

Media reporting on refugees in Malaysia

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Introduction

Fundamental tensions exist in all efforts to manage international population mobility in the globalizing world, including that of documented and undocumented migrants as well as asylum seekers or refugees. National politics will prioritize the security and protection of its national citizens. Daily mass media reports internationally have brought international migration to public consciousness. One aspect of this migration is that of asylum seekers or refugees. Little is reported of their plight in the national media of most countries.

This paper will attempt to focus briefly on four main questions:

1. Who is the Malaysian media?
2. What is the status of refugees in Malaysia?
3. What areas of refugee issues do the Malaysian media cover? and
4. What recommendations can be made to improve the role media could play to raise social consciousness about refugee concerns?

The Malaysian Media

National development and modernisation are overriding concerns of most political leaders in the developing world. Mass media are regarded as vital instruments and catalysts of modernisation and socio-economic development. Media is seen to function to reinforce the central value system of the society it serves. This provides authorities with an excuse to control media and thus their regulating media to a considerable degree. In addition, the social and political environments of Asian societies have hindered the development of an independent and proactive media in most of these countries. Television channels and news media are owned directly or indirectly by political parties or individuals aligned to such parties, normally the ruling parties. Such direct control does not allow for the development of an independent media. In addition, various laws and regulations have also led to much self-censorship by both journalists and editors from the choice of stories to report on to the story angle and completeness of story, especially for controversial reports. Malaysia is no exception.

The three primary media regulators in Malaysia are the Ministry of Information (MOI), the Ministry of Energy, Water and Communication, and the Ministry of Home Affairs. The MOI controls all government broadcast media. It runs two national television stations (Radio Television Malaysia or RTM) and several radio networks at both national and regional levels. The Malaysian Communication

and Multimedia Commission, an agency of the Ministry of Energy, Water and Communication, regulates all private television and radio networks. There are four private national free-to-air TV stations, a digital TV station and several radio stations as well as satellite radio. Satellite TV is currently regulated by the Ministry of Home Affairs. The Ministry of Home Affairs regulates all print media. All print newspapers and magazines have to apply for an annual licence from this ministry. This licence is suspended or withdrawn if the media are seen to contravene national policies. Most of the mainstream media is consolidated under the leadership of a handful of owners. Language used by the media is primarily Malay, English, Mandarin, and some Tamil. There is also a small use of other vernacular languages of the smaller ethnic groups.

Besides the mainstream media (which have big budgets and widespread national audiences) there are several other media, also known as the alternative media, which have smaller budgets and more specialised audiences. These include printed or online publications of opposition parties, social organisations, and individuals who are associated with groups in civil society. They too are subject to the regulations stated above but tend to report more on social issues and those deemed to be more controversial. The prominent languages used in these media are Malay and English. They often face budgetary and other constraints. Online news media, like *Malaysiakini*, are not supposed to be regulated (that is licensed) as Malaysia does not regulate the internet as part of its multimedia super corridor promise. However, the various other national laws can still be applied to its content. These media are constantly monitored to see they do not breach national security and policies. Otherwise, there is little actual coercion on most of them, and generally the authorities allow their “voices” to be “heard” but do not necessarily “listen” to them.

The Worldwide Press Freedom Index 2005 published by the *Reporters Sans Frontiers* (RSF) ranked Malaysia at 113 out of 167 countries (higher than the 2004 ranking of 122).¹ The local Malaysian media is subject to the Printing and Publications Act (PPPA), the Official Secrets Act (OSA) and the Sedition Act among several other related laws and regulations that have resulted in a high level of self-censorship among the media. Religious and political related subject matter particularly receives close scrutiny from the authorities and managers of alternative media, websites, blogs, and writers have received warnings and harassment from them. Investigative journalism is almost non-existent in the mainstream media.

Status of refugees in Malaysia

Malaysia is one of few countries that have not ratified the 1951 Convention relating to the Status of Refugees and its 1967 Protocol as well as all major UN human rights instruments that are relevant to asylum seekers and refugees. It has also not enacted any legislation for the protection of refugees. Refugees in Malaysia are grouped with undocumented or illegal immigrants and thus subject to all penalties enacted in the Immigration Act 1959/63.²

The main groups of asylum seekers or refugees in Malaysia include the Acehnese from Indonesia, Rohingyas and Chins from Myanmar, and other smaller groups like those from Nepal. UNHCR estimates the number of refugees and stateless persons in Malaysia by end of 2006 will be approximately 130,000 people. There was an influx of Acehnese to Malaysia seeking asylum after martial law was declared in Aceh in May 2003. Many of them were members of the ‘Free Aceh Movement’. They are mostly men aged between 18-59 years and many are registered with the UNHCR. However, because of fear of being caught by Malaysian police before they can be registered and because of lack of resources by UNHCR to process their applications quickly, many are still yet to be registered. In addition, often the Malaysian police do not recognise the UNHCR registration of them.

Contradictory policies and practices of different government agencies exist. These conflicts are often dependant upon the leaderships of these authorities.

Coverage by Malaysian media on refugee issues

Mainstream media compared to alternative media or media aligned to social organisations give the occasional reports. Social organisations have several grievances against the coverage given by the mainstream media. The general complaint has been that there has been a lack of discussion and debate on the plight of the asylum seekers in the country and the conditions under which they live. On the other hand stereotypical portrayals of the behaviour of a few of them who commit crimes seem to be attributed to the larger population of this group of people.

Media reporting on refugees has been minimal, especially in the mainstream media. This would seem to be in line with the non-recognition of the refugee. There is greater focus on migrant workers- documented and undocumented- and the problems related to them. Media was used regularly by the authorities during the recent exercise to deport undocumented workers and migrants to inform them of the amnesty granted if they declared themselves and left of their own accord. The media has also been used to warn employers of repercussions for harbouring the illegal workers, some of whom would include the refugees.

Generally, media coverage on illegal or undocumented workers, including refugees, tends to highlight accusations and fear of their spreading infectious diseases, gangsterism, theft, violence among the different groups, and involvement in other criminal activities leading to a rise in crime in areas where these people reside. There is more discussion about the situation of refugees in Malaysia, their plight, and the national policies that impact upon them in the alternative local media, or media of social organisations such as SUARAM online, *Aliran Monthly* and the online newspaper, *Malaysiakini*.

In its Issue 5 for year 2005³, *Aliran Monthly* has a lengthy discussion concerned with international laws regarding refugees that Malaysia does not subscribe to but should and national policies that do not encompass protection for refugees, as well as issues related to the lack of legislation to protect refugee children internationally and in Malaysia in particular. It does bring up the point that this is despite the fact that most countries, including Malaysia, have ratified the Convention on the Rights of the Child 1989, which provides for such protection though not in specific terms. The article includes statistics on the number of detainees and some of the appalling conditions they have had to face in detention centres in several countries, including Australia and Malaysia. It ended with detailed recommendations to the government to improve and strictly adhere to a more just system and a call for all citizens to demand for it.

Another article in the *Aliran Monthly* (Issue 11, 2003)⁴ discusses the specific case of a refugee from Aceh who, despite being given refugee status by United Nations High Commissioner for Refugees (UNHCR) was arrested by a police officer in Malaysia, charged in court as an illegal immigrant by a judge who refused to recognise his refugee status, before he was subsequently released from jail upon UNHCR intervention, which had the charges against him withdrawn by a magistrates court. He was later accepted for resettlement in Denmark. Reporting on the distressing experience of the individual refugee is another popular storyline used by the media of social organisations and other alternative media to raise public awareness of the need for appropriate legislation to provide basic protection for refugees as well as to seek government action.

Both articles had the same author, who has a legal background and works on refugee cases. Probably the lack of understanding of the legalities and information on the plight of the refugees is a factor for the lack of coverage and social debate on the refugee issue in Malaysia and internationally. This lack of understanding is reflected in the lack of journalists and contributing writers submitting reports on such issues, as well as a limited selection of storylines that do not correspond to the multitude and diverse plots surrounding the issue.

SUARAM, or *Voice of the people*, a local civil society group focussing on human rights issues, also put out several press statements and reports on refugee issues on its website. The content is

somewhat similar to that of *Aliran Monthly* in that it seeks to raise public consciousness to seek action to protect the rights of refugees. But very few local media picked up on their press statements.

Malaysiakini, the English-language online newspaper read mostly by a small group of educated Malaysians, also had several reports concerning refugees. International media, especially international news agencies, including Reuters, *Agence France Presse* (AFP) and Associated Press (AP) occasionally carried stories on the plight of the refugees in Malaysia and the Malaysian policies on them.

Articles like the two *Aliran Monthly* ones mentioned above are rare and are found more in the smaller and independent media. Often any mainstream media coverage on refugees and the problems they face is integrated with stories of problems facing and perceived to be caused by illegal immigrants. Thus there is very little understanding created about the challenges facing the refugee specifically.

Recommendations to improve the role of media

The Malaysian media needs to earn more credibility in the eyes of the international public through better standards of reporting. The mainstream media especially, needs to be more independent and active and raise social consciousness on social issues. It needs to achieve a transformation in the consciousness of the society and governments regarding issues related to the plight of asylum seekers and refugees.

The global financial crisis of the late 1990s demonstrated the devastating potential of the Western-dominated international media to sway opinions of investors leading to the further worsening of the economic crises in the Asian ‘Tiger’ economies, including that of the Malaysian economy. Possible ‘exposes’ with a similar hard nosed approach would be averted through a more acceptable policy on refugees.

The Malaysian Government needs to develop asylum and refugee protection procedures and enact appropriate implementing legislation for all asylum seekers⁵. Several recommendations are made to seek more effective resolutions on the issue and the protection of the rights of refugees:

Education and training of journalists in refugee issues:

More journalists need to be educated about the human rights issues in general, and of refugees in particular, as well as be trained to write stories to make an impact on legislation. To pick up on what Human Rights Watch has recommended, the media should avoid “direct and indirect use of language that may contribute to a hostile environment within which racism, xenophobia and related intolerance against refugees, asylum seekers and migrants flourish.”

Specific coverage ought to be given to refugees and issues arising from their presence:

Inaccurate, racist and xenophobic stereotypes of refugees, asylum seekers and migrants should be counteracted in the media; and there should be informed public debate on asylum and immigration matters. Coverage on the refugee issue should not be integrated but be kept separate from that given to the problems of migrant workers to develop a clearer focus on the refugee issues. This would enable clearer recognition of existing and missing legalities and social issues regarding such cases.

Both mainstream and alternative media need to take a more balanced approach:

Alternative media were mostly negative of authorities or called for action. There is a clear need for consistent guidelines to protect the well being of refugees and for these guidelines to be understood by all officers of relevant authorities.

End Notes

¹ Malaysia: Civil and Political Rights Report, 2005, SUARAM, Malaysia.

² Ameer Hamzah Arshad, "Lacking any meaningful protection, refugee children in Malaysia suffer in silence," *Aliran Monthly*, Vol. 25:5, 2005.

³ *Ibid.*

⁴ Ameer Hamzah Arshad, "The refugee dilemma," *Aliran Monthly*, Vol. 23:11, 2003.

⁵ Human Rights Watch, online report, [//hrw.org/reports/2004/malaysia0404/6.htm#](http://hrw.org/reports/2004/malaysia0404/6.htm#), accessed on 17/5/2005.