

Dare to Document: Advocating Human Rights Through Films in Malaysia

Written by Anna Har, festival director

The FreedomFilmFest (FFF) is an annual human rights film festival that began in 2003 as a creative tool to increase awareness of human rights in Malaysia and the South East Asia region. The festival is organised by Pusat KOMAS (Community Communication Centre), an NGO based in Malaysia. KOMAS utilizes and promotes popular communication and participatory methodology in working for change. The organisation has been conducting community video and facilitation-skills training sessions for communities all over South East Asia since the early 1990s.

Responding to the Malaysian situation, KOMAS's other core programmes are in Non-Discrimination, Citizenship and Voter education. KOMAS was part of the organising committee of BERSIH 3.0 (Coalition for Free and Fair Elections) that organised the biggest rally on the streets of Kuala Lumpur in 2012, and also initiated PEMANTAU, a citizen election observers project for the 2012 elections. KOMAS has been a long time partner of and continues to support the Indigenous grassroots movement in Peninsular Malaysia. The NGO is an active member of COMANGO (Coalition of NGOs in Malaysia) that prepares

the Universal Periodic Report on the state of human rights in Malaysia to the United Nations.

Background

During the 1980s and 90s, citizens in Malaysia were generally quite fearful of openly criticising the government. The same political party had ruled the country since its independence in 1957, and dissent and opposition parties had been effectively controlled with the help of laws that were used primarily to curb the media, opposition politicians, trade unionists, activists, academics and other alternative and progressive voices. Such laws included: the Internal Security Act (ISA) that allows for detention without trial for an unlimited period of time; the Official Secrets Act (OSA) that allows for government contracts and documents to be classified as official secrets and for anyone who exposes them to face severe punishment; and the Printing Presses and Publication Act (PPPA) that requires all press institutions and printers to reapply for their licenses yearly. The opposition had been successfully suppressed using legal methods such as the laws mentioned along with “extra legal” means such as divide-and-rule tactics where citizens are effectively divided and separated according to ethnic origins and languages.

It was against this political and social backdrop that the FFF was first conceived as a creative way to disseminate alternative information and points of views that are seldom represented in mainstream media.

Branding and Positioning the Festival

In Malaysia, the government and mainstream media branded NGOs or human rights activists as being anti-government or opposition supporters, though what we have always been is pro-justice and human rights. That stereotypical image made it easier for the government and the media to discredit our rights-based campaigns and public education to the masses. Because of this, when choosing a title for the festival, we strategically chose a name that would appeal to the masses and especially youth while still retaining a powerful message for human rights. In the end, we decided on FreedomFilmFest. Since *human rights* carried a negative or anti-government connotation, we did not outwardly brand it as a “human rights festival”. Nevertheless, we did maintain that our festival showcased films that celebrate or embody the principles contained in the Universal Declaration of Human Rights (UDHR).

We chose orange as our trademark FFF color and all designs and publicity materials would be consistently in orange. We also decided to have a theme to embody the spirit of our festival. We chose “Dare To Document” as our theme specifically to encourage Malaysians to be courageous despite the restric-

tions they face, and to document and put into film the social realities of ordinary people in the country. We also wanted to make the festival a platform for other NGOs and socially concerned groups in Malaysia to participate and share information.

We would invite them to be the resource people for films that were related to their issues and also offer them exhibition and booth space where they could reach out to the general public. In short, the festival became a civil society event that other NGOs and communities can tap into as well. We also tried to engage with the other arts-based groups such as dance, performance and visual artists, and invited them to contribute to our festival.

Venue

Because our event is still regarded as “sensitive” and might perhaps put venue managers in an “unpopular” situation with the government, one of the main challenges was securing a suitable public venue that would be willing to host the festival. Most large halls with screening facilities belong to local authorities, private corporations or are housed within academic institutions. All three of these are connected to the government either directly or indirectly and would not want to risk jeopardizing their business licenses for the festival.

In our first year, we cooperated with a film club that regularly holds screenings at a college auditorium.



A festive atmosphere at a venue, filled with stalls run by the festival's partner organizations. Photo: Archive of Freedom Film Fest.

However, the college informed the club that they would not allow us back again. Apparently, our exhibition panels contained “sensitive” topics such as calling for the repeal of particular oppressive laws as well as an anti-dam campaign. We also learned that holding the festival on college grounds does not necessary guarantee that students will come for the screening. In our experience, students have a general disinterest in documentaries unless they happen to be made by a popular filmmaker or the students have been forced by their lecturers to attend the screening as part of their coursework.

We then tried a commercial performance arts theatre space but the cost of renting the space was much higher than the previous location. In addition, it closed down soon after the festival for unrelated reasons. Generally, there were very few venues that had the full package of what we needed: a strategic location, reasonable rental costs, access to public transport, a size and environment that are conducive to discussion and supportive venue managers that are willing to take the risk of hosting our event. Finally, in our fourth or fifth year, we found an alternative arts space that suited our festival; it was in a pre-war building that was well known among the youth. Still, in two or three years, as our audiences got bigger, the fragile building structure could no longer hold our maximum capacity. Every year we continue to face the issue of where we can hold the festival that will suit all our requirements and needs. For now, the best option has been to hold it in a private arts and theatre

space with professional audiovisual equipment and adequate seating—a space with which the public is familiar, that has accessible transport and parking facilities, and that is not too high-end or commercial.

Censorship

In Malaysia, there is a censorship law (Act 620, Film Censorship Act 2002) that requires all films to be sent in for censorship before they can be screened in public. The law states all films are subjected to this law. If found guilty of violating the law, a person can be slapped with a fine and jail term.

Section 6 (1) (a)(b) says that No person shall— have in his possession or in his custody or under his control; or circulate, exhibit, distribute, display, manufacture, produce, sell or hire, any film or film-publicity material which has not been approved by the Board.

Under part (2)(a)(b), the act states that any person who contravenes subsection (1) commits an offence and shall be liable on conviction— in respect of any film, to a fine of not less than five thousand ringgit and not more than thirty thousand ringgit or to imprisonment for a term not exceeding three years or to both; or in respect of any film-publicity material, to a fine of not less than one thousand ringgit and not more than ten thousand ringgit.

Lena Hendry, a KOMAS staff member, is now being charged under this act for screening *No Fire Zone*:

The Killing Fields of Sri Lanka, a documentary made by Nobel peace prize nominee, journalist and filmmaker, Callum Macrae.

Macrae was in Malaysia to lobby the Malaysian members of Parliament to pressure Sri Lanka to begin investigating alleged war crimes that happened in Sri Lanka during the civil war, and had approached KOMAS to assist in arranging a screening and meeting with the members of Parliament in Malaysia. Both the screening and meeting took place without any problems. However, on the same night, KOMAS also helped Macrae to screen the same film to invited guests in a private venue in Kuala Lumpur. This screening was disrupted by officers from the Home Ministry insisting that we stop the screening, citing that the film had not been approved by the censorship board and therefore could not be screened in public. We managed to continue the screening that night, but later three members of KOMAS were arrested; only Lena Hendry was charged.

Before the screening, the embassy of Sri Lanka had tried to persuade the venue owners to cancel the screening. They sent an official letter to the venue organisers stating that the screening was organised by “a group of sympathisers of the LTTE terrorist organisation”, that the film was “based on lies and distorted facts of the events during the fight against LTTE terrorists in Sri Lanka” and that “screening such a documentary would affect the harmony and peaceful co-existence of different sections of the people in Sri

Lanka and also in Malaysia in the long run”. Based on this experience, it seems that the screening of any films that may be critical of other governments/ countries who are on friendly terms with Malaysia are also forbidden. This is a grave violation of the people’s right to information and expression enshrined in the Universal Declaration of Human Rights and also in the Malaysian constitution.

Before that incident, we had several run-ins with the authorities. They issued warning letters to us, informing us that our films had not been sent for censorship and thus could not be screened in public. We requested an official meeting with the censorship board to discuss the matter and explained to them that our events are small, private screenings for human rights education and should be exempted from the censorship process. The censorship board assured us that they would not censor content unnecessarily and requested that we send in our films in the future.

Despite this assurance, KOMAS has not complied with the request for several reasons: first, the independence of the censorship board is questionable as it is directly under the control of the Ministry of Home Affairs and the Prime Minister’s Office. Second, the guidelines for censorship are not restricted to rating the films based on sexual or violent content, but also include many other aspects such as whether the film might jeopardise friendly relations with other countries, or whether its content is in conflict with national policies or interest.

In addition to being reviewed by the board of censors, films must be further scanned for content that may jeopardise security, and also ethnic and religious sensitivities, and ultimately approved by the police as well as religious authorities. In the past, this Act has been used arbitrarily to ban films that have content that is deemed sensitive to the country such as *The Last Communist* by Amir Muhammad, a film about the older generation of communists from Malaysia who are now living in exile in Thailand.

KOMAS believes that this Act is against the freedom of expression and information and thus has taken a stand from the beginning that we will not submit any of our films through this censorship process. Unfortunately, this has also meant that we are unable to screen in any public cinema in the country, due to a regulation restricting cinema owners from screening any film without a censorship license even if the cinema hall has been booked for a private screening. Still, this is a decision we feel we had to make since the films we screen about Malaysia almost always contain perspectives that are very critical of the government and its institutions or policies, and thus would be banned even if we, in good faith, sent them in for the censorship process.

Censorship remains the biggest threat to our festival because authorities can claim that our screenings are illegal because the films we screen do not have a censorship certificate. Rather than approaching us directly to stop a film screening, the authorities would be more likely to approach the venue operators or owners to

threaten them that their business is at risk if they allow us to continue with the “illegal” screening. Some public and private academic institutions have also forbidden our film screenings for similar reasons. Once when we had a screening in a hotel in a small town, the police tried to stop the screening by announcing that there was a bomb threat. This scared off the hotel customers and in the end the owner told us that he could not allow us to screen in the hotel as it was jeopardising his business and customers. For a recently planned screening at a restaurant, the venue owner was visited three times by officers from the Home Ministry in the week leading the event. They told her that her business license might be pulled back and she might be arrested if she allowed the screening to take place in her venue. Even after the screening was cancelled, on the day of the scheduled screening, many officers were stationed outside the restaurant which scared off many potential customers.

It is important that we establish good partnerships with local hosts and screening venues that support our cause and are strong enough to withstand threats by the authorities. Whenever possible, we choose to go forward with an event despite the threats, and most of the time the authorities do not try to stop the screenings even though they are present to observe and make a report on what happened. Perhaps closing down a small event like ours would be counter-productive for the authorities, bringing more attention to the event rather than doing the opposite. Or perhaps they make the call that our event is not really a threat or impacting their

support base, and thus not crucial enough for them to take action. However, it has been proven that the authorities will not hesitate to act if they feel that the event will seriously threaten or harm their power base. Those times when the authorities did try to stop a screening were when the film featured content that seriously implicated political leaders or the ruling party, or contained content that was especially controversial.

Most of the time, if we can identify the officers who are present at a screening, we will tell them to register just like other guests; sometimes we even acknowledge their presence in the crowd and invite them to participate in the discussion and offer their point of view. Our stance is that we have nothing to hide and that what we are doing is opening up a space for the public to learn about human rights issues and encouraging discussion and discourse on these issues, which in the long term contributes to the process of nation-building. For screenings of films on “sensitive” topics, we always invite resource people who can speak about the issue with authority; thus, we welcome the government or religious authorities to come and participate in the Q&A session after the screening. So far though, they have chosen not to be present or engage with us.

Producing Malaysian Films with Critical Content

Up until the early 2000s, there were very few independent filmmakers in Malaysia who made documen-

taries that explored contemporary social and political issues within Malaysia. This is partly due to the fact that there was no space or platform to screen films with such content as a result of our highly controlled mass media. Also, Malaysians generally consider films to be entertainment as opposed to a source of alternative information. Non-fiction forms including documentaries are not very popular, with the exception of nature documentaries such as National Geographic or Discovery Channel. KOMAS had also been involved in community video production for a long time and wanted to seize the momentum created by the accessibility of cheap video cameras in the 1990s in order to encourage people to be active users of the video/film medium as a tool to document and to express their opinions—not to merely be consumers or create entertainment. Thus, one of the main objectives of the festival is to encourage social filmmaking and to provide a platform and create an audience for such films.

In the festival’s first two years, we began by calling for completed entries like other film festivals. But soon, we realised that there were not enough good documentaries (if any) being made every year in Malaysia, let alone quality documentaries with human rights content. Those films that we did receive were mostly student films or TV magazine programmes. So, in the third year, we created a proposal competition whereby Malaysian can send in their proposal for a social film and are eligible to win a grant of RM6,000 (less than USD2,000) to produce their film. This way, we can encourage more people to make social films



A film festival can be a family event.
Photo: Archive of Freedom Film Fest.

(since their film would be funded from the grant if they win), and at the same time KOMAS could “select/curate” the themes of the films that would be produced from the grants. Interestingly, most of the proposals submitted came from first-time filmmakers and activists and not professionals. This is perhaps because the grant is too small to finance a professional production, and also perhaps due to lack of interest from more commercial filmmakers.

Recognising that the winners of the grant may not have the technical competency to make a film, KOMAS provides production guidance and infuses a human rights perspective into the films. The type and amount of support varies from filmmaker to filmmaker, but it usually entails a few pre-production meetings whereby the budget, schedule, script, production team and preparations for the shoot are discussed and finalised; after footage has been shot, meetings are held to identify any technical issues that may have occurred; later on, some guidance is provided on editing the film and feedback is given on the work-in-progress and end product. With this support, the film’s production quality and content is to a certain extent ensured, although the filmmaker’s skill and commitment to the production ultimately determines how the film will turn out.

This approach of offering support has been quite effective in the sense that every year we can guarantee that we have produced three films about important issues in Malaysia; the films are then used to gener-

ate discussion and bring attention to these issues via the FFF platform, allowing us to reach out to a wider audience all over the country. Audiences can usually relate with the issues presented in the locally made films and are happy to be able to watch something that represents their experiences and opinions. Some audience members who are not familiar with or aware of certain issues are shocked and touched by the stories shared by their fellow Malaysians. The filmmaker, as well as the protagonist and a resource person are usually present for post-screening discussions so the audience can ask questions about certain things presented in the film. This is also an opportunity to show support and solidarity to some of the protagonists in the films who are victims of human rights abuses. Of course there are many people in the audience who are worried about sharing their opinions aloud and would refrain from speaking or asking questions, but the facilitator can always throw out some general questions that represented some of the issues and thoughts that might be on the audience’s mind, or invite certain representatives to speak from the floor.

Every year, the proposal competition is based on a certain theme, depending on what is currently relevant in the country. Past themes have included: Freedom of Information; the Untold Stories of Merdeka (the country’s independence); Dare to Document; Real Change?; and Democracy and Freedom.

The three Malaysian films produced yearly from the grants make an impact because they are about

issues that Malaysians would not see on TV or covered in the mainstream; they also receive quite a lot of attention. In fact, the Malaysian films are the highlight of the festival. Once we put the films online, they are shared by many. Our films can go from 60,000 hits in the first week of release to 150,000 hits over a longer period of time. The films have been used as resource materials in classes by lecturers and students and have been screened by activists to their own communities.

Apart from organising screenings in the cities, we also bring selected films to rural and more interior communities, where there is less access to alternative information. We translate and subtitle appropriate films that will resonate with these communities. So far, we have found that stories of struggles from similar communities can have an empowering impact on the communities watching; they can gain strength or be challenged to think about what else they can do to within their own reality. For example, one Malaysian film, *Hak Dinafikan (Rights Denied)*, was made by two Indigenous filmmakers, Shafie Dris and Abri Chupil about a controversial proposed act that would provide individual land ownership to indigenous families. The film was disseminated to indigenous villages nationwide and used as a crucial tool to bring awareness to and gain support for their campaign to convince indigenous communities to reject the proposed act.

As a result of our annual proposal and grant competition, we now have a sizeable collection of social

films about Malaysia made from the perspective of ordinary people; this collection is used widely as a resource in universities, and in particular by lecturers on Malaysian studies. We have also received invitations to screen the films from Malaysian communities abroad such as in the UK, US and Australia.

Dissemination of Films and Impact

As our FFF films will never reach the TV stations or cinemas, it was important that we develop an alternative method of distribution. This is done by making DVD compilations and selling them at our screenings. We also upload the films online at http://freedomfilm-fest.komas.org/?page_id=878 and organise online discussions with the filmmakers. Apart from that, with the help of interested groups and individuals, screenings are organised in different cities in the country and also in smaller more remote communities, schools and universities.

To maximise the discussion after each screening, we make sure that there is a facilitator present either from KOMAS or our local partner. Whenever possible we try to arrange for the filmmaker or a resource person to be present. More recently, we have used online technology such as Skype to communicate with filmmakers who cannot be present or are in a faraway country. From our experience, how far or fast a film spreads, and its impact is also dependent on the filmmaker. Our past filmmakers/grant recipients who were activists tend to be more diligent in using their



Award ceremony with festival winners and festival organisers. Photo: Archive of Freedom Film Fest.

films compared to non-activists. One of our most successful films was made by indigenous filmmakers; the film, *Hak Dinafikan (Rights Denied)* was mass duplicated and shared with indigenous communities throughout the country to campaign against a proposed law that was seen as disadvantageous to the indigenous community.

Another film that was really popular was *Sepuluh Tahun Sebelum Merdeka (10 Years Before Independence)*, a film about the history of the Left's role in the independence of Malaya. The information provided in this film was something that we do not find in our official history books. It was well received, especially among students, partly because the filmmaker was a talented graphic designer and crafted his film to reach out to young people. He was also a passionate researcher of alternative history and frequently gave talks and presentations on this topic. He even created a blog about his films and research.

FFF films are also popular because they are made in the local language of the people: Bahasa Malaysia. In Malaysia, documentary films are usually consumed by the elite class who are English-speaking; those films are mostly foreign documentaries. But FFF documentaries fill in the need for critical documentaries about local issues done by locals in a local language. We also selectively subtitle foreign films that we screen at the festival into Bahasa Malaysia. If it's just for screening in the cities, usually Bahasa subtitles are not necessary, but if the films will also travel to smaller

towns and into different communities, we would usually subtitle them.

The FFF film with the highest online hits thus far was *M-C-M: Utopia Milik Siapa? (M-C-M': and they call us dreamers...)*, a film about the issue of affordable housing for the current generation in their twenties living in Malaysia. It focused on an issue that is not discussed critically in the mainstream media, and was stylized in a way that was attractive enough to catch the attention of young people today. It made a big impact on them—enough to share it with others.

Engaging with Local/State Authorities

As previously discussed, it is very difficult (almost impossible) for human rights NGOs to engage with the current government to lobby for change; there is no multiple or even two party system; there is hardly any public debate or discussion, and politicians do not take a stand across party lines. If you are not pro-government, then you are effectively the enemy, and no engagement with you is needed. Today this attitude is prevalent among most government officials and politicians, in part due to our history of being ruled by one party for more than fifty years.

Nevertheless, Malaysia went through a political reformation in 2008 whereby a new coalition party managed to win enough seats to form the government in several states, although they failed to form the federal government. Since then, the festival has actively

been trying to engage with representatives from these states and successfully got two state governments to co-organise the FFF's state level screenings. This has been possible because FFF already had a reputation for screening human rights films and for carrying films with alternative information, and the two new state governments already knew about our festival and films and were frequent attendees or supporters. Their involvement in programming the festival is minimal with them lending some financial support and being there to officiate the opening or closing ceremonies. Although they do not offer much financial support or resources, the cooperation with the state governments has helped the festival be officially recognised and increased its credibility.

More recently, we have approached local representatives within these states and have organised community video workshops and community level screenings in their areas. The community video workshop focused on how to make stories of concern to the local communities and areas that they represent. We will then organise community screenings in all the local areas that participated in the workshop.

The state tourism board also supports us by sponsoring the costs to bring regional filmmakers and guests to our festival. Still, most powers are under the control of federal government and ministries and it is difficult to have any engagement with them in order to affect change or lobby particular issues. We have also tried to cooperate with the city council but

because our screenings are illegal in the eyes of the law, partnerships with established and major institutions are almost impossible. This kind of outreach, lobbying with the government and creating new partnerships is usually conducted by the board of directors of KOMAS or the festival director. It must be said that this kind of work takes a lot of effort and time and continuous communication with the various authorities in order to engage with them and gain their confidence.

Human Rights/NGO Branding

FFF is organised by an NGO with an agenda to spread human rights; this has pros and cons, especially in a country where the government and activists have always been on opposite sides. As a comparison, a festival that is more arts-focused rather than principle-based might be more attractive to ordinary folks not looking for an event that is overtly political in nature. There is also the danger of preaching to the converted; although they are an important part of our audience, we try to ensure that we also reach out to new audiences every year. We do this by choosing yearly festival themes that we feel may be interesting to the general public at large, by having different NGOs and groups co-host particular screening sessions on particular themes with us, by showcasing a variety of themes and films to cater to different interests, as well as including some award-winning popular international films in our lineup. We also try to reach out to new audiences by

holding screenings in new and different venues apart from our regular ones.

We face other challenges as a human rights festival. The type of FFF films that have been produced thus far have been very overtly critical of the government, which in turn makes it difficult to penetrate and approach schools in any official capacity. This also makes it difficult to get local sponsorship. This presents a challenge because it is increasingly difficult to obtain foreign funding for the festival, which makes sustainability almost impossible unless we decide to charge a fee for tickets. At the same time, because the FFF is meant to be a tool to spread awareness of human rights, we want to make the festival accessible to everyone. In addition, our NGO staff are not professional festival workers and thus they may have other responsibilities within the organisation; most of the time, they are stretched in many directions at once.

For the future, we are looking at ways to establish spinoffs of the festival that are more geared towards capacity-building for filmmakers, audiences and the industry as a whole. Hopefully we will be able to position these activities as being mainstream enough to obtain local support and funding.

Filmography

No Fire Zone: The Killing Fields of Sri Lanka (dir. Cal-lum Mcrae, 2013).

Lelaki Komunis Terakhir (The Last Communist, dir. Amir Muhammad, 2006).

Hak Dinafikan (Rights Denied, dir. Shafie Dris&Abri Yok Chupil, 2010).

Sepuluh Tahun Sebelum Merdeka (10 Years Before Independence, dir. Fahmi Reza, 2007).

M-C-M': Utopia Milik Siapa? (M-C-M': and they call us dreamers..., dir. Boon Kia Meng, 2012).