YOUTH AND DISINFORMATION IN MALAYSIA:

STRENGTHENING ELECTORAL INTEGRITY

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Strengthening Electoral Integrity

2022
Asia Centre

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Acknowledgements

We are pleased to bring out this publication, *Youth and Disinformation in Malaysia: Strengthening Electoral Integrity* at the cusp of Malaysia's 15th general election, where first time youth voters, social media and technology meet in a mix of campaign messages that will impact voter choice and trust in the electoral system. We hope the recommendations in the report will contribute towards strengthening electoral integrity in Malaysia.

Your Sincerely

Dr. James Gomez
Regional Director
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Abbreviations

1MDB	1Malaysia Development Berhad
AMANAH	National Trust Party
AMRI	ASEAN Ministers Responsible for Information
ASEAN	Association of Southeast Asian Nations
AICHR	ASEAN Intergovernmental Commission on Human Rights
BN	Barisan Nasional
CCTV	Closed-Circuit Television
CMA	Communication and Multimedia Act
COVID-19	Coronavirus Disease 2019
CSO	Civil Society Organisation
DAP	Democratic Action Party
DFR	Digital Forensic Research Lab
EC	Election Commission
GE	General Election
GST	Goods and Services Tax
ICT	Information and Communication Technology
MACC	Malaysian Anti-Corruption Commission
MAS	Malaysian Airlines
MCA	Malaysian Chinese Association
MCMC	Malaysian Communications and Multimedia Commission
MSC	Multimedia Super Corridor
MUDA	Malaysian United Democratic Alliance
NGO	Non Governmental Organisation
OECD	Organisation for Economic Cooperation and Development
PAS	Malaysia Islamic Party
PH	Pakatan Harapan
PKR	People's Justice Party
PMO	Prime Minister's Office
SUHAKAM	Human Rights Commission of Malaysia
TNB	Tenaga Nasional Berhad
UMNO	United Malays National Organisation
UN	United Nations
UNCT	United Nations Country Team
UPR	Universal Periodic Review

Executive Summary

Youth and Disinformation in Malaysia: Strengthening Electoral Integrity identifies the potential risks from political disinformation that youth voters are likely to face in the 15th General Election (GE15) to be held latest by September 2023. Over 5.8 million voters will cast their ballot for the first time following the 2019 'Undi18' constitutional amendment. This cohort is also one that is creating, consuming and sharing content online over mobile devices.

There are four types of disinformation: click-bait, hate speech, political and foreign interference. In Malaysia, political disinformation is intensified and widely deployed in the run-up to, during and post-elections to influence voter behaviour and impact electoral integrity. The main initiators and drivers of disinformation are government agencies, political parties or campaign managers who use local content companies, private contractors and civil society organisations to downstream disinformation campaigns by producing text, graphics and videos which are pushed out by bots as well as by paid or volunteer cyber troopers and diehard supporters.

A review of media reports and studies that referenced the last 5 general elections from 1999-2018, revealed 5 recurring patterns of disinformation. These largely cluster around issues related to: sexual orientation and promiscuity; corruption; electoral integrity; women politicians and foreign interference. To date, legal and non-legal measures remain largely ineffective against political disinformation. Provisions in existing laws and the revoked anti-fake news law and emergency ordinance are vague and place authority in the hands of government authorities who can use these laws against policy critics. Similarly, non-legal measures initiated by government agencies, government-linked companies and non-government initiatives by politicians in government are seen as one-sided and politically biased.

As a result, voters in GE15, especially youth voters who are set to become targets of competing campaign messages, run the risk of having their voting behaviour manipulated and their trust in Malaysia's electoral integrity eroded. To address this situation, this report recommends an inclusive approach that involves educational institutions, the election commission, government, media, NGOs, political parties, technology companies and youth to jointly plot a strategy to tackle disinformation both during and in-between elections. In essence, legislation criminalising disinformation must be compatible with international standards, and must not restrict freedom of expression and silence critics. The development of non-legal measures, such as media and digital literacy, should involve all relevant stakeholders and be delivered to all age groups.

If these practical recommendations are considered and implemented, they can help prevent youth and the general public from suffering the risks of political disinformation. In turn, it can strengthen the integrity and trust in Malaysia's electoral system.

1. Introduction

Malaysia's 15th General Election (GE15), to be held latest by 2023, will see youth voters becoming a key bloc. 5.8 million voters, including 1.2 million aged between 18 and 20, will go to the polls for the first time following the 2019 'Undi18' (Vote18) constitutional amendment (Bedi and Yusof, 2022). With internet penetration and social media usage at an all-time high, the online campaign for GE15 is poised to be intense, placing youth voters at the centre of competing campaign messages. This baseline study identifies the risks from a recurring pattern of disinformation that youth and other voters are likely to face during GE15. It outlines some recommendations to key stakeholders who can implement practical safeguards to ensure that these first-timers' and other voters' choices and their trust in the electoral system are not subjected to online manipulation through disinformation campaigns.

1a. Methodology

The research for this baseline study was undertaken from 15 May to 31 August 2022. The study incorporates desk research of primary and secondary documents and interviews with selected respondents. Primary documents reviewed include relevant legislations such as the Penal Code, Printing Presses and Publication Act, Communication and Multimedia Act, the 2018 Anti-Fake News Act and the Emergency (Essential Powers) (No. 2) Ordinance 2021 (Fake News Ordinance). This research also reviewed documents submitted for Malaysia's UPR cycles at the Human Rights Council. Secondary documents reviewed include reports of NGOs, think-tanks, statistics published by UN agencies, government departments and technology companies related to elections in Malaysia, data and statistics on the internet regarding social media usage as well as voter demography. Interviews were conducted with academics, NGO representatives, political commentators, journalists and media practitioners and youths to gather information and validate the desk research.

1b. Minimum Voting Age

Countries around the world set their minimum voting ages between 16-25. Argentina, Austria, Brazil, Ecuador, Nicaragua and Scotland are among the countries that specify the lowest voting age at 16, while the majority of countries across the world have a minimum voting age of 18. The minimum voting age is the highest in the United Arab Emirates at 25. In Southeast Asia, the minimum voting ages range between 17-21, even if the electoral process to choose representatives is not actually competitive in some countries. Indonesia and Timor-Leste set their minimum voting ages at 17, while Singapore has the highest voting [2] age at 21. [1] Most Southeast Asia countries including Brunei (for village elections), [3] Cambodia, Laos (1992), Malaysia, Myanmar, the Philippines, Thailand and Vietnam (1946) have the minimum voting age at 18.

Debates over lowering the voting age generally centre around comparisons with non-electoral rights and responsibilities, international comparisons, level of political awareness and interest among the youth, and the issue of maturity (ACE Project, 2020). Those supporting the lowering of age argue that young people deserve the chance to participate in decisions affecting their countries. But others argue that young people do not have the ability to make right decisions and the move to lower the voting age is designed to increase support for a particular group of politicians. The effort to lower the voting age to 18 has gained momentum in Asia. In late 2019, the National Assembly of South Korea passed an electoral reform bill lowering the voting age from 19 to 18.

1   In 1965, the first and only direct general election for the Legislative Council was held in Brunei. In 1970, it was turned into an appointed body and altogether disbanded in 1984 when the country gained full independence from Britain and Sultan Hassanal Bolkiah took on absolute powers (AFP, 2004). In 2004, the Legislative Council was reinstated with 21 appointed members with constitutional amendments passed allowing for the direct election of 15 members. However, no time frame has been set for this election (BBC, 2018). At the village level, there is the election of sub-district and village heads. The village positions used to be selected by the Sultan. But, there was a policy change in 2015 allowing the village heads to be elected by villagers every 10 years. (Pang, 2018).

# Table 1: Minimum Voting Age in Southeast Asia

Country	Age	Year Enacted/Amended
Brunei	18	Brunei held district elections in 1962, and its first and last general election in 1965. Presently, citizens of Brunei who are 18 years and above are allowed to vote only at local elections. These are elections for Mukim (head of Sub-districts) and Ketua Kampong (head of villages) which are normally held every 10 years.
Cambodia	18	Khmer citizens, of either sex who are at least 18 years old, have the right to vote as prescribed in Article 34 of Cambodia's Constitution of 1993.
Laos	18	Lao citizens 18 years of age and over have the right to vote as stated in Article 23 of Lao's 1991 Constitution.
Indonesia	17	The Indonesian Election Law that was promulgated in 1953 allowed citizens who are legally registered and over 18 years of age or already married to choose representatives to Parliament and the Constitutional Assembly. In 2003, Law No. 23/2003 concerning the Presidential and Vice Presidential Election allowed Indonesian citizens who are 17 years of age or are/have been married to vote for the President and Vice President (Article 7). In 2008, the Law No. 10/ 2008 allowed Indonesian citizens who have reached the age of 17 years or more or have been/have been married to vote for the Members of the People's Representative Council, Regional Representatives Council, and Regional People's Representative Council (Article 19).
Malaysia	18	Article 119 (1) of the Federal Constitution of Malaysia (1957) set the minimum voting age at 21 years old. In 2019, the Undi18 bill was passed to lower the minimum age in both federal and state elections to 18 years old.
Myanmar	18	Every Myanmar citizen, who has completed the age of 18 years and who is not disqualified by law, has the right to vote at any election to the Parliament according to Article 76 (2) of the 1947 Constituion.
Philippines	18	Article V, Section 1 in the 1987 Constitution of the Philippines specifies that suffrage may be exercised by all citizens of the Philippines who are at least 18 years of age. No literacy, property, or other substantive requirements shall be imposed on the exercise of suffrage.
Singapore	21	Any Singapore citizen who is not less than 21 years of age is entitled to vote according to Article 5 (1) (c) of the 1954 Parliamentary Elections Act.
Thailand	18	The minimum voting age was lowered from 20 to 18 years old in Article 109 (2) of the Constitution Amendment (No. 5), B.E. 2538 (1995).
Timor-Leste	17	Every citizen over the age of 17 has the right to vote and to be elected as specified in Article 47 of Timor-Leste's 2002 Constitution.
Vietnam	18	All Vietnamese citizens aged 18 and above, irrespective of sex, have the right to vote as specified in Article 18 of the 1946 Constitution.

(Sources: Constitutional and Electoral Laws of Southeast Asia)

2 Lao is a one-party state under the ruling Laos People's Revolutionary Party (LPRP) which is the sole legal party. The National Assembly was established in 1991, and since 1992 elections have been held. However, elections in the country are seen to be a non-event and a pretence to provide legitimacy via the contestation of a handful of approved independent candidates (Sochua, 2021).

3 Vietnam held the first and the only election for the National Assembly in 1946 with competition among various political parties nationwide in 1946. Since the violent re-unification by the Communist Party of Vietnam in 1975, elections in Vietnam serve the party-state's purposes of information acquisition and cooptation due to the absence of political party competition (Bui, 2014).

Before this move, South Korea was the only country among Organisation for Economic Cooperation and Development (OECD) members that did not allow citizens at 18 years of age to vote (The Korea Times, 2019). In March 2022, the Legislative Yuan of Taiwan approved the lowering of the voting age from 20 to 18. However, the constitutional amendment needs to be passed in a referendum, which is widely expected to be held on the same day as local and regional elections in November 2022 (Taiwan News, 2022).
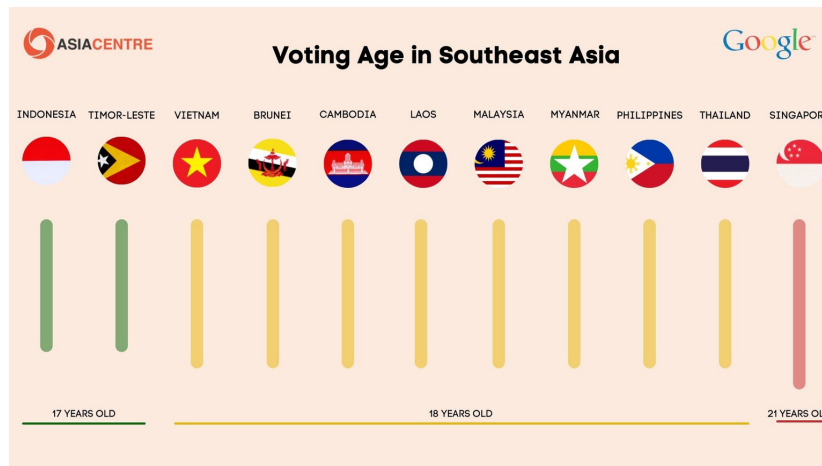
In Malaysia, the Undi18 movement began in 2016 to campaign for lowering the minimum voting age from 21 to 18. The aim was to amend Article 119 (1) of the Federal Constitution of Malaysia which came into force in 1957, stating that every citizen who has attained the age of 21 years is qualified to vote. 'Undi18 (Vote 18)', founded by Qyira Yusri and Tharma Pillai, started off as a student movement under the umbrella of the Malaysian Students' Global Alliance to campaign for lowering the minimum voting age to 18 by amending the constitution. Since its founding, the Undi18 movement ran online campaigns, convened town halls, held forums and engaged with the public to raise awareness on democratic representation for youths and the need to lower the voting age. The movement was supported by politicians from both sides of the political spectrum. After facing many rejections, with the support of Syed Saddiq Syed Abdul Rahman (former Minister of Youth and Sports), in July 2019, the Undi 18 Bill was eventually passed by the Upper and Lower Houses of Parliament (Undi 18, 2022). The Bill became the first constitutional amendment receiving support from both sides of the political aisle and finally took effect on 15 December 2021. The bill lowered the minimum age for voters in both federal and state elections to 18 years old, lowered the minimum age for elected representatives to 18 years old and also imposed automatic voter registration for Malaysians.

Qyira Yusri, Co-Founder of Undi 18, stated during an interview with Asia Centre that:

"The campaign started when I was a student. The main goal was quite straightforward. Many countries already lowered it or they didn't have it at 21. We didn't believe that Malaysians were not ready to vote, especially young Malaysians. We felt that because in Malaysia, 18 years old was also the age of majority which meant it was the age they became adults. There was no reason not to give them the right to vote. We focused primarily on social media as a campaign. We did a lot of engagements with youth and also politicians after gaining public support. So, the public support was initially built through social media and then, we continued the work of advocacy after that. The Undi 18 bill was passed in 2019. So, today, we focus primarily on voter education and, just in general, youth empowerment. Maybe some of the challenges we have are because we are a youth campaign with no resources, meaning no funding whatsoever. We have to rely primarily on social media so the limitations are quite extensive".

1c. Rising Youth Voter Base

As shown in Table 2, between the 1999 and 2018 general elections, the Malaysian population grew 43% from 22 to 32 million. As a result, during the same period, the voting age population (above 21 years old) grew by 37% from 13 to 18 million.

In Malaysia, registration of youth voters often faces challenges that range from issues related to electoral administration, political interference to apathy even as their political importance as a voting bloc gains momentum. In the 1999 general election (GE10), the voting age population (aged 21 years and above) was at 13,411,519. It was alleged that old electoral rolls from the previous elections were used to deny 680,000 newly-registered voters (mostly young people) the right to vote in the GE10 as a part of the government's strategic plan to win the election (Verma, 2000). In the 2004 election (GE11), the voting age population was 13,802,493. About 800,000 were first-time voters (Moten and Mokhtar, 2006). However, there was scepticism over discrepancies in the registration of new voters between GE10 and GE11. Selangor, Trengganu, Kedah and Pahang had 2-digit percentage increments in total voters registered, while other States had much lower increases in the number of voters registered (Devaraj, 2004). In the 2008 general election (GE12), the voting age population was at 15,283,282. Of the total number, 1.2 million were young and first-time voters (Chinnasamy, 2013). These voters were seen to play a decisive role in the election that altered the country's political landscape as the ruling coalition lost its two-thirds majority in the national Parliament for the first time since independence of the country. Commentators explained that this cohort used their voting rights to demonstrate their political clout after their voices were ignored by leaders (Noordin et al., 2010). In the 2013 election (GE13), 2.6 million people registered to vote for the first time (Sithraputhran and Raghu 2013). This brought the number of registered voters to 13,268,002 from a voting age population of 17,883,697. The new voters were seen by the opposition as the 'X Factor' that could shake the BN coalition that ruled the country since 1957. It resulted in an urban and youth swing that denied BN a two-third majority in parliament.

Table 2: Key Demographic Information in Past Elections

Election Year	Population	Voting Age Population (21 years and above)	Registered voters	Total Vote
1999	22,549,627	13,411,519	9,564,071	6,631,094
2004	23,092,940	13,802,493	9,756,097	7,269,356
2008	25,274,133	15,283,282	10,922,139	8,161,039
2013	29,628,392	17,883,697	13,268,002	11,257,147
2018	32,258,900	18,359,670	14,940,624	12,299,514

(Sources: Election Commission of Malaysia; Inter-Parliamentary Union, 2022)

In the 2018 general election (GE14), millennials aged between 21–39 became the most powerful bloc, accounting for 41% of voters. Of the 18.7 million registered, similarly more than 40% were voters aged between 21–39, followed by voters aged between 40–59 (39%), 60–79 years old (18%) and over 80 (2%). More specifically, eligible young voters aged between 21 and 29 made up 2.6 million people, while those aged 30 to 39 made up 3.5 million people, totalling 6.1 million (Jay and Parzi, 2018). However, the Election Commission (EC) revealed that as many as 3.8 million eligible voters did not register in time for this election and that 67% of them were aged between 21–30. Reasons behind this apathy included the fact that youths felt disenfranchised with politics; youths had limited knowledge and experience of politics via social media; and that existing systems actively discourage youth from discussing politics, especially on university campuses (Lin, 2018). The university education system also promoted an environment of unquestioning obedience (Ibid.). Hence, in terms of candidates, among more than 1,000 candidates competing for national parliament and state assembly seats in this general election, only about 19 were under the age of 31 (Azmi et al, 2018).

In the 2020 census, Malaysia's population was 32.44 million. The male population slightly outnumbered the female at 16.96 and 15.48 million respectively. The three cities with the highest population in the 2020 census were Petaling (about 2.2 million) followed by Kuala Lumpur (about 1.9 million) and Johor Bahru (1.7 million) (Department of Statistics, 2020). Youth in Malaysia aged between 15–24 totaled 5.7 million (17.6%), 2.82 million were those aged between 15–19 (8.7%) and there were approximately 2.9 million (8.9%) of those between 20-24 (Ibid). Table 3 shows the three states with the largest youth population in Malaysia: Selangor (1,089,569), Sabah (722,672) and Johor (683,895). As the state with the largest youth population in the country, the BN coalition announced its strategy to regain control of Selangor state in GE15 by engaging newer and younger voters (Tan, 2022).

In the general election that has to be held at the latest by 2023, the EC expects a total of 5.8 million new voters to be added to the current electoral roll of 15.3 million, bringing the total to around 21.1 million voters. Of the new voters, 1.2 million will be aged between 18 and 20 while the rest will be those 21 years old and above who were unregistered in the previous election. Thomas Fann, the chairman of the Coalition for Clean and Fair Elections (Bersih), quoted in an interview with CNA anticipates that people aged between 18-40 would make up 12.2 million or 58% of the total electorate if the election is held in the middle of 2023 (Bedi and Yusof, 2022).

Johor, which has the third highest population in Malaysia, held the 15th state election in March 2022. It was the first election in the country since the Undi18 Bill was implemented. The Johor state election was also seen as a test for the next general election. Data from the EC showed that the total number of voters in the election was 2,597,742, including voters aged 18-20 at around 173,177 (male 89,372 and female 83,805) and voters aged 21-29 at about 567,768 (male 290,893 and female 276,875) – the biggest bloc in that election (Election Commission of Malaysia, 2022). In addition, the Johor election debuted the Malaysian United Democratic Alliance (MUDA), a multi-racial and youth-centric political party. Amira Aisya Abd Aziz won one state seat for MUDA with 18,891 votes. Hence, for the 15th General Election, the youth population in Malaysia holds the potential to make an impact at the polls.

Table 3: Number of Youths (Aged 15-24), Ranked by Total Youth

States/ Federal Territories	Total Population	Age 15-19	Age 20-24	Total Youth (Age 15-24)
Selangor	6,994,423	512,588	576,981	1,089,569
Sabah	3,418,785	353,208	369,464	722,672
Johor	4,009,670	345,719	338,176	683,895
Perak	2,496,041	222,469	220,008	442,477
Sarawak	2,453,677	213,112	210,822	423,934
Kedah	2,131,427	186,827	219,555	406,382
Kelantan	1,792,501	207,191	171,617	378,808
Pulau Pinang	1,740,405	127,458	164,215	291,673
Pahang	1,591,295	156,965	122,212	279,177
Kuala Lumpur	1,982,112	134,829	116,163	250,992
Terengganu	1,149,440	112,803	107,707	220,510
Negeri Sembilan	1,199,974	99,634	100,790	200,424
Melaka	998,428	102,572	91,453	194,025
Perlis	284,885	37,065	32,323	69,388
Labuan	95,120	8,680	8,129	16,809
Putrajaya	109,202	5,898	4,161	10,059
Nationwide	32,447,385	2,827,109	2,903,776	5,730,886

(Sources: Malaysian Department of Statistics, 2020)

1d. Internet Access and Social Media Usage

Malaysians gained access to the internet in the mid-1990s. From the onset, the Malaysian government sought to use information and communications technology (ICT) to accelerate economic development by attracting foreign investors to the Multimedia Super Corridor (MSC) (Weiss, 2012) and to develop the local ICT industry (Ding et al, 2013). Therefore, the government adopted a non-interventionist and non-censorship policy towards the internet, resulting in an unexpected openness of the digital space for civil society, political activists and opposition parties to disseminate information and criticise the government (Muhamad, 2015). Against the backdrop of a highly-controlled traditional media space, the internet provided an alternative platform for Malaysians to get access to information that differed from the official narrative by the government; it became an important space for engaging in public discussion (Leong, 2021).

Figure 1: Percentage of Internet Users in Malaysia
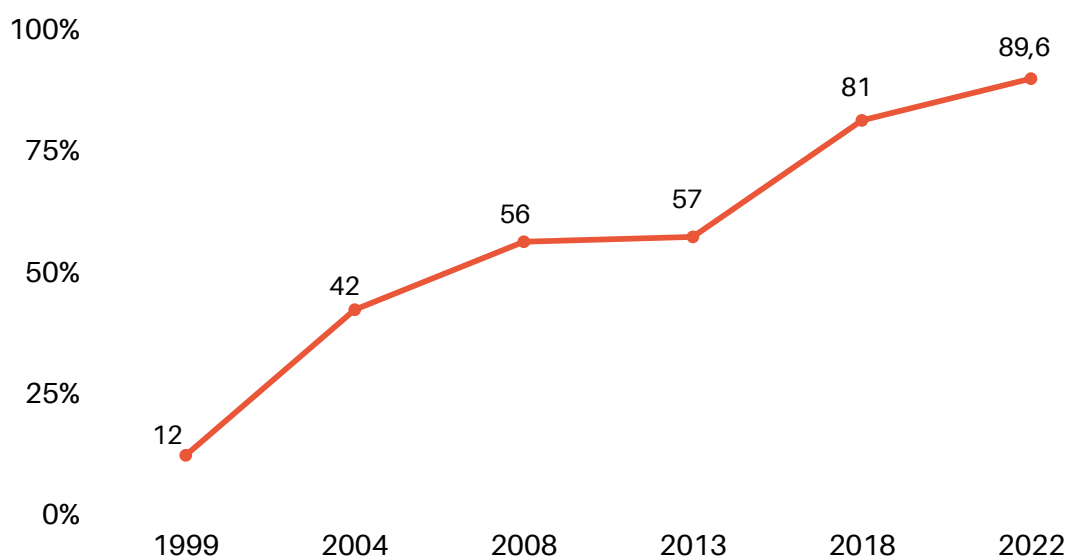
(Sources: World Bank, We Are Social, KEPIOS 2022)

Like many countries in Southeast Asia, Malaysia's internet growth was slow in the early years and only accelerated in the late-2010s. As shown in Figure1, internet users continued to increase during the past election years from 1999-2018.

Updated Information from We Are Social and KEPIOS showed that in 2022, Malaysia's internet penetration rate stood at 89.6% or 29.55 million of the total population. Meanwhile, the number of active social media users stood at 91.7% or 30.25 million of the total population.[4] About 81.6% of users access the internet to search for information, 75.5% use it to access news and current events, while 72.2% use it to stay in touch with friends and family. According to SEMRUSH in February 2022, the most visited websites in Malaysia are Google, YouTube, Facebook, Whatsapp and Shopee. The most used online platforms among users in Malaysia are WhatsApp (29.9%), Facebook (24.5%), Instagram (17.4%), TikTok (9.7) and Twitter (4.6%). Users access these platforms and applications mainly to keep in touch with friends and family (60.7%), filling spare time (58.6%), and reading news stories (47.4%).

4 We Are Social and KEPIOS notes that the number of social media users does not necessarily represent unique individual users. In this case, the discrepancy in the total internet users and total social media users may come from one individual having one or more social media accounts.

The most popular internet browser in the country is Chrome, developed by Google which stood at 73.60%, followed by Safari at 16.59% and Microsoft Edge at 2.04% (We Are Social and KEPIOS, 2022).

The 2021 digital news report undertaken by the Reuters Institutes for the Study of Journalism provides an insight into the news consumption behaviours among people in Malaysia. The study recorded that 88% of respondents used online media (including social media) as the main source of news and information, followed by TV (55%) and print media (24%). Smartphones were the most common device that people used to get news. In terms of sharing content, 47% of the respondents said that they share news via social media, messaging applications or email. The most popular media and messaging apps for consuming news among Malaysians were Facebook (56%), WhatsApp (54%), YouTube (36%), Instagram (22%), Telegram (20%) and Twitter (16%) (Newman et al, 2021). Asia Centre consultations revealed that WhatsApp and TikTok seem to be the most influential online platforms among youth to access online content.

The Internet Users Survey 2020 undertaken by the Malaysian Communications and Multimedia Commission (MCMC) showed that internet users in the country were mainly adults aged between 20-29, accounting for 46%. This makes youth aged between 20-24, the biggest group of internet users in Malaysia (MCMC, 2020).

The national survey revealed that people used the internet for text communication (98.1% of respondents), social media (93.3%), to watch videos (87.3%), voice/video communication (81.1%) and to get information (74.3%). 43% of internet users had shared online content. News and public service announcements were the most shared online content with 66.9% and 60.9% respectively shared by the respondents. 71.8% of internet users shared content because they were beneficial, while 53.6% shared content to raise awareness and 36.6% shared for fun. When asked about what action had been taken before sharing content, 72.4% of users said that they first made sure they understood the content, 63% ensured the validity of the content, 62.9% verified whether the content was from a reliable source, and 54.9% ensured the content was not obscene, menacing and offensive (Ibid.).

> **Chapter 1: Key Takeaways**
>
> Malaysia's upcoming 15th General Election will see 5.8 million new voters become a key voting bloc. Of the new voters, 1.2 million will be aged between 18-20, following the Constitutional amendement to lower the voting age. As a result, this cohort will be a major target of political parties and campaign messages in the run-up to and during the election. Since youth aged between 15-24 years old amount to 43.4% of the whole population who use the internet and access social media, the online space will be where these messages will be disseminated.

The next chapter defines disinformation, outlines the evolution of political disinformation during elections, and explains why legal and non-legal measures to date have not been effective in addressing disinformation.
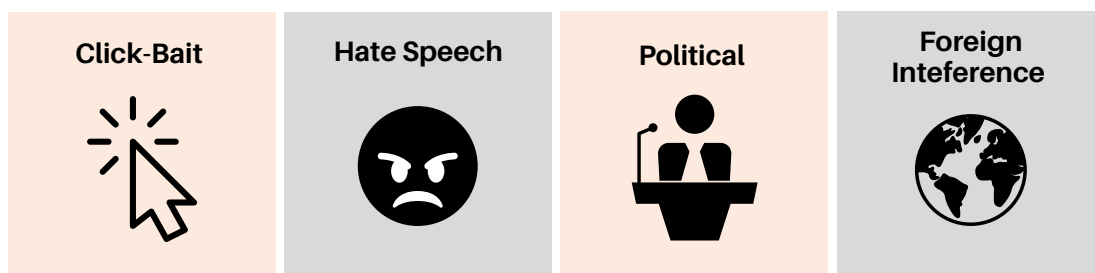
2. Disinformation in Malaysia

This chapter first defines and outlines different types of disinformation. It then explains how political disinformation and election integrity are relevant for understanding the Malaysian case. Next, it illustrates that since 1999, the internet has shaped the way political disinformation has been deployed in Malaysian elections. The last two sections present and assess legal and non-legal measures implemented to address disinformation and point out that their effectiveness remains moot. The chapter ends by highlighting that the inability to effectively address disinformation makes youth and other voters susceptible to political disinformation in GE15.

2a. Definitions

There are different types of information circulating both the offline and online. 'Fake news' means any information that is false or misleading. 'Disinformation' refers to information that is false and deliberately created to harm a person, social group, organisation or country (Ireton and Posetti, 2018). This differs from 'misinformation' which is false information, but not created with the intent to harm (Ibid.). In other words, the purveyors of misinformation are not aware of its falsehood. Disinformation is not a new phenomenon. However, in recent years, disinformation has been weaponised on a large scale, fuelled and amplified by new technology and new forms of media.

Asia Centre, identified in its 2021 report, *Defending Freedom of Expression: Fake News Laws in East and Southeast Asia* four types of disinformation; first, *click-bait* which is false sensational content that seeks to drive online traffic towards itself; second, *hate speech* that aims to mobilise support, stir ill-will and incite violence against ethnic and religious communities, women, sexual minorities, foreigners, migrant workers and refugees; third, *political* which involves manipulating opinion to cause reputation damage to individuals, advocacy groups and political parties competing for power and influence, especially during elections; and fourth, *foreign interference* that includes organised, and subtle influence operations from abroad to gain political outcomes in the target country (Asia Centre, 2021). It must be noted that these various types of disinformation are increasingly used by sitting governments to attack and prosecute the media, policy critics and its political opponents.

Click-Bait	Hate Speech	Political	Foreign Inteference

In Malaysia, and for the purpose of analysing disinformation during elections, political disinformation is a more relevant concept. It can be seen in two forms: overt disinformation and covert disinformation. Overt disinformation means that sources of information can be identified, while covert disinformation indicates that sources cannot be traced clearly (Suparno, 2010). The content of political disinformation spans a wide spectrum, from stories that might seem credible, to those that are utterly unbelievable (Media Smarts, 2022). A study on responses to political disinformation on social media showed that compared to true news, political disinformation received significantly fewer analytic responses (Barfar, 2019). In the meantime, responses to political disinformation typically provoke greater anger and incivility (Ibid).

Often hate speech and accusations of foreign intervention are folded into political disinformation. Overall, political disinformation can affect the outcome of an election by manipulating audiences that are vulnerable to the message, suppressing true voter sentiment, setting agenda and distorting verified news (Media Smarts, 2022).

Part of the process of manipulating voter behaviour also includes undermining electoral integrity. 'Electoral integrity' is defined as the international commitments and global norms applied to all countries worldwide throughout the electoral cycle, including during the pre-electoral period, the campaign, on polling day, and its aftermath (Norris, 2014). Instances of 'electoral malpractices' are violations of these electoral international commitments and global norms (Karp, 2016). Poor electoral integrity could cause at th least public dissatisfaction or disinterest; or at worst, lead to violence, ineffective governance and long-term instability (International Foundation for Electoral Systems, 2022). Electoral integrity is not only an issue in authoritarian regimes (The European Consortium for Political Research, 2015), false information tactics can also be deployed in open societies to undermine electoral integrity. This sort of disinformation can create voter confusion, reduce turnout, incite social cleavages, block meaningful political participation of women and other marginalised populations, and undermine trust in democratic institutions (National Democratic Institute, 2019). The Electoral Integrity Global Report 2019-2021 assessing electoral integrity across 480 elections in 169 countries around the world, scored electoral integrity in Malaysia at 34 of 100, placing the country at the 9th among Southeast Asia countries (Garnett et al, 2022).

2b. Political Disinformation During Elections

Political disinformation is not a new phenomenon in Malaysia. It has been delivered via mainstream, alternative and social media. It continues to be exploited to manipulate public opinions so as to damage the reputation of individuals and groups competing for power and influence, especially during elections. Over the five elections between 1999-2018, the dissemination of political disinformation in Malaysia has evolved and become more sophisticated with the advancement of technology. Its dissemination has shifted from print publications, Short Message Services (SMS), websites, blogs, social media platforms to online messaging applications.

Political disinformation was initially disseminated through traditional media such as publications, newspapers and magazines. Prior to the 1999 general election, a book titled '50 Dalil Kenapa Anwar Tidak Boleh Jadi PM [*50 Reasons Why Anwar Cannot Become Prime Minister*]' was published in Kuala Lumpur. The publication compiles 50 claims ranging from sex scandals to corruption allegations against Anwar Ibrahim to purportedly erode his legitimacy to succeed to the premiership. During the next election held in 2004, the use of mobile phones and SMS for communication increased vigorously. From circulating publications a few years prior, it can be seen that political disinformation circulated in the form of SMSs in the 2004 election. Such disinformation included SMS ridiculing politicians and the Election Commission (Kaur and Shaari, 2004).

Political disinformation in Malaysia transitioned from analogue to digital in the 2008 election. SMS was still used to disseminate political disinformation. These included SMS messages accussing an UMNO politician of sexual misconduct, SMS messages providing wrong locations for political rallies, SMS messages misleading the electorate people on polling stations' opening hours. There was also a rise in online blogs.

For example, a blog 'Azalina Wild Wild World' published disinformation against Azalina Othman Said, a women UMNO politician to cast doubts on her sexual orientation and financial dealings (How and Mahizhnan, 2008).

In the 2013 election, it was evident that disinformation and manipulation campaigns were operated online by bots and 'cybertroopers'. #PRU13 (Malay for 'GE13') was the most prominent political hashtag that aggregated, distilled and directed political information. A post-election study showed that out of total of 5,511 samples of tweets on #PRU13, 55% were retweets. Most of these retweeted posts only copied the original tweet without additional text or comments, to diffuse the targeted piece of information to a wider audience. 94% of the tweets sampled posted pro-government or pro-BN content, while more than 50% attacked the opposition. The study further investigated the 60 most active Twitter accounts in this hashtag. The posts of more than half of these accounts showed several suspicious behaviours; first, they mainly retweeted posts that originated from three common accounts; second, these Twitter accounts did not produce any original tweets; and third, their posts had identical tweet sequences and there were only slight differences. It was assumed that the top active users on #PRU13 could be operated by either bots or cyborgs (a human-assisted bot or a bot-assisted human) (Kasmani et al, 2014).

A day before the 2014 Teluk Intan by-election, a leader of one such cyber troop team explained her role in producing a staged video depicting an Indian member of BN being assaulted by a Democratic Action Party (DAP) activist who allegedly had insulted his mother and religion. The video contained an explicit message for Malaysians with Indian heritage 'to go and vote for Barisan Nasional and make sure that the DAP loses'. She noted that the video was specifically curated for the election, as Indian minorities were the swing voters (Guest, 2018).

In the lead-up to the 2018 election, roughly 44,100 tweets surfaced with hashtags #SayNoToPH and #KalahkanPakatan [*Defeat Pakatan*] surfaced on Twitter by 17,600 accounts in the span of 9 days. While 2% of the accounts appeared to be genuine users, 98% of the 17,600 users were bot-controlled (Haciyakupoglu, 2018). It was also noted that the bots could have been created by a Russian bot herder, given the fact that the 9 out of 10 most active bots tweeting the two hashtags had Cyrillic screen names. The research into the use of such bots also noted the similarity between the imagery used by the bots and official images by political parties (Barojan, 2018). An examination conducted by the Digital Forensic Research Lab (DFR) on these hashtags also revealed key indicators of an automated account and bot activity. These include: having an authority score of zero; having a string of alphanumeric letters as the handle name; having no profile pictures (as avatars); the handle name not matching the screen name; having no followers and/or not following other accounts; having a repetitive pattern of speech and tweet structure such as tweeting same images and short videos promoting the government and BN coalition (Ibid.). During this election, other three hashtags #MalaysiaBaru [*New Malaysia*], #PakatanHarapan and #IniKalilah [*Perhaps this time*] were also investigated as possible conduits to share false information. Under these strategically planned campaigns, either real people, fake accounts, or bots were used to attract the attention of prominent and influential politicians to disseminate low-credibility messages and promote hashtags to get viral (Jalli and Idris, 2019).

Drivers of Political Disinformation in Malaysia

Based on desk research, consultations and interviews, Asia Centre was able to identify 3 sets of actors who initiate, develop and implement disinformation campaigns to manipulate voter behaviour and impact electoral integrity in Malaysia.
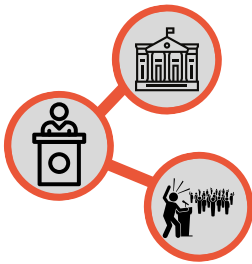
### Government Agencies, Political Parties, Campaign Managers

The first set of actors who are at the top of the disinformation chain are government agencies, political parties or campaign managers who commission the creation and spread of fake news. These actors commission disinformation to dispel criticism, discredit political oppnents, and manipulate information flow and public opinion. Often they keep some distance from the implementers of the commissioned disinformation in order to have room for plausible deniability.

Foreign-based or local PR Firms, Content Companies, Government-Owned/Friendly Media, CSOs, Individuals

The second set and at the middle level are foreign-based or local PR or consulting firms, content companies, government-owned/friendly media, civil society organisations and individual contractors. These actors study the political situation, thereafter, develop a disinformation strategy based on their clients' requirements, draft the political content, design relevant graphics, produce videos and pass it down for dissemination.
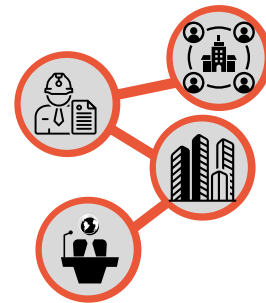
Hardliners, Bots and Paid/ Voluntary Cyber Troopers
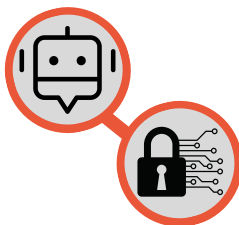
The third set and at the bottom level include hardliners, bots and paid or voluntary cyber troopers. These are the ones that disseminate the prepared disinformation, run online campaigns to manipulate social media narratives, share fake news to undermine reputation of political rivals, and promote positively with false content specific parties or politicians. Given the high internet penetration and wide online social network, the bulk of disinformation is spread via social media and messaging apps.

2c. Legal Measures to Address Disinformation

In terms of legal measures, provisions from 5 main legal instruments, some enacted before the internet, and some after, have been used and implemented in Malaysia against all forms of disinformation. These legislations, whose provisions sometimes overlap, include the Penal Code; the Printing Presses and Publication Act; the Communication and Multimedia Act, the Anti-Fake News Act and Emergency Ordinance (No.2).

| Penal Code | Printing Presses and Publication Act | Communication and Multimedia Act | Anti-Fake News Act | Emergency Ordinance No.2 |

2ci. Existing Laws

Section 505(b) of the Penal Code, which was enacted in 1936, criminalises those who make, publish or circulate any statement, rumour or report '*with intent to cause, or which is likely to cause, fear or alarm to the public, or to any section of the public where by any person may be induced to commit an offence against the State or against the public tranquillity*' (Penal Code, 2018). Section 505(b) includes a fine of an unspecified amount and an imprisonment term of up to two years.

The Printing Presses and Publication Act enacted in 1984 includes a specific provision regarding the publication of false news. Section 8A of the Act states that it is an offence to publish false news. It provides that if the false news is published, the printer, publisher, editor and the writer will be guilty of an offence and shall be liable to imprisonment for a term not exceeding 3 years or to a fine not exceeding RM 20,000 (USD 4,600) or to both (Printing Presses and Publication, 2012).
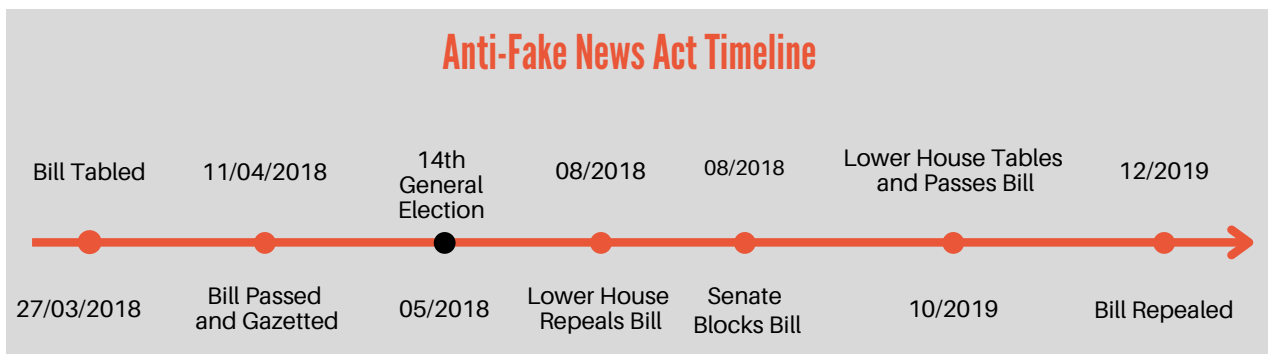
Promulgated in 1998 as a response to the rising use of the internet and to establish a regime of industry self-regulation, supported by fallback regulatory standards (Consumer Forum of Malaysia, 2021), the Communication and Multimedia Act (CMA) criminalises those who provide false content with intent to annoy, abuse, threaten or harass any person with a fine not exceeding RM 50,000 (USD 11,000) or to imprisonment for a term not exceeding a year (Section 211). The CMA also provides for the criminalisation of those who misuse '*network facilities or network service or applications to create any comment or other communication which is obscene, indecent, false, menacing or offensive ... with intent to annoy, abuse, threaten or harass another person*' (Section 233). If found guilty, a person faces a fine of up to RM 50,000 (USD 11,485) or an imprisonment term of up to 1 year, or both (The Communication and Multimedia Act, 2004). The CMA was the main legal instrument used to penalise fake news, before the introduction of the Anti-Fake News Act in 2018.

Although these laws apply to all forms of disinformation, concerns expressed by media, academics and activists were that these laws have been used by government officials to target political opponents and critics of government policies.

During the second cycle of the Malaysian UPR process in 2013, the United Nations Country Team (UNCT) raised concerns that the government of Malaysia continued to use the Printing Presses and Publications Act 1984 and other legislations to silence dissent, including attempts to tighten control over the internet and restrict bloggers (OHCHR, 2013). Later, in the third cycle of the Malaysian UPR process (2018), the Special Rapporteur on cultural rights called for amendments in the CMA to be consistent with international standards for freedom of expression and cultural rights. The Special Rapporteur also called for the repeal or clarification of sections 211(1) and 233(1) of the Act (OHCHR, 2018).

One well-known case was that of Fahmi Reza, an activist and graphic designer who was charged in 2016 under Section 233 of the CMA for publishing a caricature mocking the former Prime Minister, Datuk Seri Najib Razak. Fahmi was found guilty by the Court, which sentenced him to a month of imprisonment and a fine of RM 30,000 (USD 6,891). Fahmi however managed to conduct an online crowdfunding to pay for the fine within the duration of 18 hours and was granted a stay pending an appeal to the High Court (Daud, 2020).

2cii. Anti-Fake News Act

Anti-Fake News Act Timeline

Bill Tabled	11/04/2018	14th General Election	08/2018	08/2018	Lower House Tables and Passes Bill	12/2019
27/03/2018	Bill Passed and Gazetted	05/2018	Lower House Repeals Bill	Senate Blocks Bill	10/2019	Bill Repealed

As Malaysians shifted towards creating and sharing content over social media, the ruling BN government enacted the Anti-Fake News Act one month before GE14 held in May 2018. Commentators explained that this was in response to what the government deemed as false allegations against PM Najib and his connection to the 1MDB scandal (Haciyakupoglu, 2018). The passage of the Act was one of the fastest in the history of Malaysia. The Bill was tabled on 27 March 2018 and it only took two weeks for it to be minimally debated, passed and gazetted on 11 April 2018 (Daud and Zulhuda, 2020). Those supporting the bill argued that existing regulations were not suited to respond to the developments brought about by technological changes (Haciyakupoglu, 2018). The Act was therefore introduced on the pretext that it was to curb false news that threatens public order and national security. Under Section 2 of the Act, 'fake news' included any news, information, data and reports, which is or are wholly or partly false, whether in the form of features, visuals or audio recordings or in any other form capable of suggesting words or ideas. Section 4 of the Anti-Fake News Act criminalise anyone who creates, offers, publishes, prints, distributes, circulates or disseminates any fake news, or publication containing fake news by any means with a fine penalty up to RM 500,000 (USD 118,077) or imprisonment for up to 10 years or both (Anti-Fake News Act, 2018).

The first person prosecuted under the Anti-Fake News Act was Salah Salem Saleh Sulaiman, a Danish man convicted of disseminating disinformation about the Malaysian police through a YouTube video. In April 2018, he was sentenced to a week's jail and fined RM10,000 (USD 3,370) (The Straits Times, 2018a).

In the run-up to the May 2018 general election, the former Prime Minister and the opposition leader, Dr Mahathir Mohamed, was charged under the Act over a claim that his plane was sabotaged during a campaign trip (Griffiths, 2018). Another incident was when the then Vice-President of the People's Justice Party (PKR), Rafizi Ramli, was investigated under the Anti-Fake News Act over his alleged defamatory remarks against the Election Commission and police on social media. He was investigated after claiming that the EC and the police were behind the failure of PKR's Rantau state seat candidate to submit his nomination paper (Azizi, 2018). The Act was criticised as a tool to stifle free speech, sideline critics of the ruling BN government for the 1MDB scandal and grant the ruling government greater control over the information sphere before the election.

After GE14, the BN ruling coalition lost and the opposition Pakatan Harapan (PH) coalition formed the government. As part of its election promise, the PH government began the process to repeal the Anti-Fake News Act. However, the effort took nearly a year and a half. In August 2018, the Lower House passed the Bill to repeal the Anti-Fake News Act but it was blocked by the Senate where the Barisan held the majority. This meant the Bill had to be tabled again at the Lower House after a one-year cooling-off period. During the November 2018 third cycle of the Malaysian UPR process, the UNCT expressed concern about the wide scope of and the broad definitions and harsh penalties contained in the Act (OHCHR, 2018).

On 9 October 2019, after a one-year cooling-off period, the Bill was passed in the second attempt when 92 members of parliament voted for the law to be abolished, while 51 were against it (The Star, 2019). The Bill was officially scrapped on 19 December 2019 (Ibid). Even before the revocation, debates were raised over its possible after-effect. It was argued that without the Act, there was no legal tool to tackle hateful comments. Proponents pointed out that the Act can help block content that stirred hatred and prevent people from expressing disrespectful comments (Abdul Aziz, 2019).

Folliing the official revocation in December 2019, the PH government collapsed in February in 2020 due to a loss in parlimentary majority. It was also the time when the COVID-19 pandemic broke and there was an increase in the spread of fake news both offline and online. In lieu of an anti-fake news law, alternative legislation such as the Communications and Multimedia Act 1998 and the Penal Code were used to prosecute fake news distributors. In November 2020, a proposal to revive the Anti-Fake News Act was discussed in Malaysia's Parliament. The proposal was presented by Datuk Seri Shahidan Kassin from the UMNO party as an attempt to curb the prevalence of fake news (Danielle, 2020). In response, the government reiterated during the Dewan Rakyat session that it would use existing laws to curb the spread of false information and ensure that the people can receive legitimate and updated news and reports (Azmi, 2020).

2ciii. The Emergency (Essential Powers) (No. 2) Ordinance

In January 2021, a nationwide state of emergency was declared a year later in January 2021 to tackle the spread of COVID-19. The Emergency (Essential Powers) (No. 2) Ordinance 2021 was promulgated by the government of Muhyiddin Yassin in March 2021 without parliamentary approval. The Ordinance establishes a number of criminal offences relating to fake news about the COVID-19 pandemic. Parts of the Ordinance was "copy and pasted" from the Anti-Fake News Act (Schuldt, 2021). It follows the structure of the Act, and many provisions in the Ordinance are identical to those in the Act.

The Ordinance criminalised the act of creating, offering or publishing fake news or publication that contains fake news. 'Fake news' is defined under Article 2 of the Ordinance as 'any news, information, data or reports, which is or are wholly or partly false relating to COVID-19 or the proclamation of emergency, whether in the forms of features, visuals or audio recordings or in any other form capable of suggesting words or ideas'. Article 4 stipulates that those who are found guilty face a fine of not exceeding RM 100,000 (USD 23,000) or a term of imprisonment of up to three years or both. And, not more than RM 1,000 (USD 230) for each day during which the offence continues after conviction. Other main issues to note are that this Act applies overseas and that it authorises the police to make arrests without warrants and issue orders to remove fake news within 24 hours (Kho, 2021).

The government defended the Ordinance arguing that it was aimed at tackling rampant fake news related to COVID-19 and would help expedite enforcement, investigation and prosecution by authorities who would be hampered by old laws that are ill-equipped to deal with the rapid expansion of social media (Sipalan, 2021). However, this law was strongly criticised on the grounds that it failed to clarify the definition of fake or false news and attaches severe penalties. They pointed out the Act accords overarching power to authorities with implications for freedom of media and expression should it be abused by the authorities to prosecute political critics. The Human Rights Commission of Malaysia (SUHAKAM) also expressed its concerns that the implementation of the Emergency (No. 2) Ordinance created a chilling effect on the freedom of expression. The Commission also warned the Government to distinguish between criticism of the Government and fake news and to take action against the latter (Suhakam, 2021). 9 months later, in October 2021, the Upper House of the Parliament of Malaysia unanimously approved the motion to revoke this Ordinance as part of revoking a set of 7 Ordinances (Bernama, 2021).

In June 2022, eight months after the repeal of the ordinance, the government announced its plan to periodically review existing legislation including the Penal Code and the Communications and Multimedia Act so as to ensure that provisions of these laws remain relevant to the current trends. The government moved so because it concerns with the rise of false information causing a state of panic among the general public amid the the pandemic spread(Hakim, 2022).

2d. Non-legal Measures to Address Disinformation

Apart from legal measures, in Malaysia, various non-legal measures, include mostly initiatives by the sitting government and its close associates were introduced in the run up to the 2018 elections to tackle disinformation. These include: a social campaign launched by a government-linked telecommunication company; fact-checking websites run by the government; an online advisory warning initiated by the government; and a hate speech tracking programme by an organisation co-founded by an UMNO Minister and a party official.

2di. Social Campaign

In the run-up to the 2018 general election, the broadband company 'Telekom Malaysia' which is one of the largest government-linked companies launched an outdoor campaign targeting youths tempted to share fake news. The advertisement was presented on MRT billboards in Malaysia bearing the slogan '*sharing a lie makes you a liar*' with an image of young people on their phones with a long Pinocchio-style nose.

The campaign also included the slogan 'Stop Fitnah [*slander*] Internet' and an accompanying hashtag #FITNET. Telkom Malaysia revealed that the visual advertisement was part of its public service announcement campaign to educate members of the public to stop spreading fake news via social media (Dickinson, 2018).

2dii. Fact-checking Initiative

Sebenarnya.my, a fact-checking website, was introduced by the Ministry of Communications and Multimedia and the MCMC on 14 March 2017. The web portal was designed as a one-stop centre for Malaysians to verify authenticity of news shared online. The website is a proactive approach by the government to ensure netizens receive genuine content. Sebenarnya.my was a product of the collaboration between multiple ministries, government departments and agencies that work to verify and debunk relevant news or information.

The fact-checking website had the tagline 'Tak Pasti Jangan Kongsi [*when in doubt, don't share*]'. However, there was a concern that this government-run effort was seen as one-sided, especially when it came to political disinformation. It was therefore recommended that the website collaborate more with various stakeholder including NGOs and journalists to increase the trust level within society about this government effort. Further improvements suggested were a two-way online platform to communicate with the public and the use of several languages to verify the news, especially when Malaysia is a multi-ethnic society (Yatid, 2019). A 2020 MCMC survey revealed that after 3 years, only 20.4% of internet users were aware of the existence of the website (MCMC,2020).

By 2020, two more fact-checking initiatives were established in Malaysia; independent agency *Faqcheck.org* and *Mycheck* under Bernama, a Malaysian national news agency. The founding of the two new agencies was touted as contributing to a more balanced information fact-checking in the country (Jalli, 2020). However, fact-checking initiatives have their limitations especially when they have to deal with a period of intense fake news circulation. Fact-checking as a mechanism simply cannot address every piece of information and fake news, in particular those circulated in private groups on social media platforms and messaging applications (Porter, 2020; Scott, 2020).

2diii. Online Advisory Warnings

In 2017, the MCMC initiated an effort to curb the dissemination of false content online through online advisory warnings, especially targeted at group administrators of mobile apps such as WhatsApp. It was a unique step by the government to impose legal liability on group administrators to monitor false content. MCMC issued advisory warnings to group administrators reminding them of the Do's and Don'ts of social media communications.

The government explained that online group administrators were required to be more responsible for the content appearing within their groups and they were the gatekeepers against the spread of fake news. However, there still remain questions about the scope of law applicable and judicial precedent regarding imposing liability on these group administrators (Daud and Zulhuda, 2020).

Syaza Farhana Binti Mohamad Shukri, an Assistant Professor at International Islamic University Malaysia, expressed during an interview with Asia Centre that:

"In Malaysia, the main social media is WhatsApp. So, disinformation can easily spread on WhatsApp and it is common to get a forwarded message before checking and verifying the information. We have WhatsApp's notification for forwarded messages but it is still irrelevant as people still continue to forward and share information without checking its authenticity".

2div. Hate Tracker

In January 2022, TrackerBenci or 'HateTracker' was launched in Malaysia. The AI programme was developed by Kuala Lumpur-based think tank, The Centre, co-founded by UMNO's Health Minister Khairy Jamaluddin and his party information chief Shahril Hamdan in 2019 so as to address the widespread hate speech in Malaysia's online information space.
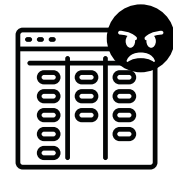
'TrackerBenci' works to monitor and identify hateful social media posts within Malaysian society using both technological innovations and human moderators. The programme is designed to fill gaps in existing hate speech tracking systems, which heavily depended on undertrained human moderators. Moreover, TrackerBenci was also designed to support policymakers and the general public in recognising and better understanding the trends and themes of online hate speech in the country (Ayamany, 2022). Based on in formation in June 2022, TrackerBenci detected a fluctuated trend in the number of hateful tweets between March to May 2022. It recorded 2,740 hateful tweets in March, 3,088 in April and 3,004 in May. (Morden, 2022). This tool can only operate to monitor online harmful posts, provide databases and predict key trends. However, it doe not offer a proactive and sustainable solution to address hate speech.

To date, these non-legal measures have largely been ineffective in addressing political disinformation. These measures were initiated before the 2018 general election by the sitting government or government-linked companies. Not coincidentally, they were implemented as the government labelled the 1MDB criticisms attacking PM Najib Razak as fake news and warning those who distributed such allegations of prosecution by the Anti Fake News Act. Since the last election, there has not been much progress made by these measures.

What Do Malaysians Say?

First, political parties in Malaysia compete with their rivals to draw attention and gain support from their electorates. Edmund Bon Tai Soon, the former Representative of Malaysia to the ASEAN Intergovernmental Commission on Human Rights (AICHR) stated during an interview with Asia Centre that:

"Disinformation is used because of the political competition among the political parties. This kind of disinformation circulating on social media is easy to sell and easy to gain support for as they are sensationalised, even though false. It is easier using this route to gain the support of people [than] when talking about actual good policies which are difficult for some politicians".

Second, digital and media literacy among people remains low. Thomas Fann, the Chairman of the Coalition for Clean and Fair Elections (Bersih), elaborated on this point during his interview with Asia Centre,

"A lot of people, voters, are not savvy, or sometimes [are] a bit naive. They do not listen to the truth or fact-check what is true and what is not true. They are very quick to share. Of course, they share the truth also but along with disinformation. WhatsApp as an application is the number one platform where they spread such things and it is a challenge. We received almost on a daily basis, and this is not even election time, information that is totally fake or distorted and it comes from people we thought should know better".

Explaining disinformation and media literacy, Dr. Wong Chin Huat, a political scientist and professor from Sunway University to Asia Centre that:

"Disinformation strategy is employed during Malaysian elections because of at least two interrelated factors. The first factor comes from social and political cultures that feed allegations as such. Whether it comes from moral values or identity politics over differences in ethnicities, religions or languages, we tend to see politicians and politics as black and white, where people are good guys or bad guys. This produces a lucrative market for fake news or misinformation operators to try framing a target politician as harmful, immoral, or untrustworthy. The second factor is that people are not trained to think objectively, factually and accurately, not having a culture or habit of fact checking. So, when you hear allegations against people you do not like, you are more likely to want to jump in. If we have a culture of fairness and accuracy, regardless of what we need to do, disinformation will be much lesser".

Third, existing measures are ineffective to address political disinformation. Thomas Fann explained further that:

"It is very difficult for authorities to regulate social media platforms because they are hidden behind fake accounts".

This point was reiterated to Asia Centre by Dr. Mahyuddin Daud, an assistant professor from the Department of Civil Law, International Islamic University Malaysia:

"Prior to 2019, there was the Anti Fake News Act 2018 to specifically criminalise fake news. After the repeal of this Act, there is no specific law to monitor and regulate fake news. Although existing laws such as the Communications and Multimedia Act 1998 and Penal Code have provisions to broadly regulate false content, provisions on specific measures to contain and reduce disinformation were arguably absent. In such environments, this will contribute to the spread of disinformation. At least, if we have a specific legal framework to regulate disinformation, it can act as a safeguard to protect and ensure the media to remain credible and trustworthy. Otherwise, we will be making ways for cyberspace to become a breeding ground for disinformation".

Chapter 2: Key Takeaways

There are four types of disinformation: click-bait, hate speech, political and foreign interference. Political disinformation is the most relevant and prominent when discussing disinformation during elections. Legal measures to curb fake news have vague provisions and pose a risk of government abuse, while non-legal measures have largely been initiated by the government and its associates and are perceived as biased - both measures to date have not been effective. The presence of disinformation and the inability to address them shows that youth and other voters are at risk of being targets of and succumbing to political disinformation in the next election.

The next chapter identifies the 5 recurring patterns of disinformation that have occurred in the last 5 elections. As indicated by the trends observed in the 2022 Johor Bahru State Election, these patterns of disinformation are set to resurface in GE15 and stand to affect voter behaviour.

3. Recurring Patterns of Political Disinformation

This chapter identifies risks and threats of disinformation that youth and other voters are likely to face during GE15. A review of campaign messages reported in the media and referenced in analyses of Malaysian elections since 1999 reveals the presence of five recurring patterns of disinformation. These include disinformation related to sexual orientation and promiscuity, corruption, electoral integrity, women politicians and foreign interference. The findings and trends from the 2022 Johor Bahru State Elections show that these recurring patterns of disinformation are likely to be repeated in GE15. Hence, steps need to be taken to address the impact of these types of campaign messages on voters ahead of the elections.

3a. Sexual Orientation and Promiscuity
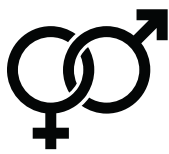
Accusations related to sexual orientation and promiscuity are effective tools in Malaysia to discredit oppositions and potential rivals. These accusations resurface again and again in the election cycle as Malaysian politicians are mainly evaluated by electorates for their virtuous conduct (Shukri, 2020).

Dr Syaza Farhana Mohamad Shukri, Assistant Professor of Political Science, International Islamic University Malaysia, explained during her interview with Asia Centre:

> *"Malaysian people want a politician that is of high standing and is a dignified person. The thing about dignity within Malays specifically is … it is more from a religious aspect. When they say someone is of high standing, then you are religious. If you have a sex scandal, you are not a good Muslim. If you are not a good Muslim, you are not going to be a good leader or politician. But corruption is not directly related to religiosity and so politicians can get away with those scandals."*

Even if these accusations are proved to be false, these sorts of disinformation tend to stay in the minds of voters (Chin, 2019). Dr Shukri further added that:

> *""It is not that it doesn't matter if it is true or not, but the fact that it is out there in the open already – and is discussed in public discourse - it has tainted the politicians' image. This will bring down the prospects of a politician in Malaysia."*

Apart from casting doubt in the voters' minds, accusations of sexual misconducts lead to drawn-out legal cases, with some facing the prospect of imprisonment. A case of note was of Anwar Ibrahim, who has borne the brunt of a sustained campaign since 1998 to discredit him using allegations of homosexuality. In the lead-up to the November 1999 general election, the book titled '50 Dalil Kenapa Anwar Tidak Boleh Jadi PM [*50 Reasons Why Anwar Cannot Become Prime Minister*]' was circulated at the 1998 annual meeting of UMNO in early June and was later published in Kuala Lumpur. The book contained graphic sexual allegations as well as accusations of corruption against Anwar, then noted as a potential successor to Dr Mahathir. It served as a tipping point for his expulsion from his role in the Cabinet and from UMNO and his subsequent trial and imprisonment in 1999, until the Federal Court overturned his conviction in September 2004 (Colvin, 2004). Then, in 2008, his aide lodged a report to the police, claiming to be a victim of forced sodomy by Anwar. He was acquitted in 2012 as there was not enough corroborative evidence. However, the Court of Appeal overturned the acquittal and the Federal Court re-affirmed the conviction in February 2015. He was pardoned on 16 May 2018; but five months after the pardon, fake news went viral on social media alleging that an Indonesian student lodged a report to police claiming he was sodomised by Anwar in Singapore. The post cited BERITA Mediacorp, a news agency in Singapore (Malaymail, 2018). The media outlet, however, denied having published the news. This accusation was surfaced when Anwar stood as a candidate in the Negeri Sembilan by-election held on 13 October 2018 (The Straits Times, 2018b).

Although in 2004 there was no incident recorded (The Borneo Post, 2019), the pattern continued in the next elections. During the 2008 general election, a well-known example of sexual disinformation was SMS texts widespread about the then deputy chief of UMNO youth and candidate for the Rembau seat in Negeri Sembilan, Khairy Jamaluddin's 'sex video'. The rumour died down only when it was established that the subject in the video was not the UMNO politician (How and Mahizhnan, 2008) – but not before it had caused an uproar. Similarly, in April 2013, after the election campaign kicked off, several pro-UMNO blogs began circulating allegations and videos showing Dato Mustafa Ali, Secretary-General of the Malaysia Islamic Party (PAS), having sex with an unknown woman in what appeared to be a hotel room. Leaders from PAS have come out to state that the video was fake and questioned the political timing of the video (AsiaOne, 2013a).

Threats of releasing sex scandal clips were also a technique used to against oppositions politicians (AsiaOne, 2013b). In the 2018 election, a threat was issued to Mohamad Sabu, the President of the National Trust Party (AMANAH) that videos and other digital materials allegedly indicating that he was involved in an illicit relationship with a woman will be released. In response, Sabu announced legal action against any person who would release the materials. AMANAH saw the allegations as slander and stated that such dirty politics were to be expected when the general elections were near (Malaysiakini, 2018a). In 2019, a video showing a man who seemed to resemble Azmin Ali, Deputy President of the PKR party, in bed with another man was circulated over social media. The video was supposedly recorded on 11 May 2019, the weekend in which a by-election was held in Sandakan, Sabah. Azmin was present in the city in northeast Borneo to show his support as part of the campaign. A week after the release of the initial videos, Azmin stated that he did believe the people responsible for releasing the videos were members of his own party (Hassan, 2019).

3b. Corruption Allegations

As noted earlier, before the 1999 general election, the book titled '50 Dalil Kenapa Anwar Tidak Boleh Jadi PM' was circulated at the annual meeting of UMNO and was later published in Kuala Lumpur. Apart from graphic sexual allegations, the book also contained accusations of corruption against Anwar. It even labelled Anwar as the 'Father of Corruption' alleging that corruption reached its highest when he was the Finance Minister.

There was no corruption-related disinformation that was prominent in 2004 partly because Abdullah Ahmad Badawi who led the BN coalition was well known as 'Mr. Clean' and promised to tackle corruption during his campaigns. In the 2008 general election, a disinformation campaign was carried out against the Puteri UMNO chief, Azalina Othman Said. This was undertaken by a blog that archived pictures and other materials that allegedly proved her lesbianism (to be discussed in section 3d.) and compiled corruption allegations. The blog was started just before the election in March (How and Mahizhnan, 2008) and was no longer updated after July 2008. The smear blog shared reports on scams that purportedly occurred in Pempena Sdn Bhd, the national tourism development company under the Ministry of Tourism, which allegedly diverted millions of ringgit in state funds into private pockets. The blog linked purported scams in 2007 to Azalina, who was later appointed to the Tourism Minister post after the March 2008 general election.

In 2018, the Port Klang Free Zone (PKFZ) scandal was exposed, allegedly uncovering mismanagement of public funds which ballooned the cost of the development project from RM8 billion to RM12.6 billion.

The central figures linked to this scandal included the former transport ministers and the sixth president of the Malaysian Chinese Association (MCA), Dr. Ling Liong Sik.

In 2010, the new MCA president, Ong Tee Keat said that the PKFZ scandal contributed to MCA's dismal performance during GE12 as it was a hot issue that was used by the opposition to gain votes. The MCA president stated that the PKFZ scandal affected the party in GE12 and the MCA might be further impacted in GE13 if the scandal was not addressed (The Edge Market, 2020). After the 2013 General Election, the Kuala Lumpur court found Dr. Ling Liong Sik not guilty of cheating the government over the PKFZ case (Bangkok Post, 2013).

A year before the 2013 election, the anonymous Whistleblower711 blog posted an image of a cheque and alleged that the former cabinet minister from UMNO, Azalina Othman received a payment of RM 300,000 in April 2011 from a maintenance company, Advance Maintenance Precision Management Sdn Bhd, belonging to Johor businessman Yahya Abdul Jalil. In response, a spokesman for Azalina denied the corruption allegations and explained that the payment from Yahya Jalil was for her classic 1969 Mercedes-Benz 280 SL sports car, which she had sold after realising the upkeep would cost too much (MalaysiaToday, 2012).

In the 2018 election, disinformation on corruption allegations was rampant. For example, an audio file was circulated on WhatsApp that claimed that the government forked out a lot for the birthday cake of the Prime Minister's wife Rosmah Mansor and the high cost of installing two closed-circuit television (CCTV) cameras at her office in Putrajaya. The Prime Minister's Office (PMO) strongly denied such claims and explained that the spread of false news and slander was becoming rampant on social media including mobile messaging applications such as WhatsApp and Telegram, ahead of the 14th General Election (Bernama, 2018). There was also a claim that Goods and Services Tax (GST) collection amounting to RM70.1 million of one particular day was stolen (Ibid). Regarding the 1MDB (1Malaysia Development Berhad) corruption allegation, described as one of the world's greatest financial scandals, many posts were tweeted that Mahathir and PH leaders were masterminds behind 1MDB (Jalli and Idris, 2019). There was viral disinformation about Jho Low, the alleged mastermind of the 1MDB scandal, claiming that he has been seen in India (Malaysiakini, 2019) or arrested in China (Tan, 2018).

Political disinformation on corruption has been primarily used to discredit the government or attack political rivals during past elections. However, these allegations were used in different ways during the 2018 election to silence critics and manipulate online narratives. The 1MDB criticisms were labelled by the government as fake news and those who distributed such allegations stood to face and be prosecuted by the Anti Fake News Act. Jailani Johari, the Deputy Communications and Multimedia Minister, warned that unverified information on 1MDB was fake news (Sivanandam, 2018). Such disinformation tactics were deployed to create alternative truths regarding the 1MDB case, to discredit allegations against the fund and to confuse voters to the disadvantage of BN's ruling coalition (Haciyakupoglu, 2018).

After the 2018 election which led to the establishment of the Pakatan Harapan government, photos of the Sultan of Brunei paying a visit to Prime Minister Mahathir were circulated on Facebook. The caption accompanying the photo claimed that the Brunei ruler was giving a large sum of money without any repayment. The post seemed to suggest that the Pakatan Harapan was as corrupt as the Barison Nasional in taking Brunei's financial "donation" on the pretext of using it to repair the country's economy (Yeoh Yu-En, 2019).

Ariff Abdullah, a policy advisor, commented during an interview with Asia Centre that:

"Corruption issues are always there, hot topics during the election campaign. But usually, it does not stand alone and is coupled with another issue. So you can see during the 2018 election, the BN collapse was contributed by the 1MDB fiasco and the sentiment played on the decision to introduce the new taxation system, i.e. Goods and Services Tax (GST) that meant to trouble people with an increase of living cost. Although GST is supposed to be progressive to promote a more robust and transparent taxation system, it does not matter anymore to many people. It is a very convenient and well-played issue to drive sentiment and strong public opinion that, "ok we see BN already steal money through 1MDB and now they want to tax us more to get our monies to pay the debt they created". This is what I mean with corruption allegations that emerged as a national topic.It will be easily weaponised to cloud people's judgement with sentiments and misinformation albeit some policy decisions like GST were good but politicians will be happy to be political."

3c. Undermining Electoral Integrity

 In Malaysia, disinformation campaigns have also directly targeted the integrity of the electoral system and the conduct of elections. In the 1999 general election, the Harakah, one of the most popular opposition newspapers, was counterfeited and then circulated in Kuala Lumpur. The fake copies reported disinformation which misrepresented that the opposition Malaysian Islamic Party (PAS) leaders were secretly in favour of Prime Minister Mahathir (ANFREL and Forum-Asia, 2000)

During the 2004 General Election, many text messages were disseminated through mobile phones to ridicule politicians and the Election Commission. These included: SMS text message that a new political party was established in Sabah led by Joseph Kurup, Bernard Dompok & Pairin Kitingan. The Party was named 'KEROPOK RINGAN' (a portmanteau of the four names, referring to light snacks, e.g. potato chips). and that there was a new party led by Samy, Subra, Pandithan and Kaveas named 'SAMSU PANAS' (similarly a portmanteau, meaning alcohol). There also were widespread fake statistics from EC, showing that Tanjung Rambutan Constituency (an area in the north of Malaysia that houses a psychiatric rehabilitation centre) had the 'maddest voters', Janda Baik (lit.'good widow', was the area with the most male voters and the area with the most women voters: Batang Berjuntai ('the dangling stick') (Kaur and Shaari, 2004).

In the 2008 general election, SMS text messages that contained false locations of campaign rallies were circulated. SMS texts were also sent out urging people to vote in the late afternoon, claiming that the polling centres were crowded in the morning. This was a deliberate attempt to make some voters miss campaign rallies as well as force a queue and be late for casting their votes as polling stations close at 5 PM (How and Mahizhnan, 2008).

The Election Commission of Malaysia has also been the target of disinformation where the attacks have been aimed to undermine trust in the country's electoral system. Against the backdrop of the May 2013 general election, there was a rumour that 40,000 Bangladeshi nationals were deployed as phantom voters during the 2013 general election. It was later denied by the Bangladesh High Commissioner to Malaysia, calling such a claim impossible and mere political manipulation. False news was also spread over social media that the EC allowed the police and army officers to vote early for the 2013 general election, a claim which the Commission later denied (Sebenarnya, 2013a). Rumours spread over social media alleged that members of the Melaka Election Commission had counted the ballot papers at the Alor Gajah District Police.

Headquarters on 30 April 2013. The Melaka EC office clarified that the EC staff were there to review ballot papers to ensure accuracy (Sebenarnya, 2013b). Another set of online messages that went viral on social media was about a power blackout during the vote counting process for GE 13. Tenaga Nasional Berhad (TNB), a Malaysian electricity company, released a statement saying that none of the counting centres experienced any power outage during the counting process (Sebenarnya, 2013c).

Similar disinformation again surfaced before, during and after the 2018 general election. In April 2018, a month before the election, messages circulating on social media claimed that ballot papers with black dots would be used in the election. The original post alleged that it was a deliberate attempt by the EC to invalidate the ballots. In response, the EC urged the public not to be under the influence of disinformation intended to mislead voters regarding the election process and create a negative attitude toward election officials. It assured the validity of all ballot papers and stated that the voter could ask for a replacement (Sebenarnya, 2018a). False news then went viral on social media claiming that the Malaysian Post Office's staff were not transparent in facilitating postal votes in and outside the country (Sebenarnya, 2018b). On the polling day (9 May 2018), WhatsApp messages went viral claiming that several voters were given ballot papers without the EC official stamp, making the votes invalid. In response, the EC said that ballot papers that don't have their official stamp can still be considered as valid. The Commission asked people not to be fooled by this message that was trying to cause panic and create distrust towards the electoral body (The Straits Times, 2018). Immediately after the polls, a video went viral on social media that showed an election official being detained by representatives of political parties for allegedly manipulating the ballot papers. The EC clarified that the video was recorded during an incident that occurred in the 2013 general election and that the video aimed to cause confusion among people (Sebenarnya, 2018c). Another viral picture was a story of Bangladeshis with blue caps that were seen entering Malaysia as phantom voters. The incident was similar to stories that floated over social media in the 2013 elections. In response, the chief operating officer of the MCMC clarified that those who appeared in the viral picture were actually workers who wore blue caps with white logo of their factory (Jay, 2018).

3d. Harassment of Women Politicians

Another set of disinformation is that which is based on misogyny and gender stereotypes by providing false narratives that target women politicians. Here, women are portrayed as overly sexual, untrustworthy, weak and unintelligent. Such disinformation is deployed to discourage women from seeking political office, eliminate opposition or political rivals. This erodes women's rights and undermines democratic institutions and values (She-persis.org, 2021).
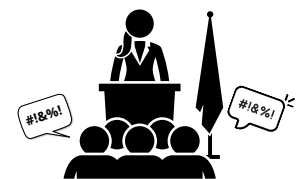
The 1998 book that forced Anwar out of his ministerial seat did not only damage Anwar's reputation, it also contained false information about his marriage with Wan Azizah Wan Ismail, who later turned to politics after the arrest of her husband. The book claimed that Azizah eloped to Thailand with Anwar since he could not get the blessing of her father, Wan Ismail, to get married. When Azalina Othman Said, several times an UMNO Minister contested for a local seat in the 2002 election, she was attacked by media and political rivals for her alledged lesbian orientation. Perdana Sari newspaper carried a series of articles that not only accused Azalina of lesbian orientation, but also of using party funds to purchase an expensive German car for her alleged female lover. This attack was widely assumed to be politically motivated and perpetrated by rivals within her party (Rothschild, 2005). The disinformation campaign against Azalina returned in the 2008 general election. This time a website 'Azalina Wild Wild World' with a headline that 'Azalina must be stopped' was created to document and archive pictures and other material that allegedly

proves her lesbianism. The blog also compiled reports on Azalina's corruption allegations (How and Mahizhnan, 2008).

During the 2004 General Election, SMS containing sexist disinformation that referenced women were circulated. For instance, a text claimed that 'UMNO ada keris. DAP ada roket. PAS ada bulan tapi setajam mana keris, sepanjang mana roket, kalau datang bulan, keris & roket simpan dalam seluar je le!!" [UMNO has the dagger, DAP has the rocket, PAS has the moon, but however sharp the dagger, however long the rocket, when it's that time of the month, keep the rocket and the dagger in the pants]. Another text claimed that: 'Petua mengundi: kalau isteri tidur ke kiri X BN. Kalau isteri tidur ke kanan X PAS. Kalau isteri tidur terlentang, PANGKAH ISTERI...harap maklum [Voting tip: if your wife sleeps on her left side, mark X for BN, if your wife sleeps on her right side, mark X for PAS, but if she sleeps flat on her back, then put a mark on her!] (Kaur and Shaari, 2004).

Women politicians from the opposition parties also had experienced disinformation amounting to sexual harrasment. In April 2013, as the general elections loomed, Nurul Izzah Anwar, an active politician from the People's Justice Party (PKR) and the oldest daughter of Anwar Ibrahim, was threatened by political rivals with the release of sex videos depicting her (MalaysiaToday, 2013). Two days before the GE13, Wan Azizah's (then the PRK President) blog was compromised by hackers who uploaded false information that she accepted the video to be genuine (Sen, 2013). Few weeks after the 2018 general election was held, a fake message was widely spread on social media that Nurul Izzah was getting married to the Yang di-Pertuan Agong Sultan Muhammad V. She responded to this false information by urging the public to ignore and pay attention to more pressing matters (Malaysiakini, 2018b).

In addition, a Democratic Action Party (DAP) candidate, Teo Nie Ching, was harassed by misogynistic disinformation pamphlets distributed in her constituency during the 2013 campaign period. A Chinese-language pamphlet depicted Teo deserting her constituents to nurse her baby. In the accompanying caption, Teo is depicted as saying to her child that she would be back to her after she had finished hoodwinking her constituents. There was a false caption purporting to represent her constituents' concern which read, 'You're going back to nurse your child. So, if we have a problem, whom should we look for?' (Pemantau, 2013).

In September 2017, an image was shared on Facebook depicting DAP Women's Assistant Syerleena Abdul Rashid allegedly swearing to 'attack Islamic institutions' in the country, particularly the Department of Islamic Development Malaysia (JAKIM) on behalf of her party along with a pledge to change Malaysia's official religion to Christianity after the 14th General Election (Yeoh Yu-En, 2019). Months before GE14, posts went viral claiming DAP Segambut MP and former Selangor State Assembly speaker Hannah Yeoh expressed support for Israel. In the posts, Yeoh allegedly stated that Jerusalem belonged to Israel and asked for benefit from supporting the people of Palestine. The posts also claimed that Israel would give US 300 million to the DAP party in exchange for improving diplomatic relations between the two countries if Pakatan Harapan (PH) becomes the federal government (Ibid.).

Tarnishing reputations of strong women with charisma or women with specific policy position is a common tactic in Malaysia (Rothschild, 2005). The use of disinformation to harass women candidates is aimed at driving women away from meaningful political participation.

Dr. Shukri explained to Asia Centre that in Malaysia, women are disproportionately affected by political disinformation:

"[There is] definitely a difference in a way where man can easily get away with a lot of these scandals. It doesn't ruin them totally. When men are involved in these scandals, men can easily brush it off and in a few months or years, people will easily forget about it. They are still in positions of power. They are still in Malaysian politics. But for women, it ends their careers"

In July 2022, Zahida Zarik Khan, the Puteri UMNO chief speaking at the Puteri Barisan Nasional convention said the practice of harassing women politicians must stop. She urged the coalition to drop members who made sexist remarks from contesting in the upcoming general election (Mohsens, 2022).

3e. Foreign Interference

Disinformation related to foreign interference in the Malaysian elections can be traced back as early as 1999. A review of such disinformation shows that there is an attempt to link a politician with countries and/or political groups that are considered a 'national enemy'. This generally included the 'West' (including Western allies such as Israel), but also included terrorist groups in the following years after the 9/11 attack. More recently, disinformation has revolved around uncovering Chinese interests in Malaysian politics.

Anwar Ibrahim has been targeted by various disinformation campaigns linking him to various foreign actors, who are at odds with one another. He has been targeted with disinformation linking him to Western allies, Islamic terrorist groups, Israel and China, sometimes being linked to multiple foreign powers at the same time. In the closing days of the 1999 general election, a senior minister in the Mahathir administration complained that Western countries, including Australia, Canada and the United States were giving undue attention to the opposition alliance led by Anwar(ABC, 1999). In addition, the '50 Reasons Why' noted above claimed that the United States has a plan to place Anwar in the PM office. The publication also questioned Anwar' special relationship with the United States and even suspected that Anwar could be a CIA agent.

In the aftermath of the 11 September attack, disinformation then shifted to link Anwar with Islamic terrorism. The allegation emerged at the time when BN was promoting Abdullah Ahmad Badawi, its moderate Islamic leader. Less than five months before the 2004 General Election, an Australian-based Special Broadcasting Service (SBS) reported a story referring to International Institute of Islamic Thought (IIIT) headquartered in the United States – an organisation alleged to have connections with the 2001 attack – and linking it to Anwar. In response to the report, Malaysian police contacted US authorities to find more information and conducted further investigation. In response, Anwar condemned the false allegations employed to smear him, his family, his supporters and IIIT (Lim, 2003). Wan Azizah, Anwar's wife said the report was malicious and seditious and denied Anwar involvement with terrorists or al-Qaeda (Sydney Morning Herald, 2003). Despite such claims, around a decade later, the same story was spun to connect Anwar with the US, as the IIIT has its headquarter there. Before the 2013 General Election, a website PakDin.my suggested that there were CIA agents in IIIT and the news that Anwar had received funds from an extremist Islamic group was false, and that the money had actually come from the CIA. The website also claimed that Anwar was put as a leader of Zionism in a few organisations that work closely with the CIA (PakDin.my, 2012) .

The 2008 Permatang Pauh by-election was called by the Election Commission after Wan Azizah Wan Ismail resigned from the post to enable her husband to contest the seat and make a return to politics.

Disinformation was disseminated accusing Anwar of being an international agent. It claimed that if Anwar were to lead the government, he would establish political relations with Israel and allow an Israeli embassy in Malaysia. Other, disinformation circulated alleged that Anwar would make Malaysia like Singapore and provide more political, educational and economic opportunities to Chinese people. It even labelled Anwar as a Chinese agent (ANFREL, 2018).

In July 2011, around 50,000 Malaysians marched peacefully in Kuala Lumpur calling for free elections. The movement was accussed in an editorial of Utusan Malaysia daily, Malaysia's government-linked media, that foreign Jewish groups might push to reform electoral laws so as to interfere in Muslim-majority Malaysia. The editorial offered no evidence of a possible Jewish plot and named no specific group. Political activists who organised the demonstration insisted such accusation by the state-linked media was an irresponsible attempt to discredit them through appeals to religious prejudice (Associated Press, 2011).

During the 2013 General Election, the opposition launched its cyber war and accused the government of bringing bomohs (witchdoctors) from Pakistan, Thailand, Africa and Indonesia to sabotage the elections. There was also an accusation claiming that the ruling BN used Malaysian Airlines (MAS) to fly in fake voters from Sabah and Bangladesh (Moniruzzaman, 2013). In 2015, Abdul Aziz Kaprawi, Sri Gading UMNO chief, claimed that the Democratic Action Party (DAP) was funded by the Jews during the General Election in 2013. This remark was an attempt to justify the RM 2.6 billion donation received by Prime Minister Najib from a Middle Eastern donor to help UMNO fight DAP. In response, DAP national organising secretary Anthony Loke argued that Kaprawi's remark made little sense as DAP was not backed by foreign funds and the party clashed with UMNO only in two federal seats in the GE13 (Malaymail, 2015).

Fake news of foreign interference disinformation intensified in the 2018 Malaysian election on the back of the foreign interference bogeyman highlighted in the 2016 US presidential election. In Malaysia, it involved accusations against the international press for spreading fake news, comments regarding Chinese investment, meetings with foreign officials, and campaign assistance from the Chinese ambassador (Haciyakupoglu, 2018). Malaysian politicians accused each other of their supposed connection with foreign governments. However, these debates were more about discrediting rivals than about investigating foreign influence (Ibid). For example, Mahathir was criticised for meeting with the EU ambassador asking for monitoring to ensure a free and fair election. Mahathir, on the other hand, criticised the growing Chinese influence in the country (Ibid). Disinformation around foreign interference was a tactic aimed at deflecting criticism and sowing confusion among opposition party supporters (Cook, 2018). UMNO, then facing allegations of corruption from the 1MDB scandal, also used 'foreign interference' as a tool to discredit the press. In March 2018, the UMNO Grassroots Movement filed a police report accusing *The Economist* of attempting to overthrow the government after publishing an article on the 1MDB corruption and accusing the government of gerrymandering efforts (Ibid.). On the same matter, UMNO also criticised Switzerland for 'circulating misinformation' after Swiss authorities declared that money was stolen from Malaysian state-owned companies (Holmes, 2016).

After GE14, a report in the Free Malaysia Today News alleged that the International Republican Institute (IRI) collaborated with Pakatan Harapan leaders prior to the election to undermine the Barisan Nasional government. In response, IRI issued a statement rejecting the sensational headline. The institute stated that IRI has worked with partners in Malaysia since 2002. IRI has provided capacity-building support to political parties across the political spectrum in the form of direct training workshops and consultations with both the PH and BN coalitions. Also, IRI does not provide financial assistance to political parties (IRI, 2018).

Disinformation on foreign interference has been weaponised during all five elections from 1999-2018. It is connected to developments related to national and international politics. To note, a politician or political party, for example Anwar Ibrahim, can be attacked using fake news of foreign interference by alleging their link with many, oftentimes competing foreign actors, sometime at once. These contradicting narratives show that disinformation on foreign interference is created with the aim to link a politician with a particular group that is considered unfavourably among the Malaysian public. Zurairi A.R, a journalist from Malaymail, in an interview with Asia Centre said:

> *"The accusation of foreign interference seems to have crippled many democracies in Southeast Asia, and Malaysia is no exception. Democracy activists and CSOs are the main targets of this playbook. They are often accused of receiving money from foreign governments to stir riots in the country. Even though most of the time these accusations have no supporting evidence and CSOs are transparent about their revenue, people still buy into this accusation. This tactic is by no means new to Malaysian politics; it has been employed in every election and has become more popular over the past years"*

3f. Trends From 2022 Johor Bahru State Election

The March 2022 state election in Johor Bahru has come under spotlight because many anticipated it to be an example of how the 15th general election will play out. It was also the first major election where youths from 18 years of age voted. Using the lens of recurring patterns of disinformation provides a perspective to see ahead into GE15. For example, one month before the state election, Tan Sri Annuar Musa, Minister of Communications and Multimedia, paid a three-day visit in Johor and revealed that he received many complaints of fake news about the election.

The Minister conceded that the Ministry cannot totally prevent fake news revolving around the election. In response, the authority kept monitoring the situation and worked to create awareness among the public that spreading fake news was bad and also does not benefit anyone (The Star, 2022).

Disinformation circulated during the Johor poll included a purported press release circulated online saying that PLUS, an expressway concessionaire, offered 50% off on tolls for all highway users who return to Johor to cast their votes (Wong, 2022). Another piece of false news that went viral was a fake letter with the letterhead of the Malaysian Chinese Association (MCA) and the name of the party president. The fake letter claimed that the MCA party, which was a part of the Barison National, would contest the Johor poll. Datuk Seri Dr. Wee Ka Siong, MCA president, confirmed that the letter was fake and was circulated to divide the coalition (Xian, 2022).

Three falsehoods falling into the 5 recurring patterns of disinformation featured in the 2022 Johor State Election. These falsehoods were related to corruption, electoral integrity and women politicians. A tweet alleging that Syed Saddiq Syed Abdul Rahman, the president of the Muda party, owns a luxury bungalow worth millions of ringgit. The tweet also claimed the bungalow had a swimming pool and questioned the RM 722,312 in assets declared by Saddiq as the Youth and Sports Minister in 2019. In response, Saddiq refuted the tweet(FMT, 2022) and explained that the claim was untrue and was disinformation spread to influence voters during the Johor elections (Sekaran, 2022). Another post that went viral on social media claimed that the Ministry of Health recommended senior citizens not to vote in order to prevent the spread of COVID-19 among seniors (Shafeq, 2022). After the election, a Twitter user tweeted pictures with captions sexually harassing Amira Aisya Abd Aziz, the Member of the Johor State Legislative Assembly.

The tweet drew attention to her physique and spread false information about her personal behaviour, describing that 'she eats a lot because she has a lot of money' and insinuating that 'she become dumb' because of her behaviour. In response, Amira Aisya lodged a police report against the Twitter user and said that sexual harassment is something that she wouldn't tolerate (Asyraf, 2022).

Speaking to Asia Centre, Thomas Fann forsees that:

"Disinformation campaigns are very important for political parties. One of disinformation I am expecting to see during the upcoming election would be the revision of the 1MDB scandal. The 1MDB scandal was the scandal that brought down the Najib government but even now, we are starting to hear the denials. Part of the problem is the court cases for 1 MDB are not completed and there was no judgement yet. So, there is a revising of the facts and details to claim that nothing wrong was done. So, I expect that to be a big thing to try to whitewash the corruption scandal. For the opposition, they may try to employ corruption allegations. Some will be evidence-based. Some will be speculation. Some will be pure fabrication. So, corruption scandals will be one. Also, I think the performance of the government right now may be exaggerated by the opposition negatively and by the government positively"

Zurairi A.R., a journalist, forecasts more sophisticated disinformation campaigns in the next election,

"Before 2018, disinformation work was done by cyber troopers. Group leaders would receive orders from politicians and spread them to their troopers. Now it is no longer a group work; one person can manage many accounts. In many instances, after politicians give a speech, many different Facebook accounts will praise the speech using similar sentences. This suggests that these accounts are run by one person. Political parties will pay famous influencers on social media to spread their messages. These influencers are particularly active during government campaigns"

Ariff Abdullah, a policy advisor, anticipated that:

In the next election, disinformation will continue and even might be worse. In Malaysia, identity politics is there. It always dominates the discussion. You will see during the campaigns that many politicians at both aisles of the political spectrum, conservative or opposite will try hard to appeal to their respective heartlands. Even some are willing to issue radical statements that they would not do on a normal day just to be seen as a champion to a particular group of society. We can expect an upcoming election to be more critical. Last time, we had two major parties i.e. BN and PH. Now, we have BN, PH and PN, plus the rise of MUDA and the newly formed Mahathir coalition. So it is no longer about the battle of ideology alone – rightist vs leftist – now even conservative groups have to compete to gain support from the targeted segment of voters. This will result in a radical flow of disinformation everywhere, be it by political masters or operatives, they will keep attacking each other. And because the campaign period is critical, we do not have ample time to do due diligence or institute legal proceedings, political parties will usually just either respond with a counter-narrative or attack the opponents. It will be an uncontrolled flow of (dis)information because, at such critical point, each party only care about one ultimate goal – to win the election

Dr. Mohd Azizuddin Mohd Sani, a professor from Universiti Utara Malaysia expressed his concern about the internet during his interview with Asia Centre,

"There is an anarchy aspect of the internet. People see the internet as a reliable source of information to determine their decisions during the elections. But there are many innovative technologies such as Big Data that can somehow manipulate the public to make wrong decisions without knowing or being conscious"

Taken all together, GE15 will see an greater political party competition and intense online campaigning that will target the electorate including youth voters. The 5 recurring patterns of disinformation identified in this report, where several of them were validated in the 2022 Johor State Election, will be the main types of fake news that will be circulated. Given the focus on corruption, key among the disinformation types will be those related to corruption allegations.

Chapter 3: Key Takeaways

Between 1999 to 2018, the last 5 general elections have seen 5 recurring patterns of political disinformation. These include disinformation related to sexual orientation and promiscuity; corruption; electoral integrity; women politicians and foreign interference. At each election, campaign messages based on these themes of disinformation have been used by competing parties to inflict reputation damage on their political opponents and question the integrity of the electoral system to shape voter choice at the polls. Given that both legal and non-legal measures have not been effective against these forms of disinformation, these recurring patterns of disinformation are likely to be repeated in GE15 and will be the types of campaign messages youth and other voters will be subjected to. We get an indication of this from the trends in the 2022 Johor Bahru State Elections

The next chapter, therefore, aims to provide key recommendations that can be undertaken by stakeholders to address disinformation during elections.

4. Recommendations

The report has shown that disinformation in Malaysia to date has not been adequately addressed by existing legal and non-legal measures. Going into GE15, the 5 recurring patterns of political disinformation are likely to play out in the run-up to, during and after the elections. To mitigate the impact on voter behaviour and ensure electoral integrity, this chapter outlines practical recommendations and safeguards for stakeholders in the educational institutions, election commission, government, media, NGOs, political parties, technology companies and youth groups.

Educational Institutions	Election Commission	Government	Media
NGOs	Political Parties	Technology Companies	Youth
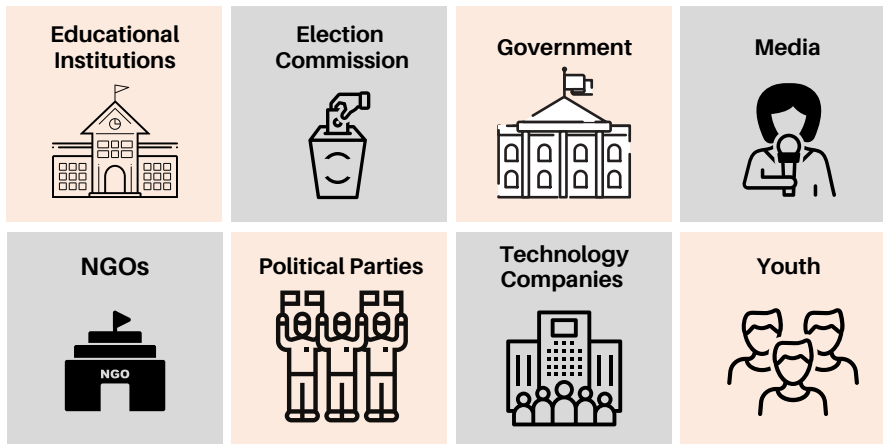
Educational Institutions

- Include digital and media literacy in the basic curriculum to ensure all students can discern fake news.
- Provide political education on principles of democracy, elections and human rights.
- Hold elections for student leadership bodies for them to experience the electoral process and to commit to high standards of democracy.

Election Commission

- Update the regulations to combat political disinformation, monitor campaign messagees, issue correction notice, or refer violators for prosecution.
- Establish an election fact-checking mechanism to debunk false news and verify true information.
- Work with NGOs, tech companies and other stakeholders in combating disinformation.
- Promote election education among voters across the country, in particular youth, and improve insight into the negative impact of disinformation on democracy, freedom of expression and civic space.

Government

- Amend legislations criminalising disinformation to make them compatible with international standards.
- Do not use these legal measures to restrict freedom of expression.
- Implement non-legal measures to tackle disinformation for the public interest, not for political outcomes.
- Refrain from sponsoring or encouraging disinformation and social media manipulation campaigns.
- Promote media and digital literacy by supporting these topics in the regular school curriculum and engaging with NGOs and other stakeholders to raise public awareness in the community.

Media

- Adhere to professional and ethical standards for accuracy in the news.
- Take the lead in fact-checking by debunking false information.
- Provide the public with accurate and verified electoral information.
- Raise public awareness about the negative impact of political disinformation.

NGOs

- Identify risks from types of disinformation that intensify during elections.
- Work with tech companies, election agencies and other stakeholders in combating disinformation.
- Raise public awareness about the negative impact of disinformation.
- Initiate alternative fact-checking mechanisms.
- Promote digital and media literacy, democracy and election in educational instituitions and in the community.

Political Parties

- Stop mudslinging political rivals by deploying fake news or disinformation.
- Cease politicising religion which may lead to social exclusion and polarisation.
- Run political campaigns with accurate and verified content.
- Establish a full service centre working to monitor, identify and debunk disinformation circulated during the election.
- Promote their official websites or social media sites as fact-checking sources.

Technology Companies

- Monitor and remove disinformation circulated on their platforms during and in-between elections.
- Be proative in combating disinformation on their platforms by flagging false information and removing or taking down false information that potentially misleads voters.
- Raise awareness of disinformation as well as promote digital and media literacy among users.
- Collaborate with the election bodies and NGOs to tackle disinformation.
- Support the research and development of appropriate solutions to disinformation.

Youth

- Check and verify information from reliable sources before believing and sharing.
- Consult informed adults, family members, teachers and reliable media to cross-check.
- Increase understaning of the electoral process, principles of democracy and human rights to contribute as a responsible citizen.

These recommendations build on previous and ongoing efforts by stakeholders to improve the quality of information online, ensure free and fair elections as well as allow youth and other voters to cast their vote meaningfully.

5. Conclusion

Disinformation is not a new phenomenon. It has been regularly produced and disseminated from print to social media fuelled by innovative technology and new forms of digital communications. However, the use of political disinformation in elections undercuts democratic principles, undermines trust in political systems and election bodies, devalues fact-based political debate and dampens political participation. The result is it leads to political instability, exacerbates the potential for electoral-related violence, dampens the will of voters, and entrenches authoritarianism.

Malaysia's 15th general election is expected to be held latest by 2023 as the country stands at a crossroads amid political uncertainty, a battered economy and post-COVID-19 pandemic recovery. The 15th general election will also see the reshaping of voter demographics in the country. 5.8 million voters, including 1.2 million aged between 18 and 20, will go to the polls for the first time following the 2019 'Undi18' constitutional amendment. This would translate to an increase of around 40% in registered voters bringing it to a new total of 21.1 million voters.

The internet as the main source of electoral information has impacted past election outcomes in Malaysia. In 2022, internet penetration and social platform usage reached an all-time high – 43.4% of the total population who use the internet are youth aged between 15-24 years. Youth voters have explicitly become a major target of political parties and their campaign messages. We can expect social media and online campaigns to be deployed by political parties, sometimes at an expense of authenticity, to reach out to these young voters. However, legal and non-legal measures implemented to date have yet to effectively address disinformation. Hence, youth and other voters remain potentially exposed to the risk of online manipulation during the election.

This baseline study identifies the risks from 5 recurring patterns of disinformation related to: sexual orientation and promiscuity; corruption; electoral integrity; women politicians and foreign interference. The 2022 Johor Bahru State Election confirms this trend. To mitigate disinformation and build trust in the electoral system and process, Asia Centre has complied some recommendations for key stakeholders in educational institutions, the election commission, government, media, NGOs, political parties, technology companies and youth groups who can implement them as practical safeguards to ensure that first-time and other voters are not subjected to manipulation through disinformation campaigns.

Efforts to combat disinformation cannot be addressed by any single means or actor. It requires inclusive approaches and collaboration from all stakeholders, especially during the elections when disinformation is politically weaponised. In essence, all stakeholders should strengthen appropriate legal and non-legal measures such as media and digital literacy. However, these efforts should not be at the expense of freedom of expression but must ensure that all voters can cast their ballots meaningfully, based on verified information.

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To date, the Centre has been undertaking evidence-based research on key human rights issues to assemble knowledge tools such as books, reports. baseline studies, policy briefs, commentaries, infographics, videos and training programmes. These knowledge tools are often developed at the request of civil society, INGOs and parliamentarians for evidence-based research on critical rights challenges. These knowledge tools are then used to design capacity building programmes for stakeholders so that they can affect positive policy changes.