

Experts: Proposed Act requires careful study and clear definition

PETALING JAYA: The Government should not rush the proposed fake news Act without studying it carefully and clearly defining what is considered illegal, lawyers and academicians said.

Prof Dr Mansor Mohd Noor of Universiti Kebangsaan Malaysia (UKM) said the term "fake news" is very broad and in drafting such a law, the Government must clearly define what it wants to make illegal.

In Malaysia's case, he added, it is not really the fake news that is damaging, but its effects on ethnic and religious harmony.

Dr Mansor, the Principal Fellow at UKM's Ethnic Studies Institute, said most Malaysians respect each other and live in harmony but the problem is often politicians and their

Act may have chilling effects on freedom of speech.

New Sin Yew

supporters stirring up religious and racial anger to gain support.

"Politicians are a source of much fake news and with the general election coming, what I worry about most is the damage that can be done by the harmful things spread on social media," he said, urging politicians to stick to ethics and integrity in their arguments.

Assoc Prof Dr Sarjit S. Gill of

Universiti Putra Malaysia (UPM) said the Government needs to study if present laws are enough to deal with the problem.

"We don't need to reinvent the wheel if we have enough laws," said Dr Sarjit from the Department of Social and Development Sciences in UPM's Faculty of Human Ecology.

Senior lawyer Datuk Roger Tan said existing laws can always be amended to deal with fake news.

However, he warned that if the problem is not addressed swiftly, it could undermine Malaysia's multi-cultural setting.

"We already saw the damage rumours caused in the May 1969 riots. What more now, when such rumours can be passed on almost instantaneously.

"The most effective (way) to combat fake news is to educate Malaysians in critical thinking ... to differentiate real from fake news.

"The possible abuse of fake news laws may end up a greater threat to freedom and democracy," he said.

Lawyer New Sin Yew recommended public consultation before the proposed law is tabled.

"This cannot be done in haste. In introducing the new law, the Government must tread carefully because the proposed Act may have chilling effects on freedom of speech and expression," he said when contacted.

New pointed out that existing legislation does not impose adequate obligations on social media platforms to combat fake news, nor

does it provide victims with a complaint mechanism.

"At present, victims can raise their grievances through court action for defamation or lodge a complaint with the Malaysian Communications and Multimedia Commission.

"Both are not effective remedies because it either takes too long or is too costly. The new law needs to address this," he added.

Bar Council Human Rights Committee co-chairman Andrew Khoo said there was no need for a new law to be enacted.

"Countries that are thinking about it are the ones which do not already have laws in this area. So, it should not be used to justify new laws," he said.