job
- Online harassment
- Attacks on my workplace

Has your work as a journalist/ blogger ever caused you any security concern?

- Yes
- No
- Don't know

In the past 12 months, have you experienced any negative consequences due to your journalism work?

- Yes
- No
- Don't Know

If yes, please select what is relevant from below:

- I was personally threatened
- I was threatened by email
- I was threatened by SMS
- I was physically attacked
- My friends or family were threatened
- I was arrested or detained
- My computer got a computer virus and my data was affected
- My identity was exposed against my wishes
- I was sacked, demoted or reprimanded at work
- Property, organisation, website or blog was attacked, hacked or shut down
- I had my emails intercepted or data stolen
- Other (please detail)

The media situation in your country in the past 12 months has: (please choose the answer to best describe on a scale of 1 – 5 with 1 being significantly improved and 5 being seriously declined.

- 5 – Seriously declined
- 4 – Worsened to some degree
- 3 – No significant change
- 2 – Improved somewhat
- 1 – Significantly improved

Please select the primary reason for this response (one response only):

- Media ownership
- Government policy or legislation
- Journalist ethics and professionalism
- Cultural or religious influence
- State/political actors
- Controls online
- Changing state of journalism
- Armed or civil conflict
- Civil society influence or unrest
- Economic impacts
- Crime/Corruption
- Other (please detail)

Please select a second reason for your response (one response only):

- Media ownership
- Government policy or legislation
- Journalist ethics and professionalism
- Cultural or religious influence
- State/political actors
- Controls online
- Changing state of journalism
- Armed conflict
- Civil society influence or unrest
- Economic impacts
- Crime/Corruption
- Other (please detail)

5. GOVERNMENT EFFORTS

How would you rate your government's efforts to provide sufficient protection to journalists in your country in the past year? 1 being very good and 5 being extremely bad.

- 1 – Very good
- 2 – Acceptable/Need for Improvement
- 3 – Neutral
- 4 – Poor/Worsening
- 5 – Extremely bad

Please select the factor that most strongly influenced this response (one response only):

- Media control
- Education or training
- Political statements
- Ruling party position
- Arrest of perpetrators
- National strategies
- Prosecutions or legal process
- Corporate or economic influence
- Multi-stakeholder approaches
- Legal mechanisms for journalist safety
- Implementation of international standards

- Violence against Impunity
- State of civil society
- Censorship
- Other (please detail)

6. EMPLOYERS, MEDIA ORGANISATIONS, UNIONS, ASSOCIATIONS, CIVIL SOCIETY

Does your employer or media organisation provide safety and security measures to protect you?

- Yes
- No
- Don't know

How would you rate your employer's handling of safety and security for its employees? 1 being very good and 5 being extremely bad. Please select the primary reason for this response (select 1 only):

- Leadership
- Awareness
- Training
- Resources
- Institutional or organisational influence
- Political party/State pressure
- Workplace culture
- Business model
- Other (please detail)

In the past 12 months, has your workplace or any of your colleagues suffered any attack/s as a result of its coverage?

- Yes
- No
- Don't Know

If yes, how would you rate your organisation's handling of the incident/s? 1 being very good and 5 being extremely bad.

Please select the primary reason for this response (select 1 only):

- Communication
- Security Planning
- Training
- Staff support
- Workplace culture

What safety and security issues have impacted your workplace and/or fellow workers in the past 12 months? Please select up to 3 relevant answers from below:

- Legal issue
- Threats to individual
- Threats to organisation
- Physical attack on organisation
- Personal attack on individual/s
- Arrest or detainment
- Computer/data attack
- Theft
- Killing
- Organisation blocked or shut down
- State intervention/police raid
- Other (please detail)

Are you a member of a professional organization or union?

- Yes
- No
- Don't know

If yes, has it conducted meetings/discussions or dialogues with government/state on the issue of media safety?

- Yes
- No
- Don't know

7. IMPUNITY

On a scale of 1 to 5 (1 being no problem, 5 being epidemic) how would you rate the culture of impunity in your country for attacks against journalists?

What is the predominant negative influence on impunity in your country? Choose one (1) only.

- Government
- Military
- Police
- Political leadership
- Justice system
- Crime
- Conflict
- Journalism ethics
- Other

On a scale of 1 to 5 (1 being exceptional, 5 being the worst), how effectively does the criminal and civil justice system deal effectively with threats and acts of violence against journalists in your country?

Visit: <https://www.ifj.org/where/asia-pacific/ifj-asia-pacific.html>

The IFJ is a non-government, non-profit organisation that promote coordinated international action to defend press freedom and social justice through the development of strong, free and independent trade unions of journalists. IFJ Asia-Pacific coordinates the IFJ activities in the Asia-Pacific region. The IFJ works closely with the United Nations, particularly UNESCO, the United Nations OHCHR, WIPO and the ILO, the International Committee of the Red Cross, the European Union, the Council for Europe and with a range of international trade union and freedom of expression organisations. The IFJ mandate covers both professional and industrial interests of journalists.

