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Panel Discussion on Empowering the Media's Inclusion in the Fight against Corruption

APEC Anti-Corruption and Transparency Experts' Working Group

December 2022

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Panel Discussion on Empowering the Media's Inclusion in the Fight against Corruption

Thailand (Hybrid Format) | 26 – 27 July 2022

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Executive Summary

Against the backdrop of the potential and arguably growing importance of the media and investigative journalism in particular in detecting, exposing and investigating corruption, the subject of the media's inclusion in the anti-corruption context has never been exclusively addressed. To discuss how the media can play a positive role in anti-corruption and how APEC member economies can help them in these efforts was the focus of Project ACT 02 2021 Panel Discussion on Empowering the Media's Inclusion in the Fight against Corruption.

The project was proposed by Thailand for the APEC Host Year 2022 and funded by APEC Anti-Corruption and Transparency Experts' Working Group (ACTWG) forum. The objective was to build the capacity of law enforcement and anti-corruption practitioners of APEC economies on the role of the media and investigative journalists as anti-corruption watchdogs by helping APEC economies prevent and combat corruption, and how APEC economies can engage with the media in these efforts. On 26 – 27 July 2022 the Panel Discussion on Empowering the Media's Inclusion in the Fight against Corruption was delivered. It was attended by the total number of 110 panelists, moderator and participants from 17 APEC economies.

For the effective encouragement of the media's inclusion in the fight against corruption, it is essential to build an enabling environment where the media can play a positive role in exposing corruption. Media freedom and access to information are keys. On the other hand, it is equally necessary for the media and journalists to adhere to their professional codes of conduct, by doing investigation and reporting in an ethical and responsible manner.

The lack of data and limited access to information pose a significant challenge for journalists and investigative reporters who are also at physical, emotional, legal and financial risks. Collaboration is therefore important. Networks of cross-border investigative journalists can ensure more safety and provide financial support and legal assistance.

Anti-corruption agencies can engage with the media, both traditional and emergent social media platforms, in spreading anti-corruption messages, raising public awareness and covering operations to prevent and tackle corruption. Building mutual trust is important for maintaining relations. Other initiatives may include the provision of legal and financial aid to investigative journalists and their organizations, and capacity building programs to equip them with specialized skills and enable them to overcome the challenges posed by investigative journalism.

From the results of the ex-post evaluation survey, the project has proved effectiveness in providing a platform for participants to enhance knowledge and exchange information and experience among the panelists and participants.

The project hopes to support APEC economies in developing policy and measures appropriate for the respective domestic context to address corruption and transparency by encouraging the media to play a positive role in relation to anti-corruption. With the inclusion of the media and the public, the project outcomes are expected to translate into concrete deliverables in driving the longer-term implementation of APEC's vision on creating a favorable environment for inclusive and sustainable economic growth and prosperity in the Asia-Pacific region

Table of Contents

1. Introduction

The Panel Discussion on Empowering the Media's Inclusion in the Fight against Corruption is an APEC-funded project under the APEC Anti-Corruption and Transparency Experts' Working Group (ACTWG) forum. The project was proposed by Thailand as represented by the Office of the National Anti-Corruption Commission (NACC). It is supported by 4 co-sponsoring economies: Malaysia; Singapore; Chinese Taipei; and the United States.

As the APEC Host Economy through the year 2022, Thailand aims to play a constructive role in advancing APEC's anti-corruption priorities and building momentum in fighting corruption. The project was developed with the objective to build the capacity of law enforcement and anti-corruption practitioners of APEC economies by enabling them to understand and learn more about the linkages between the media and anti-corruption.

In order to ensure that the agenda for the Panel Discussion would cater to the interest of project participants, a pre-event research work was conducted. An online questionnaire survey was circulated to collect data from prospective participants on topics of their interest as well as their background and current level of knowledge related to the subject matter of the project. A summary of results was presented at the opening session of the Panel Discussion and included in this Project Summary Report.

The Panel Discussion was delivered on 26 – 27 July 2022 at 08:00 – 11:00 AM Thailand time (GMT/UTC +7). It was delivered via the online platform Zoom Meeting for the panelists and participants from other APEC economies. The Office of the NACC in Nonthaburi Province, Thailand, was the hosting venue for Thai participants. In total, 110 speakers/moderator and participants from 17 APEC economies attended the Panel Discussion, including participants from the APEC Business Advisory Council (ABAC) and the Policy Partnership on Women and the Economy (PPWE).

To evaluate the effectiveness and relevance of the project, an ex-post evaluation survey was conducted. An online questionnaire survey was circulated to participants to collect feedbacks on the satisfaction with the event management and content, and the degree of increase in participants' knowledge and skills related to the subject matter of the project. A summary of results was also included in this Project Summary Report.

This Project Summary Report is the main deliverables of this project. It is a compilation of shared experiences and information captured from the two-day presentations and discussions. This report is developed with the purpose to provide a reference for future formulation of policy and measures for APEC economies in order to address the issues of corruption and transparency by encouraging the media to play a positive role in relation to anti-corruption.

Disclaimer
The views and opinions expressed in the Panel Discussion are those of the panelists and do not necessarily reflect the views of ACTWG and member economies as a whole.

2. Background

2.1 Relevance

In the anti-corruption context, APEC members and non-APEC economies have seen the media function as a communication outlet for informing the public about detrimental effects of corruption and for engaging public participation in demanding government and public-sector accountability and transparency. In addition, investigative reporting has arguably become increasingly pivotal as a watchdog against corruption. Investigative journalism can lead to the exposure of corruption and bribery to the public, thereby helping monitor government and public-sector administration and deterring the misuse of public resources for private gains.

Against the backdrop of the potential and arguably growing importance of the media to be detecting, exposing, investigating and countering corruption over the past several years, the subject of the media's inclusion in anti-corruption had never been directly addressed as a separate theme for a project or initiative by the APEC Anti-Corruption and Transparency Experts' Working Group (ACTWG).

In an effort to provide concrete deliverables in terms of capacity building to APEC economies during the APEC 2022 Host Year, Thailand proposed a project to host the Panel Discussion on Empowering the Media's Inclusion in the Fight against Corruption. The project sought to address the topic of the linkages between the media and anti-corruption which deserved extensive and balanced discussions. The project was endorsed by the ACTWG and funded from the General Project Account.

In the longer term, the project hopes to help lay a solid foundation for a more enabling environment for the media and investigative journalists to operate with regard to the pursuing and exposing of corruption and bribery cases. This will likely enhance the level of public participation because media reporting is an important source for public awareness on government and public-sector accountability and transparency. More exposure and investigation of corruption and bribery cases with the assistance of the media, investigative journalism or public scrutiny through the APEC economies' implementation of initiatives or measures appropriate to respective domestic context will contribute to more inclusive and sustainable economic development and recovery for APEC economies following economic recession due to the coronavirus COVID-19 pandemic.

2.2 Objectives

The key objective of this project was to build the capacity of law enforcement and anti-corruption practitioners of APEC member economies on the potential and challenges of the media in anti-corruption and how APEC economies can help the media in these efforts through shared experiences and discussions among panelists and participants.

Target participants were anti-corruption and law enforcement practitioners of APEC economies, participants of the APEC Anti-Corruption Authorities and Law Enforcement Agencies Network (ACT-NET), as well as representatives from relevant APEC fora: APEC Business Advisory Council (ABAC), the Policy Partnership on Women and the Economy (PPWE), and the Small and Medium Enterprises Working Group (SMEWG).

The project also aims to develop an output and deliverables in the form of a Project Summary Report which captures the essence of the panelists' presentations and highlights the content of discussions. This report is expected to assist APEC economies to develop initiatives or measures suitable to their domestic context for the media's inclusion in their anti-corruption mandates. The report will not create international obligations for APEC member economies.

2.3 Scope of the project

The scope of the project includes the following:
- The role of the media and investigative journalists in exposing corruption
- Media ethics and professional codes of conduct in the context of anti-corruption
- Success factors for effective encouragement of the media in anti-corruption
- Challenges and obstacles for the media and journalists in conducting investigative reporting and serving as anti-corruption watchdog
- Inclusion of female journalists: their challenges and (dis)advantages
- Lessons learned and best practices from APEC member economies

2.4 Work plan

Pre-Event Research Work (April 2022)
Questionnaire survey was circulated to collect information on topics of interest among prospective participants in order to develop a proper Agenda.

Preparation for the Panel Discussion (May - June 2022)
Tentative Agenda with a list of panelists was drafted and circulated to APEC economies for consideration. Panelists and participants who were not members of the economy delegations were engaged upon endorsement from the ACTWG, as per the APEC Guidelines on Managing Cooperation with Non-Members.

The General Information Circular, along with the Agenda and Nomination Form, was circulated to APEC economies prior to the event.

Panel Discussion (26 - 27 July 2022)
The Panel Discussion on Empowering the Media's Inclusion in the Fight against Corruption was held on 26 and 27 July 2022 from 08:00 to 11:00 AM Bangkok local time (GMT/UTC +7), with the duration of three hours per day.

The event was hosted at the Office of the NACC in Nonthaburi Province for participants in Thailand, and held virtually via Zoom Meeting for participants from other APEC economies.

Post-Event Activities
After the Panel Discussion was delivered, an ex-post evaluation survey was circulated and re-circulated to collect feedback from the participants on their satisfaction with the overall management of the event and the content as well as the degree of increase in knowledge and skills related to the subject matter of the project.

APEC Project Monitoring Report was submitted to the Secretariat.
APEC Project Completion Report is being prepared and will be duly submitted to the Secretariat.

3. Pre-Event Research Work

3.1 Introduction

The Pre-Event Research Work was conducted via a questionnaire survey to collect data from prospective participants on topics of their interest as well as their background and current level of knowledge related to the subject matter of the project. Its purpose was to ensure the depth and breadth of the information on which the appropriate development of the Agenda for the Panel Discussion would be based.

3.2 Scope

The questionnaire consisted of the following sections:

Section 1: Demographics
Section 2: General
Section 3: Content
Section 4: Project effectiveness & relevance
Section 5: Additional comments

3.3 Summary of results

A total of 56 responses from 12 APEC economies were received.

3.3.1 Demographics

31 out of the 56 respondents (55.4%) are female, while almost the other half are male and the rest preferred not to say. 33 of the respondents (58.9%) are between 30-39 years old, with other 12 respondents (21.4%) between 40-49 years old. 26 of the respondents (46.4%) have 2-9 years of experience working for their agencies, while other 17 respondents (30.4%) have 10-20 years of work experience. A little over half of the respondents (30 respondents, accounting for 53.6%) have a mid-level position in their agencies.

3.3.2 General

Online platform:
35 out of 56 respondents (62.5%) were most familiar with Zoom Meeting.

Event format:
33 out of the total respondents (58.9%) preferred fully virtual event.

Ability to travel and attend in-person in case of hybrid format:
41 out of the total respondents (73.2%) either replied No or Not sure.

Time allocation:
46 respondents (82.1%) found the allotted duration of two days, each with one 3-hour session per day, appropriate.

3.3.3 Content

Respondents were asked to rate their overall level of knowledge of and skills in the topic prior to participating in the event:
- Almost half of the respondents (27 out of 56; 48.2%) – *medium*
- 15 responses (26.8%) – *low*
- 12 responses (21.4%) – *high*

Respondents indicated that what they hoped to get out of this event most were:
1) Role of the media in corruption prevention, promoting integrity & awareness raising
2) Share and learn best practices on effective encouragement of the media in anti-corruption
3) Challenges and obstacles the media is facing in serving as anti-corruption watchdog

When asked to rate their interest in the topic **"media, anti-corruption and gender"** or shared experiences from female journalists:
- 27 out of 56 responses (48.2%) – *basic*
- 24 responses (42.9%) – *much*

3.3.4 Project effectiveness & relevance

Respondents rated the relevance of the project to themselves and their economy as follows:
- 27 out of 56 responses (48.2%) – *mostly relevant*
- 14 responses (25%) – *somewhat relevant*
- 9 responses (16.1%) – *very relevant*

What most respondents thought would be the project's **results/achievements**:
- More <u>awareness and understanding</u> about the role of the media in fighting corruption, different ways about how the media can get involved
- Learn about the <u>challenges and obstacles</u> faced by the media, including female journalists
- Learn more about <u>investigative journalism, recent trends and case studies</u>
- <u>Sharing and learning about good practices and experiences</u> from other economies on working with the media to fight corruption

3.3.5 Additional comments

Certain responses indicated expectations about a "balanced approach" between:
- The media's role as an anti-corruption watchdog & freedom of the press
- Professional code of conduct and ethics that should be followed by the media in carrying out truthful reporting
- So no one-size-fits-all model for all economies

Other suggestions were:
- Challenges faced by the traditional media in light of the growth of free media;
- How privacy/data protection law affects the ability of the media.

The summary of results was presented at the opening session of the Panel Discussion.

4. Panel Discussion

The Panel Discussion was a 2-day event which provided a platform for virtual discussions among panelists and participants on the topics related to the subject matter of the project. The Agenda comprised 4 Items with the panelists' presentations, presentations from APEC member economies and virtual questions & answers.

Dates and time

The Panel Discussion on Empowering the Media's Inclusion in the Fight against Corruption was held virtually on 26 and 27 July 2022, with one three-hour session per day starting from 08:00 am to 11:00 am Bangkok local time (GMT/UTC +7).

Venue

The Panel Discussion was delivered virtually via the online platform Zoom Meeting.
The hosting venue was the Office of the National Anti-Corruption Commission in Nonthaburi Province, Thailand.

Agenda Items

- Item 1: Media's Role in Anti-Corruption
- Item 2: Challenges for Journalists & Inclusion of Female Journalists
- Item 3: Case Studies from Global Networks of Investigative Journalists
- Item 4: Lessons Learned & Best Practices from APEC Economies

The Panel Discussion was opened by **Police General Watcharapol Prasarnrajkit, President of the National Anti-Corruption Commission of Thailand and ACTWG & ACT-NET Chair of 2022**, then the Panel Discussion was moderated by the Project Overseer.

The Agenda can be found in Annex I.

Participants

The Panel Discussion was attended by the total of 110 participants and panelists/moderator. Out of this number, 99 participants were from 17 APEC member economies. The number of participating economies therefore exceeded the project target of 70% (15 economies), and the number of participants exceeded the project target of 70-80 participants.

Gender balance

Panelists: The number of female panelists and moderator was 5 out of 11 total panelists/moderator, accounting for 45.45%. The project had the target of 50%.

Participants: The number of female participants was 57 out of 99 total participants, accounting for 57.57% which exceeded the project target of 50%.

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4.1 Media's Role in Anti-Corruption

Mr Francesco Checchi, Regional Anti-Corruption Adviser, United Nations Office on Drugs and Crime (UNODC) Regional Office for Southeast Asia and the Pacific, delivered a presentation on the framework and provisions of the United Nations Convention against Corruption (UNCAC) relevant to the role of the media in fighting corruption, highlighting that the media provides transparency and investigative journalism is key for exposing corruption cases.

The UNCAC recognized the role of investigative journalism, activists, and civil society in the fight against corruption because they can demand accountability and transparency from the public and the private sectors. The media provide a lot of information on corruption cases. There are several studies that demonstrated the correlation between press freedom and the effectiveness of the fight against corruption.

Article 13 of the UNCAC on the participation of society requests States Parties to promote active media participation and groups outside of the public sector such as civil society and NGOs in the prevention of corruption. The Article also states that States Parties should respect, promote and protect freedom of expression in relation to corruption so that all elements of the society are able to play a role in the fight against corruption through human rights in the area of freedom of expression, civil, social and political rights. Freedom of expression and robust media can promote transparency and accountability, in particular in the financial sector among others. The media can investigate actual beneficial ownership in the financial sector and enhance cooperation between financial investigative units and law enforcement authorities. This has slightly altered how trainings are provided to law enforcement authorities in the area of conducting financial investigations.

Prerequisites for Investigative Journalism
The fundamental element for the promotion of investigative journalism is the prerequisites for journalists to firstly have the right and obligation to protect the confidentiality of the sources. The tips, leaks and documents from the sources are critical to journalists' investigation, but whistle-blowers may face risks in their career or even their lives. In recognition that the protection of confidentiality of the sources is extremely important, Article 33 specifically requests States Parties to introduce whistle-blower protection. While witness protection aims at protecting witnesses during trial, whistle-blower protection is the protection of the people who provide tips and information from retaliation or harassment against them.

Another prerequisite is Article 10 of the UNCAC on public reporting which established the right of access to information to allow members of the public to obtain information. The Article requires the simplification of administrative procedures to make information more publicly accessible and to publish information on corruption risks in the public administration. Recommendations have been made by the UNCAC reviews to enhance access to information, by establishing access to information law or regulation to ensure timely response to the public's request for information. The real intent is to render the decision-making in the public administration more efficient and rapid, which is still lacking and remains a problem in the Southeast Asian region. States Parties to the Convention are encouraged to put in place robust systems for both proactive and reactive transparency. Proactive disclosure is an efficient way to make information publicly available in practice, so there will be less demand for information requests by the public.

Factors for consideration include, inter alia, the availability of the following:
- Legislation which provides for and regulates the right of access to information;
- Equal access to everyone without discrimination;
- Public awareness campaigns and training programs to ensure that citizens, government officials, judges and journalists understand the right of access to information laws and policies and how they are administered;
- Clear procedures for making and processing requests as well as timeframe for response;
- Right to appeal refusals to disclose information;
- Independent oversight body for handling appeals.

Freedom of expression and exceptions

Freedom of expression is the main principle covered in Article 13 of the UNCAC, which states that States Parties should respect, promote and protect *the freedom to seek, receive, publish and"disseminate information concerning corruption*. To protect certain interests however, that freedom may be subject to certain restrictions:
- For respect of the rights or reputation of others (defamation laws): criminal and civil;
- Privacy;
- For protection of domestic security or *ordre public* or of public health or morals.

Defamation laws include criminal or civil defamation. Civil defamation laws are softer, less drawn to abuse and introduced in terms of proportionate sanctions, including reasonable limit to the amount of compensation. While several economies are moving toward civil defamation law, there is no prescription to the exact type of defamation law to put in place. Meanwhile, the issue of privacy is subject to cultural differences. In certain cases there are civil privacy law, but of course there are criminal aspects to privacy violation. These legitimate exceptions to freedom of expression, however, must not be over-utilized to stop or stifle corruption investigations or the spread of information by journalists or civil society.

On the dangers of investigative journalism, media ownership may undermine anti-corruption efforts. Especially when business leaders, politicians or corrupt elites own media, reporting becomes abused and used to influence or manipulate citizens. Independent journalists have also reported intimidation and attempts to undermine their professional credibility. There are statistics on the killing of journalists. 45 journalists were killed in 2021 for uncovering truth with regard to corruption scandals, maladministration and violation of environmental law. Abuse of privacy and defamation laws is also another important problem for journalists.

Social media have changed the panorama and framework in which journalists operate. It provides journalistic information and allows for the rise of citizens journalists. Instances of corruption cases were identified and exposed thanks to social media. However there is no quality control by professional media outlets, creating the danger of fake news. On the issue of open data, during the implementation review of the UNCAC on access to information, questions were made how open data portals were set up and maintained. To promote access to information, open data should be quality, up-to-date information which is fundamental for investigative journalism.

UNODC tool and information for journalists were presented. The Handbook on Reporting on Corruption: A Resource Tool for Governments and Journalists as well as useful tools and information for journalists are available on the UNODC website.

Mr Khairil Yusof, Coordinator and Executive Director, Sinar Project, shared perspective on the state of journalism in the context of anti-corruption, role of journalists and success factors for effective encouragement of the media in anti-corruption.

Media Freedom
How much of the role the media can play arguably depends on the level of freedom journalists are allowed to do their work. The state of media freedom does not always correlate to the Corruption Perceptions Index (CPI) or other indicators of governance, but is indicative of the role which the media can play in the anti-corruption domain.

Access to Information
Journalists' ability to work and expose corruption issues relates to how much information is accessible. In anti-corruption, the range of such information is broad, including:
- availability of the right to information law
- data on beneficial ownership
- detailed public information on political financing
- detailed public information on asset declaration of senior public officials
- details on public procurement

Comparative indicator on the availability of information can be found in Global Data Barometer, with each economy's categorized information such as company information, political integrity and public procurement on the website: https://globaldatabarometer.org/results/. This impacts the capacity for journalists. The more information is available and the more capacity a member economy is able to publish information provide a more conducive environment for journalists to do their job. One of the findings from Global Data Barometer is that the set of information and data which journalists need in order to uncover and investigate corruption cases, on the global average, are often the least available.

Cross-border Collaboration
In terms of how journalists investigate corruption, firstly there is greater collaboration across borders. Cross-border networks of journalists are, for instance, the International Consortium of Investigative Journalists (ICIJ), the Organized Crime and Corruption Reporting Project (OCCRP) and the Global Investigate Journalism Network (GIJN). For ICIJ, when there are leaks or information related to corruption or beneficial ownership at the global scale, these resources are often published for access to international audience. For cross-border cases of GIJN, there is collaboration between journalists in different economies on sharing resources, techniques and information. Investigation is real-time across borders. One of the advantages journalists have is that they are not restricted by delays from reasons such as mutual legal assistance requests. The networks of journalists can quickly check through messaging applications and emails, and immediately connect pieces in another economy almost in real-time.

Another change in the way journalists approach investigating corruption is the increase in using data and data standards, especially around open data. One open data standard for the publication of data on procurement is the Open Contracting Data Standard (OCDS). OCDS has been more recently adapted by a lot of economies, and become a standard as to what kind of information and how procurement data should be published.

Other standards that are also useful is infrastructure procurement information, which often tends to be very high risk, high-value area of corruption. This includes the CoST Infrastructure standard. Some member economies are part of the procurement legislation to increase and make data information available. The list of what kind of data should be available however is not exhaustive. Another one is data information on transparency in extractive sector, or the Extractive Industries Transparency Initiative (EITI). These data can help not only journalists but also anti-corruption investigators to understand complicated corruption issues. Journalists can refer to open data standards in order to investigate better or ask more questions around tendering in this process, especially for complicated projects such as large-scale infrastructure or procurement issues.

Cross-border information between journalists can be helpful in uncovering corruption cases. Sometimes when a specific issue or information is not available within an economy, journalist can investigate open information from other economies with additional documents providing detailed audits of financial transactions, related beneficial owners, for instance.

Role of Journalists
Journalists investigate an issue around corruption on a factual basis: to write a story or to produce a video story that is factual with the hope that the coverage will either start a formal investigation or lead to changes, such as a resignation or reform, and with the common goal with law enforcement agencies in reducing corruption.

Conventional and Investigative. Both Important.
There are two types of journalism: investigative journalism and day-to-day reporting or conventional journalism. Both roles of journalists are important.

Conventional	Investigative
Conventional reporters simply report based on what information is published.	Information cannot be published until its coherence and completeness are assured that it is an actual fact.
Research is completed swiftly without additional verification.	Investigative journalism will look deeper at an issue and verify. Research can continue even after the story is confirmed for additional investigations.
Story is based on a necessary minimum of information and can be very short.	Can be a long process, from up to three to six months.
Declarations of sources can substitute for documentation.	The reportage requires documentation to support or deny the declaration of sources. Verification must be done, quite often with multiple resources, before publishing a story.
The good faith of sources is presumed, often without verification. Day-to-day reporters would simply quote whatever a person said in an interview.	The good faith of sources cannot be presumed. The sources may provide false information and none of the information provided by sources can be used without additional verification.
Official sources are reported, accepted and printed without additional commentary.	Investigative journalist can challenge investigation and the official version of a story based on information from different sources.

Sources are nearly always identified.	Sources often cannot be identified for security reasons.
Errors may be committed, but they are usually without importance and can be corrected on the next day.	The risks are very different with investigation and publication of a story. Investigative reporter must continuously challenge and verify through independent sources. In case of a mistake, the reporter will be liable both personally and also for the organization. Errors expose the reporter to sanctions and can destroy the credibility of the media organization.

Credit: Hunter, Mark Lee (2011) Story-based inquiry: a manual for investigative journalists
https://unesdoc.unesco.org/ark:/48223/pf0000193078

Therefore, for investigative journalists there are clear ethics and clear repercussions for mistakes made as an investigative reporter. To ensure compliance with these ethical standards before stories are published, the scope of what investigative journalism can do in legal and regulatory terms vary by economies. It can be a regulatory law, a media council, a journalistic board or a combination.

<u>All reports help uncover patterns.</u>
Day-to-day reporting is equally important and quite often a very useful source for investigative journalists and enforcement agencies to detect patterns from day-to-day reporting by journalists. There can be several seemingly unrelated issues around human trafficking, but a common pattern across all of them is that rarely is there actually a case open resulting from trafficking cases. It does not go to trial. Therefore even day-to-day reporting is helpful in uncovering patterns.

Day-to-day reporting can also be a checks and balances mechanism for asking the right questions. By using the CoST Infrastructure Data Standard, journalists when reporting development project can simply ask basic questions and help improve accountability and transparency, even without investigations. Day-to-day reporters can ask questions about who is funding this project, when the project starts, actual beneficiaries of the project, the source of the funding and management. These basic questions can help improve the checks and balances. For investigative journalists, when these answers are not provided, it gives a clue that this is a possible story that needs further investigation because key information is missing.

<u>Success Factors</u>
Success factors to improve the role of journalists in uncovering corruption is firstly **media freedom**. Journalists need to be allowed to do their job under clear ethics in their approaches to investigating or publishing a story. Journalists have to be allowed to ask questions, check and verify the information. Especially after following proper procedures in conducting thorough investigation and verification, journalists and media organizations should also have the right to publish the information, and not be sanctioned for simply doing their job.

The other success factor in terms of governance is an **increase in the availability of public information**. As access to open information increases competitiveness and creates business-friendly environment for economies, public information is also helpful for investigations.

Examples of information include a robust and transparent Securities Commission for the local Stock Exchange, audit reports by government, published environmental impact assessment reports as related to issues around development or extractives, and general annual reports from agencies. These kinds of standard documents or information should be accessible or easily accessible, making it better quality improves the environment that allows journalists to do their job.

Thirdly, technologies and **open data** accelerate how investigative journalists find corruption issues much faster than the traditional methods. Collaboration in civil society and government agencies in publishing data can provide procurement details following open data standard which can be developed to show red flags which are then used by journalists to investigate or report stories on procurement issues which are possibly problematic. Government agencies provide transparent data on procurement, and civil society can provide innovative platforms, and journalists are able to use this innovation to quickly pinpoint issues around procurement and pursue the issue faster than in a traditional manner.

Another success factor is **increased collaboration** between different organizations providing different information, beneficial ownership, procurement, assets declaration and information from government agencies assist journalists in connecting the dots to uncover corruption. Sinar Project won an innovation award for connecting open contracting data to beneficial ownership, to asset declarations and politically exposed persons (PEPs). Another way for collaboration, which applies to all and not only journalists, is further development of the data standards which are being published, for example, data standards or best practices on what and how government should publish about beneficial ownership. Journalists can collaborate with enforcement agencies to improve the standards on what data they need to help uncover corruption. This collaboration with civil society and possibly with the private sector can improve and create an environment where there are more quality data, more transparency and innovations, thereby more efficient reporting or uncovering of corruption issues.

Discussions and Q&A

Question: How does open data work in Malaysia and can everyone use open data?
Answer (Mr Khairil): The concept of open data, on a technical level, is the data or information in machine-readable format, meaning you can load data up to spreadsheet for analysis or you can search on your computer. The second is licensing for open data should be available free of charge, without restrictions in its usage. That is a basic definition of open data.

On an additional level is the quality of the available open data. Is the dataset useful or not? Economies may publish data and make them accessible, however the question from the journalism's perspective is whether the data useful for work. In addition to the availability of data, it is the quality of open data: completeness, being up-to-date, containing all information needed. It is the quality of data where the standards come in. From the Global Data Barometer, there are different standards and quality of open data in economies. Usually from a journalistic viewpoint, I need to see whether I can do a project using open data or investigate using open data. I would then start referring to these data standards such beneficial ownership or open contracting to see whether the data published by the government and made freely adhere to international standards of data quality and completeness.

Question: Is open data government funded or set up by private company?
Answer (Mr Khairil): Generally, open data is published and open data initiatives are led by the government because they are the data published by the government or government agencies as holders of a large amount of data or generators of data in their day-to-day administration. Nevertheless sometimes there are open data published by the private sector such as transportation data and environmental data. So the definition of open data can apply to private-sector data, but in general it is quite often largely driven and published by government agencies.

Question: Do you have the system within journalism area to share data for investigative journalism in Malaysia?
Answer (Mr Khairil): Yes, in terms of our data reports on what kind of data sources that you can use. There was a collaboration to map out the data sources that are available in Malaysia and the approaches you can use or case studies by Malaysian journalists on using the data for investigations. You can look for data assessment for journalism in Malaysia if you search on the Internet, you should be able to find out that report.

Comment: Struck by the importance of regional networks. One of the initiatives the United States support is the Global Anti-Corruption Consortium (GACC) which is led by the Organized Crime and Corruption Reporting Project (OCCRP) in collaboration with Transparency International. The GACC is a regional network which facilitates joint investigations and cooperation among journalists and civil society advocates across continents to uncover complex cases of cross-border crime and corruption. The GACC has been credited with exposing several high-profile cases of corruption that have led to substantial finds being levied, assets frozen or seized, and the launch of numerous criminal investigations.

Two questions to the panelists:
1. How can journalists and investigative reporters build trust with the law enforcement community, recognizing that information flows one way and the two groups have different objectives or missions for their work?
Answer (Mr Checchi): Building trust between the law enforcement and the journalists can vary among economies. There are efforts by domestic anti-corruption agencies to communicate more with journalists, for example through awareness-raising campaigns and trainings which involve journalists. Dialogue between law enforcement and anti-corruption agencies, and journalists is applauded. There are challenges of course, because in many instances journalists are very critical of the work of law enforcement authorities. Sometimes journalists utilize the information they have to push law enforcement authorities to act, or disclose information which may disrupt the investigations of law enforcement authorities. In this respect, journalists have to be mindful and follow codes of ethics as well as have an understanding about their rights as well as the limitations in doing their journalistic work.

Answer (Mr Khairil): Facilitating dialogue is important. You do not always have to share details of legal cases or investigations as this is not possible. But there are a lot of possibilities, especially for sharing techniques or developing better standards on what information government agencies need to publish. This kind of dialogue is beneficial and can simply be about sharing best practices, without having to interfere with each other's work or relate to investigations. From participating in the UNODC training a few years ago, I learned about the challenges of different agencies, and in return those agencies understood what journalists needed and why we asked these questions. Dialogue therefore always helps build relationship.

2. What capacity building do investigative journalists in the region need, recognizing that cross-border corruption cases are so complex, rely on technology and often span multiple continents, language, and those types of challenges.

Answer (Mr Checchi): The UNODC provide several trainings to journalists in this area of work about the principles and standards which they should abide by. UNODC is also developing a regional network of NGOS, journalists and media outlets that can support each other with capacity building and information sharing among economies in the region. Law enforcement and anti-corruption authorities also have to be able to understand the position of journalists. Constructive criticism and two-way dialogue should be promoted.

Answer (Mr Khairil): For capacity building, there is no single answer, but to identify which capacity needs to be built, the level of media freedom in each economy needs to be considered. In the economies with less media freedom, basic capacity building, ethics for investigating a story and verifying sources would be needed because there is not much journalism in such economies. Whereas for the economies that have more information or data published and have a more robust media environment, the capacity building needed is usually on a higher level: how to do data analysis, or how to look into red flags and do algorithms on those. What capacity building is needed is to be considered on a case-by-case basis.

Question: How does an economy participate in the Global Data Barometer Survey and who carries out the Survey?

Answer (Mr Khairil): The Global Data Barometer is currently being managed by the Latin American Open Data Initiative (ILDA), which is an open data collaboration and funded by a lot of agencies both government and civil society. The term "Open Data Barometer" was changed to "Data Barometer" because data, whether it is open or not, is a valuable resource. The Barometer should capture the research and the capacity of all economies, and not just open data. The only reason some economies' data were not available in the current version was funding and lack of researchers to cover such areas. My recommendation is to visit the website https://globaldatabarometer.org/partners/regional-partners/. You can contact the organizer to express an interest to be featured with the project for the next round of the surveys, which should be conducted some time in 2024.

Question: Regarding open data, be it in Malaysia or outside, is it not too late to wait after 4-6 months for the yearly audited account when corruption has already occurred? What is journalist's effort to detect a red flag much earlier prior to publishing their stories?

Answer (Mr Khairil): It depends on different sectors of corruption. Each one is slightly different. Red flags vary from sector to sector.

The CoST Infrastructure standard can be used to detect red flag by referring to the checklist of infrastructure projects. This checklist identifies what kind of data or information is needed for each infrastructure project. If certain information is missing or unclear before a project starts, a red flag can be caught even before it starts. This is more problematic in economies with less corruption because a lot of issues are within the planning stage of procurement. Therefore for the standards in those sectors, in the planning or preparation stages there are some key data or information points for early detection, that journalists may start looking and checking whether it exists or whether the quality is good enough to check for red flags before the project even starts."

Question: Please explain about the legal framework about the media in Malaysia, media's independence and whether media reports can be admissible as evidence in court.

Answer (Mr Khairil): Journalists only look toward uncovering the truth or the facts to tell a story which they can back. In a court case however, the level of evidence needed is very different and it is usually the expertise of the prosecutor or the Prosecutors Office, and the enforcement agencies.

In terms of the environment for the media to report on anti-corruption cases, it depends on the ability of data and information and governance. Again the methodologies and the state of media freedom can be found in the media freedom report and index which document different challenges that each economy faces. There are legal challenges, for example, secrecy law which may extend too much, whistle-blowing, and protection of sources. There are varieties of laws that can stifle or restrict media freedom. Where there is no media freedom, the role of journalists is restricted. So there are limits to what journalists can or cannot do, based on those media restrictions.

Another factor is whether the media is state-owned or privately owned. Media ownership itself however is not necessarily the entire issue. Media independence and the ability to publish stories are related to whether the media organization has editorial independence, regardless of whether it is state-owned or privately owned. I suggest a verification if the media has editorial independence, however, measuring the level of media independence is also challenging in terms of methodologies.

Covering an investigative story is costly, requiring resources and time. This is not possible with limited funding when a story can take up to three months. The costly nature of investigative journalism means few media organizations in the region are able to conduct investigative reports on more than one or two stories a year. Investigative reports also do not return much profit for the media organization.

However, the challenges can be overcome with cross-border collaborations. In the event of limited resources, or not being able to publish safely in home economy, journalists collaborate with other journalists and organizations in the region or around the world that have more funding or in a better position to publish that story. A few Malaysian reporters, for example, published story in the Guardian under anonymity or a different name. They are backed by the funding, editorial and support by the newspaper. This is also similar in Southeast Asia.

For budding journalists, global investigative journalism networks have a lot of resources and links to grants, some of which are substantial to provide support and funding for investigative journalism. A lot of journalists in Southeast Asia have recently been funded by six-month scholarship to investigate environment issue. There are a lot of opportunities for journalists with limited funding to take on a large investigation.

Answer (Mr Checchi): There are legal funding support and legal aid from consortiums or lawyers for journalists who got in trouble from covering a story or accused of violating privacy or defamation law. There are efforts by economies in the region to create an enabling legal framework where journalists can tell the truth. Nevertheless, journalists also need to respect certain boundaries and understand that their inquiries might sometimes have consequences.

4.2 Challenges for Journalists & Inclusion of Female Journalists

Mr Bagja Hidayat, Executive Editor/Head of Investigation Desk, Tempo Magazine, Indonesia, shared his experience in investigative journalism with the leading political and economic magazine in Indonesia.

Tempo is a weekly magazine published since 1971 but was banned from the government twice in 1982 and 1994. In 1982 it was banned for three months and in 1994 the magazine had to stop publication for four years after publishing an edition which criticized the Suharto government. After the Reformation movement, led by the university student movement, and the decline of Suharto, the magazine was back to publication in 1998. Tempo focuses on political, economic, criminal, environmental and art issues. During the last five years, Tempo focused on environmental issues because the environment is the center of how the government, political actors, and businesses are connected to corruption in resource exploitation and extractive industries that destroy the forests. The slogan of the magazine is easy reading and trustworthy.

Media on Corruption Issues
Tempo Magazine has a special guest column, publishing a special issue on investigative journalism mostly related to corruption. During the last five years, the focus has been on the environment, especially after the government released the Nationally Determined Contribution (NDC) on the climate crisis mitigation. Indonesia pledged to reduce greenhouse gas emissions by 26% and up to 29% by 2030. Tempo wants to see how carbon emission goals and climate crisis mitigation can be achieved.

From fifteen years of experience in investigative journalism, first thing is to map the actor. Corruption in Indonesia is not only about the actor stealing money from public budget, but mostly the actors are connected to political power and government officials. This kind of corruption is called " state capture corruption" by the Indonesian Corruption Eradication Commission (KPK) and mostly it is related to natural resources exploitation.

Second is the relation to the political system. Mapping of actors when telling a natural resource corruption story is related to Indonesia's political system. From a 2013 research, one Member of Parliament candidate spent approximately US$1.3 million for a campaign and political activity in 2009 election, compared to only US$ 200,000 which each of them could earn in 5 years. This is only a micro example of the discrepancy in the money spent in election and what politicians got from the Parliament.

Corruption in Natural Resources
Political actors, businesspersons, and government officials are connected on natural resources capture and exploitation especially on the land. The reason is Indonesia is vast and abundant with natural resources.

Tempo published an edition in 2019 on the road construction by a coal mining company in South Sumatra for coal shipment. According to the original requirement, the road would be very long, resulting in high costs for the company. To cut road construction costs, the company proposed options to the Indonesian Ministry of Environment and Forestry to construct a shorter route through the forest.

There were negotiations, including with powerful political figures. However, the second option of road construction through restoration forest was permitted by a politician's changing the law which originally prohibited the use of secondary protected forest. The company is a supporter of the politician's party. This is an example of state capture corruption, because the government connects businesspersons and officials to change the law and destroy the forest.

The second story was published in October 2021 about the food program launched as response to warnings against threat to food resilience posed by the coronavirus 2019 (COVID-19) pandemic. This program aimed to convert land, mostly primary forest, to food plantations to increase food outputs during the pandemic. The connected corruption was a result of the election in 2019 when the government was re-elected. In January 2020 a private company was established. In April 2020, the program was announced, with the need for 2.3 million hectares. In November 2020, the then Minister of Environment and Forestry issued the food estate regulation to enable the food estate by the government body only. However, in February 2021 the aforementioned private company received quick environmental assessment and permission to access the forest, which destroyed habitat to orangutans. This is another example that corruption in Indonesia is always related to the connections between political actors, businesspersons and government officials.

Corruption in Private Sector
In the last three weeks Tempo published a story about private-sector corruption of donation money by Fast Response Foundation (ACT), but the money was channeled to Indonesian investors. Under Indonesian law, the amount for organization operations is capped at the maximum of 10% of donations, but this charitable organization deducted up to 40%. The top management also used the donation for personal purposes. There was also mismanagement of donation funds to help victims and the victim families of a plane crash incident in 2019.

Updates from Tempo's investigation and findings on the food estate project were confirmed by the state authority. The government also stopped Fast Response Foundation operations, and the police released 4 top management as suspects on 25 July 2022. The case of this private foundation shows that the private sector is also connected with government officials.

Obstacles
The first obstacle to investigative journalism is the lack of data. By access to information law, government agencies should provide the information upon journalist's request. Nevertheless, the data are not released for the public. When Tempo wants to map the actors related to corruption, data about the companies, the actors and company activities are still lacking.

Secondly, Indonesia is a huge area, spanning 125 million hectares' forest land with several companies involved in the exploitation of natural resources in remote areas, which Tempo cannot cover effectively as the magazine is based in Jakarta. To solve this, Tempo collaborates with local journalists, as well as regional and international media organizations. Local journalists are involved in Tempo's coverage. Tempo also works with NGOs, but the limitation is NGOs' independence is being undermined by the government's approval of funding.

Another obstacle is Indonesia's small media and media in the region are often owned by local politicians and local businesspersons. Local journalists may know about the alleged corruption, but they cannot publish the story on the media. Tempo invite them to publish the investigation coverage in the magazine and on sister website and newspaper.

<u>Female Reporters</u>
There are female reporters at the Investigation Desk of Tempo. Female investigative reporters are persistent when analyzing data, discussing with other reporters or in meetings, and concluding the findings. Mr Hidayat commented that female reporters tended to be careful before publishing stories.

Ms Thapanee Eadsrichai, Journalist and Founder, The Reporters (Thailand) Online News Agency, shared her experience in investigative journalism in issues especially in human trafficking of workers in fisheries and Rohingyas, and obstacles faced as a female investigative reporter.

In the context of Thailand, one challenge in conducting investigative reporting in Thailand is the paucity of Thai media's interest in investigative journalism and that corruption coverage does not attract a lot of public attention. Thailand has no news media dedicated solely to corruption issues. Nevertheless, some journalists pursue in-depth corruption cases and several won awards and mentions both domestically and abroad. Some news coverages have led to the arrests of offenders."Mainstream Thai media agencies nevertheless mostly cover day-to-day reporting rather than conduct in-depth investigation of stories. Instead, there has been the rise of social media or "new media". Several online news agencies cover investigative stories, attracting audience and drawing a lot of attention to corruption issues on online platforms.

Despite the increase in the role of social media and the number of investigative stories on corruption, challenges and obstacles remain:
1. <u>Lack of access to information and cooperation from state agencies</u> poses an important obstacle especially for online media or citizen journalists to obtain information necessary for investigating corruption. Access to information is vital to investigative coverage, and therefore the lack thereof has resulted in the scarcity of investigative stories on corruption.
2. <u>Lack of investigative journalists</u> - An investigative journalist needs to have a strong interest in covering an issue as well as be able to dedicate time, efforts and financial resources to verify and corroborate information. It is time consuming to conduct investigative reporting. Thai journalists do not lack the potential, but the resources necessary for investigating stories and building capacity in investigative journalism.
3. <u>Thai audience are relatively not receptive to corruption issues</u>"compared with other stories which attract more attention. Therefore, Thai media agencies tend to focus on and shift resources to other news coverage rather than in-depth investigative stories on corruption.

From her experience and investigative journalist's perspective, investigating corruption does not necessarily have to always be concerned with the inspection of public officials or inspection of public budget or project. Corruption has various forms and is embedded in the problems and all the sectors of the Thai society. Corruption and bribery can be part of the bigger picture, constituting cross-border organized crimes including human trafficking. Ms Thapanee's coverage on workers in fishery in Indonesia was primarily about human trafficking. The root cause however came from corruption, starting with illegal, undocumented aliens entering a fishing vessel. That could not have happened without illegal assistance from public officials who took bribes to allow the clearance of the illegal vessel to enter the sea. The Indonesian government is very strict with the arrest and inspection of workers who engage in illegal fisheries in the waters. Her investigative coverage not only led to prosecution of the fishing company on charges of human trafficking and helped Thai workers to return home, but also led to investigation of those related to the human trafficking scheme.

In the same year there were also human trafficking cases of Rohingyas, with the discovery of over a hundred graves of Rohingya Muslims near Thailand-Malaysian border and the arrest of a boat filled with Rohingya migrants found adrift in the Thai waters. Information obtained from the sources led to the discovery of the camp where Rohingya migrants were detained to ransom. Later the police conducted a sting operation which led to the arrests of human trafficking suspects. Prosecution was made against local politicians, military and police officers some of whom are high-ranking, local people, civilians from Myanmar and Malaysia, and even Rohingyas. The Court of Appeal ordered a maximum sentence of 96 years in prison for some offenders and 93 suspects were convicted. This was perhaps the biggest and historical cross-border organized crime and human trafficking case in Thailand. Ms Thapanee was one of the plaintiff witnesses, and her obtained evidence constituted that used by the prosecutors and police for prosecution.

These cases demonstrated the role of the media in indirectly uncovering corruption by investigating related stories. Ms. Thapanee's method is to investigate into an issue or topic of interest and try to obtain evidence. In order to ensure success an investigate journalist should cooperate with law enforcement officers. It is not always easy because such cooperation requires mutual trust and understanding of each other's roles. However when the investigative journalist's stories leads to the offender being held accountable is something to be proud of. When journalists cover corruption cases, they contribute to accountability and end impunity. Being a journalist is to cover a story and make an impact from that story, or bring a change to the society. The media should have the duty to not only report day-to-day coverage, but inspect issues and mobilize social movement. This was the purpose for establishing The Reporters (Thailand) online news agency about two years ago. It now has over 2 million subscribers and 60 million views.

The Reporters has four main principles:
1. <u>Investigative reporting</u> – which is distinct from other mainstream media agencies. In addition to politics, The Reporters has the clear stance in conducting investigative stories on issues such as human rights, criminal justice, corruption and misconduct for instance. The audience understand what they will get and The Reporters work to ensure that their expectations are met. With such clear positioning, The Reporters train our reporters and in-house journalists on investigative journalism and how to be a specialist in specific areas politics. If the reporters have expertise, responsibilities, ethics, and knowledge, they can provide the society with quality in-depth coverage.
2. <u>Peace media</u> – The Reporters aims to provide a platform for information exchange and dialogue for conflicting parties to discuss sustainable resolution.
3. <u>Social movement</u> – The media have the duty to drive social movement to push the society forward. Corruption is a big issue which public attention must be drawn to. The media's directing efforts toward corruption problems can lead to effective prevention of corruption, bringing offenders to justice as well as raising awareness of and educating the public about detrimental effects of corruption.
4. <u>Empowerment</u> – The media can play a role in bringing about empowerment and becoming a change maker to the society. When the media raise an issue to attract public attention, the society will follow up and monitor the issue, and even help identify who should be held accountable.

Thai journalists have the capacity to do investigative journalism but lack internal support from media organizations to train journalists to have specific expertise in investigative reporting or direct focus to anti-corruption coverage. More top-down support from media organizations will help promote empowerment within the organizations. Recognition of the importance of the media by state agencies is also helpful in empowering journalists to do more coverage about corruption and encourage journalists to find or revise how to conduct investigative reporting on corruption issues. Media personnel and journalists can apply lessons learned from this panel to their respective organizations.

Discussions and Q&A

Question: As a female investigative journalist, are there any particular advantages in doing investigative reporting, for example in obtaining sensitive information from victims, and what are the obstacles?
Answer (Ms Thapanee): The issue of gender in being a journalist does not always pose problems in doing a journalist's job. Sometimes being a female journalist can even inspire empowerment in continuing investigative reporting. Nevertheless, admittedly journalists doing news coverage which opposes the government or the state, or inspects government officials can face a lot of pressure. For female journalists this certainly is a major obstacle.

From my personal experience in covering trafficking cases of Rohingya migrants and fishery workers, I was harassed with death threats from those losing benefits from my coverage. Of course as a female I was frightened then. I was also bullied on the Internet, my credibility discredited and my emotion negatively affected. I was discouraged, but at the same time I knew I was working on something really important and if I did not keep fighting I would be stuck with failure. So I became determined to obtain evidence to bring out the facts and do investigation on Rohingya migrants by going to Rakhine, identifying intermediaries and finding out the reasons Rohingyas were forced to leave their homes and became victims in human trafficking. Obtained photos and evidence were, as mentioned earlier, used for prosecution. I was proud to see what I had done finally came to fruition. This is an inspiration to continue my work. I think being a fighter is a characteristic of females. The severity of the obstacle rather depends on each person's mentality as to how much pressure they can tolerate. In addition to death threats and online bullying, I was discredited by the state's information operations. This is especially the case when investigating issues which contradict the state or expose failure from state policy, or expose corruption, or involves influential figures in politics. This results in the journalists' discouragement, accounting for the shortages of this kind of news coverage. A lesson for journalists is to learn to handle harassment, whether direct or indirect, by using social media or smear campaign to damage their reputation. Journalists must learn how to take precautions when covering corruption stories."

Answer (Mr Hidayat): From my experience, I think female reporters always have interesting an angle on corruption coverage. When the male reporters propose to do the hardcore findings of evidence on corruption, female reporters remind us to cover the impact of corruption on indigenous people, children and women. Similarly with forest regulations, female reporters went to interview indigenous people how the regulations issued from Jakarta impacted their daily life. Female reporters provide more humane aspect and humanity to the coverage. When combining their perspectives, all the angles of the coverage are balanced.

Question: What is the level of public responsiveness to investigative coverage on corruption issues? Do you receive a positive public opinion on your investigative coverage?

Answer (Mr Hidayat): Yes, after we publish investigative stories, we receive mostly positive response on social media. It also depends on how active the public will want to ask the police or the Indonesian Corruption Eradication Commission (KPK) or others to follow up on our findings. There is an important role for the public to push for or support the follow-up of our stories. For example, regarding the issue of nickel mining in Sulawesi which posed danger to protected forest and indigenous people, as well as minerals mining in Kalimantan, Papua and elsewhere, the public want to ask the magazine to deliver the data and the findings to state agencies. On the other hand, the public want the state agencies to actively do the follow-up. In this case, the Ministry of Energy and Mineral Resources followed up on Tempo's story, then halted, postponed and rejected the company' proposal to get permit to mine nickel in Sulawesi. The Ombudsman also changed the law to propose to the government to be more selective in issuing permit to nickel companies. Public support and public response are very important to engage our publications to deliver more impact to the society.

Question: What do you think are the top things governments can do to ensure safe operating environment for journalists?

Answer (Mr Hidayat): I think we need a more democratic system and democratic values. We should change the political system to be more democratic. In a shadow democracy, businesspersons or oligarchs beg for support from political actor, as they want to benefit from political activities. The current system or regulations does not allow the public to extensively discuss the issue. If the regulators of government create hurdles for the people to access information in society or communities, it is problematic. So, we need a more democratic process to engage more public participation in the discussion of the regulations by the government and the Parliament supported by businesspersons. With more public participation, regulations can be made more appropriate.

Answer (Ms Thapanee): The political and government system is essential to journalists' ability to do investigative reporting on corruption. From my 20 years' experience, I saw the change in the political system from democratic government to authoritarian regime, under which journalists found it difficult to access information necessary for inspection of corruption. After the 2006 coup, there were a lot of corruption cases against politicians removed by the coup, but despite news coverage it was still difficult for journalists to access information. After the 2014 coup, investigative reporting on corruption has been facing different kind of pressure. In a democracy with a democratically elected government and independent agencies capable of functioning properly as per the constitution, journalist have more ability to access information and report findings more freely. There is more press freedom for news reporting in a democracy than under an authoritarian regime where information operations flourish.

On the other hand, regardless of the types of political system, journalists should attach importance to their duty to rigorously inspect and hold any government accountable and mobilize the society toward a right direction. When I was doing investigative work in Indonesia on human trafficking and illegal fishery workers, I had the opportunity to meet the then Minister of Marine Affairs and Fisheries who warned against encountering mafia and influential figures. I actually did when I returned to Thailand. All the journalists around the world who investigate corruption deserve commendation, as they have to encounter and endure a lot of pressure and hardship. Yet I believe any journalist is ready to learn and tackle the challenges.

Question: What are the problems to your editor? What is the Indonesian legal framework or constitution about the media, including media's independence in reporting, legal protection by the government, how to manage it professionally?

Answer (Mr Hidayat): Tempo is a traditional media and we still learn how to engage new technology to make a story more user friendly and make corruption issue more interesting to people. If corruption coverage is interesting, people will engage more and the impact will be more powerful. We still learn about technology. We make collaboration with NGOs to analyze data, evidence and document, and learn how to put a perspective to an issue and so on. Tempo is still a print and struggling to deliver news by the website and the technology. So there is still a problem for the editorial newsroom.

Another problem is that Indonesia is a vast area. When our reporters operate to cover environmental issues, we have communication network problem. It is very difficult to reach our reporter in the field from Jakarta and know their safety. There can be threat from the local, because local people know the reporter is from Tempo working to uncover issue such as nickel mining operations. Reporters need to find a strategy to build connection with local people or local government to get their support and cover the story in rural areas.

About the Indonesian framework, we finally have the press law in 1999. The government cannot ban the media and the media no longer need the permit or license from the government to establish a press company. When we receive a tip from people or a source against our findings or the coverage, that person should come to press council first to discuss and settle dispute and not go to the police nor court. Before 1998 the journalist could be arrested. Under the press law, we now have the press council to professionally monitor and solve disputes instead of the imprisonment of journalists.

Question: Why did Thailand's Corruption Perceptions Index (CPI) drop from 36 to 35 and how can the media contribute to the improvement? From my experience in drafting Thailand's press law, media organizations are not united and do not trust one another. The draft law aimed to establish a unified media council to exert collective leverage against authoritarian power, not just military but also parliamentary. Is it possible to have a media council and how can we improve the collaboration?

Answer (Ms Thapanee): I agree that the Thai media have been fragmented and they cannot actually have collective action to push for efficient coverage of corruption cases. I think the media in Thailand has been polarized because of different political positions and ideologies. However, there is professional media association for each specific type of media, such as radio and newspaper. These associations are recognized for their efforts to drive for protection and support for those working in respective media type. The National Press Council of Thailand was recently established, with the scope of oversight expanding to all types of media.

There have been several online platforms and even independent media outlets. From another perspective, this diversity of media is actually a good thing. Establishing a unified media council may result in the monopoly of ideas and policy in the media industry. Several associations and a diverse of independent media on the other hand can advise each other and push for actions. The emergence of diverse and independent media outlets, especially online media, has actually strengthened the role of the media.

In Thailand we have vibrant online media activities but during the past two years we have faced scrutiny and control from the government, using the Emergency Situation Declaration. Online media agencies, the Reporters included, were ordered to stop broadcasting. The court issued an order to allow our operation on the grounds that the media's performance of duty is legally protected by the constitution. This case demonstrates that independent media agencies, even if we are not members of the united mainstream media council, can come together and coordinate with each other.

Another example was in 2020 when the government declared an order under the Emergency Decree to prohibit some online media to broadcast content that allegedly created social unrest. Representatives of 12 media outlets together filed a lawsuit against the Prime Minister for issuing an unlawful order which affected the constitutional rights and liberties. The court ordered the Cabinet of Ministers to revoke the order. Press freedom can be exercised in several forms. Resorting to legal proceeding is one of them. When media outlets assemble, we have the strength and leverage to make a change. The media have the capacity to do more in fighting corruption by having the same objective of exposing corruption and promoting accountability and transparency, without the need to have the unified or same set of ideas or being in the same organization.

4.3 Case Studies from Global Networks of Investigative Journalists

Mr Jared Ferrie, Core Editor, Organized Crime and Corruption Reporting Project (OCCRP), shared his firsthand experience and a case study in investigating money laundering across borders to demonstrate what specific resources investigate journalists can use to investigate corruption and money laundering.

The Organized Crime and Corruption Reporting Project (OCCRP) is a global network of investigative journalists who would like to spark some change by publishing investigations to expose crime and corruption in the hope that they will help the law enforcement to act and recover stolen money. OCCRP is global and consists of editors, member centers and regional partners in all the continents except Antarctica. OCCRP measures real-world impact on the primary basis of increased accountability. Since 2011, OCCRP's investigations have contributed to over $7.6 Billion fines levied and monies seized; 211 civic actions; 672 government's actions; 111 corporate actions; 129 resignations and sackings; 582 arrests, indictments and sentences and 387 official investigations.

Case Study: Following the Trail of Tainted Money
Key findings:
- A property developer in an economy transferred at least CA$ 114 million allegedly derived from corruption into Canadian banks
- The money allegedly came from a major military corruption case that landed a lieutenant general with a suspended death sentence
- The property developer changed his name after an international arrest warrant in relation to the case had been issued
- Both the property developer and his daughter are fighting in court for Canadian citizenship after immigration authorities rejected their application.

Initial information began with a redacted document

The provincial government of British Columbia has the mandate to investigate money laundering with a focus on real estate in British Columbia, which has become a serious issue and people are talking about money from corruption coming into Canada. Mr Ferrie was going through the exhibits of evidence which a government commission had collected when he came across a document called a "Money Laundering Case Study". The information that could identify the person or the source of the funds was redacted. Most of the pages were blacked out. At the top left corner of the page, however, one company name was not entirely redacted.

Investigative journalists have to be very observant and read documents very closely. This led to the following of the trail of money:

The Panama Papers: a vast leak of corporate data held by the International Consortium of Investigative Journalists (ICIJ)
- Some of the letters of the company name remained visible. Mr Ferrie tried searching with different combinations of letters to create the company name.
- He searched the Panama Papers database, where thousands of companies the law firm helped to create are accessible, and found that the company was named in the Papers. It had one shareholder.

Searched media
- With the assistance of his colleague who speaks the language, the property developer's name came up during the search in the media of that economy.
- The stories included details on allegations of corruption and how he allegedly got the funds, allowing to understand where allegedly the money came from.
- According to the stories, there was an international arrest warrant, which was also mentioned in the redacted FINTRAC report. The reason for the warrant was "bribery".
- This was another indication that the property developer had been involved with corruption and that the money he was able to accumulate was then transferred into Canada.

Confirming Properties in Canada
- Now that the property developer's name was confirmed. Next step was to find out what his assets were in Canada. The commission's case study included redacted information on his properties in Vancouver. The address was redacted, but the year of purchase and approximate price were visible with some of the numbers redacted.
- Some of the key information however was not available.
- So, Mr Ferrie went into the British Columbia real estate property registry. This was one of the key documents because it showed that this was his first purchase in 2007 and so this purchase lined up with the information that was available. The price was the same as previous registry information.

The records showed the name change
- Another very important aspect of this which Mr Ferrie was able to prove through property records, was that the property developer had changed his name after the economy issued an arrest warrant.
- Through the property documents, a property was bought with his original name. The same property and a paperwork filed in 2015, the year that he changed his name, show his new name. This was helpful information to confirm his identity.
- The most important thing was it became possible to search for properties bought under his new name.
- Further searches turned up two mansions on the same street and a property owned by his daughter.

The property developer had got his money through a deal with a corrupt Lieutenant General. The Lieutenant General was given a suspended death sentence for corruption. He was involved in major land scams and the property developer was one of the players in the scandal. The latter had allegedly bribed the General to get land at the former military airport, below market prices. He then sold the land, made a lot of money, then transferred the money to Canada. OCCRP also uncovered court documents. There was litigation around that land purchase that helped figure out what had happened.

Three takeaways from the case study
It is easier for an investigative journalist to investigate corruption, specifically money laundering on the real estate, if there is access to the following three things:
1. **Free media**: In this case, the authorities in the economy issued an arrest warrant so the property developer was allowed to be named on the Internet, in news stories and the state-backed media, which made it possible to find the proof. Clues to money launderers and corrupt people can be found through news reports which will be very helpful to the investigation.
2. **Corporate registry which is transparent and accessible**: Mr Ferrie was able to find the company, only because some of the company names on the British Virgin Islands had been leaked in the Panama Papers. If the British Virgin Islands had an accessible and transparent property registry as opposed to the current hidden registries, it would have been easy to search the name without having to go through those processes. Corrupt actors and money launderers are able to hide their illicit money because of a lack of transparent and accessible property registration data.
3. **Property registry that is also accessible and transparent**: The property registry in British Columbia really was the key to confirming the property developer's identity and tracking his assets.

There is a global movement to demand transparency for corporate and property registry, for example showing the actual beneficial ownership. This is a trend happening around the world and it is certainly a positive thing.

Mr Rajneesh Bhandari, Investigative Reporter, Editor and Filmmaker, Journalists for Transparency (J4T), shared his firsthand experience in investigating trafficking issues and building investigative reporting network in Nepal.

The Journalists for Transparency (J4T) is an initiative of the International Anti-Corruption Conference (IACC) Series. Mr Bhandari's first IACC was the 14th IACC in Bangkok in 2010, featuring how social media could help in the fight against corruption. After that he covered the story about the Red Passport Scam, which remains one of the biggest corruption scandals in Nepal. Lawmakers were misusing their passports, especially selling red diplomatic passport to business people for misuse. After the story appeared in the media, four lawmakers were suspended and many more investigated.

Journalists for Transparency (J4T)
J4T was formed as a global network, a collective of journalists and storytellers that seeks to explore issues of transparency and corruption around the globe. This global network has freelancers and supporters working with different outlets all around the world. The group can explore cross-border stories and different reporting on different issues. They have one thing in common: a passion for reporting on issues stemming from corruption and affecting citizens' everyday lives around the world.

Grantees are selected from the IACC's Young Journalist fellowship. Cross-border collaborations are formed through the program to produce in-depth, multimedia-rich reporting under J4T brand.

Trafficking in Impunity

One of the stories was an investigation into the politics and corruption behind human trafficking. The hypothesis was a politician was involved in trafficking. Nepal has become a major source of human trafficking. The absence of accountability for the powerful figures behind trafficking networks have also fueled its growth. The story investigated a local leader who won the local election in 2017 because of his power and his connections. The Supreme Court cleared him of all charges and ordered his release, on the grounds that his accusers had mistaken his identity. Mr Bhandari met a lot of victims trafficked by him in remote villages for an investigative journalism piece. At the same time, the police were doing an investigation. NGOs and other human rights organizations also tried to investigate. When they went into that village however, they were attacked. It was risky to do the investigation. When the stories were completed, it was publicly released in three different outlets.

Food shortages

The other coverage was how politicians were involved in the mismanagement of food and corruption in remote areas in Nepal. A remote village faces the effects of food shortages, made worse by inefficient and corrupt governance. Political leaders gave cheat sheets directing the Nepal Food Corporation to give rice to their cadres or party supporters, but not the people and victims in remote areas which then were not connected by roads.

J4T's other stories include coverage by various journalists based in different economies publishing different issues, such as escaped human trafficker put on the Netherlands' most wanted list, "How Did One of North Africa's Biggest Human Traffickers Escape Prison?", Africa's hidden victims: Police brutality during the pandemic, corruption in sports.

Empowering Investigative reporters in Nepal

To empower journalists in Nepal, Mr Bhandari established the Nepal Investigative Multimedia Journalism Network (NIMJN), a Nepal-based non-profit organization which provides advanced investigative multimedia reporting training and mentorship for journalists and also produces investigative stories. NIMJN is a member of the Global Investigative Journalism Network (GIJN) a partner organization with the Organized Crime and Corruption Reporting Project (OCCRP).

Recently, NIMJN did collaborations with 23 journalists in Nepal, divided into 10 teams, in relation to the COVID-19 pandemic. The stories are primarily in the Nepali language, but also translated into English. In addition, trainings are provided to journalists across Nepal in seven different provinces, so that they can report local investigative stories. Trainings and workshops are also delivered to other journalists in South Asia.

Media in the fight against corruption

Investigative journalism plays a key role in exposing corruption, especially in an economy like Nepal and in South Asia, and it is vital in the fight against impunity. Free and independent journalism is needed so that journalists can cover stories and make people in power were accountable. Journalists and media so need to work collaboratively in this fight against corruption.

Discussions and Q&A

Question: What are the particular challenges you have encountered during investigations?
Answer (Mr Ferrie): I would underscore the main challenges in collecting documents to track where the money goes. The lack of accessibility and transparency in jurisdictions that do not make public corporate documents and property documents, to me, is one of the major challenges. We know that the dark economy is massive. We do not know how big it is, but it will not end until people have the ability to track that money down. So open registry is key.
Answer (Mr Bhandari): The investigation that we have been doing in Nepal like the COVID-19 funding requires the rights to access information. We applied for the right information request to different offices but the response to these efforts is very late. Most of the time, we do not get the information so we have to repeat again and again. And yet we are still not getting proper information. Transparency and getting access to documents are important because the information will help us with the investigation.

Question: How can we enhance information-sharing networks between journalists in the region?
Answer (Mr Ferrie): OCCRP is a global network, we have a combination of different roles within the network. We have our staff, local investigative journalism organizations in different economies that are receiving funding through OCCRP to some degree. We also have partner organizations that are independent. The collaborative model is being adopted by major media because the media has been in crisis for a few years. As a result, a lot of traditional media have cut the resources that were directed toward investigation because investigations take a lot of time and money. The way to do this is to share the burden by collaborating with the people. This is especially important for a cross-border investigation.
Answer (Mr Bhandari): There are several investigative journalism networks like OCCRP, the Global Investigative Journalism Network (GIJN), or NIMJN which will enable a journalist or freelancer to reach out to outlets or organizations. So you can assign an editor to the network, or pitch a story and write that you would like to collaborate on a story. Pitching the story and do collaborative investigation would be really great. A proactive role for journalists interested in doing investigation would also be helpful.

Question: When reporting on such contentious topics, there have been journalists who have been imprisoned or killed. What are the safety measures?
Answer (Mr Ferrie): There are stories that OCCRP has done which resulted in serious threats. Our journalist who was working on a story with us was killed a few years ago. It is a major problem when investigating organized crimes and dangerous people. There are a number of measures: move somebody out of the area, try to shield them from being known or take somebody's name out of a story. It varies on a case-by-case basis. We do have a security officer and we take security matters seriously. We have an intense discussion about what we can do to protect the reporter.
Answer (Mr Bhandari): When covering a story in Nepal or globally, we make sure that journalists have insurance, and we check with journalists covering the story if things go well and everything is fine in the field. We prepare safety precautions in the field and make sure that the journalists and family members, who could also be threatened, are safe. Regularly conducting safety auditing is important because journalists will face different kinds of risky situations. The safety audit is always recommended.

Question: When conducting investigative journalism, do you have any experience in receiving threats regarding some specific case? How do you address it? Any journalist protection law in your economy?

Answer (Mr Ferrie): Specifically we had case in OCCRP where we had to move people out of the economies. The stories exposed, for example, criminal connections to people in the government and they were clearly under threat. Therefore, we would bring them to a safe house. The situation varies from economy to economy. Journalists should be protected by the law against attacks like anyone else.

Answer (Mr Bhandari): When I was doing the story on the red passport scam, the lawmakers called. They tried to pressure us to stop broadcasting or publishing the story but we have journalist integrity so we continued publishing this story. On safety issues, if you have an international journalist network like OCCRP or GIJN, they can help publish your story in another economy where it is safer.

Question: What do you think about the rights to privacy versus the rights to access information, for example property registration?

Answer (Mr Ferrie): This is a tension that exists in a lot of legislations that are being considered right now. In Canada, the federal government is creating a beneficial ownership registry. They are discussing with different parties to solicit advice. Lawyers and bankers will say privacy is key, but people like me will say transparency is key. There has to be a balance between the two. I would argue that the legislation around corporate registry was written decades ago for a different purpose. It was written for investors who wanted to make sure their investment was safe so they could look up a company and see if they have liens against the company or whether corporate history indicated what corporate health would look like."

We are now in a world of money moving around the world rapidly. It is very hard for law enforcement, let alone investigative journalists, to track it. A lot of money is laundered through offshore companies and through property, and when you hide those companies and those properties, it makes it that much harder to ever find them. If you are law enforcement, it makes it very hard to bring a case forward and recover stolen money."

While I respect the privacy argument, I think that we all know that our expectation of privacy has changed in this world. We are all on social media where most of us share a lot of information online about ourselves. As a journalist, we often use social media to find out things about people. I think that the privacy argument is important but needs to be balanced against some very serious concerns here.

Answer (Mr Bhandari): In Nepal, currently there are four different bills being considered in the Parliament. If these bills are passed, journalists may be criminalized on the grounds of publicizing private information.

However, people have the right to know and investigate those holding public office. If there are a lot of public interests involved in illegal activity or corruption, this needs to be reported. The bills should rather help journalists work so that we have a more transparent and accountable system in place.

Question: Have you encountered cyberattacks on your network to wipe data to hinder your investigations? How was it handled?

Answer (Mr Ferrie): We are constantly getting phishing attempts all the time. These people have done research and they know something about your background personally. They can go on your Facebook Page and find out your interests. There is usually a link in emails, which will be dangerous if you click on it. We are trained to be on the lookout for that. We have security people who handle these things. Our website has been attacked and it has been handled before. It is a serious threat for sure. We did the Pegasus project last year about Spyware being injected into phones of journalists and activists around the world. We were one of a number of media partners who got that. It was a very, very real threat.

Answer (Mr Bhandari): Yes, we have phishing e-mails and attacks on WhatsApp and Instagram. We understood what was going to happen. We alerted that information to security people and make safety progressions.

Question: Are there any annual meetings where investigative journalists meet and what are the agenda for discussion?

Answer (Mr Ferrie): There are a few conferences. The Global Investigative Journalism Network (GIJN) is one, with the conference held every two years.

Answer (Mr Bhandari): The international Anti-Corruption Conference (IACC) brings journalists and anti-corruption people together. We also have an investigative journalists' conference uncovering corruption in Asia, which could be an Asian version of the GIJN Conference. There are news networks where they organize frequent meetings. It is necessary to collaborate and to do investigations especially in large-scale investigations. Conferences and meetings help to connect journalist to work together in the fight against corruption.

Question: What about your experiences in engaging with advocacy organizations or government accountability institutions on your investigation to advance accountability.

Answer (Mr Ferrie): OCCRP has the theory of change that involves trying to make sure our stories have an impact. One way is to engage with advocacy organizations. This is a tricky subject. There are people who think you should never really engage in advocacy, but OCCRP takes a different line. There is the Global Anti-Corruption Consortium (GACC), a network set up to do exactly this to make sure that our investigations are made available to the right people in the anti-corruption community and that they can use those in their work.

One thing we also try to do in our investigations is to make a lot of the documents public. OCCRP's stories have a lot of detail which may not be mentioned in a lot of publications. It makes for a dense read sometimes. We are here on the side of giving too much information, because we think that it is important for anti-corruption organizations whether they are governmental or non-governmental to have.

Answer (Mr Bhandari): I think collaboration is good but, as Jared mentioned, there is a line in journalism that we should not work very closely with these organizations. But from my experience, the anti-corruption body in Nepal has conducted their own investigations based on our stories. If that happens, I think it is important that it helps to make the system more accountable. If they are monitoring journalist's reporting for their own investigations, I think it really helps to make this system work.

Question: Do you have any experience in collaborating with law enforcement agencies, for example, in data sharing in conducting investigative journalism?

Answer (Mr Ferrie): This is again a very tricky subject because journalists cannot really be seen to be cooperating with law enforcement. Instead, we are meant to be independent of law enforcement. As far as cooperation goes, it is very unofficial. It may be in the interest of state authorities, the police or tax authority to release information. I would not view that as collaboration. I would view that journalists are simply asking for information. The authorities deem that to be in the public interest and they release the information to us. I hesitate to characterize that as collaboration as there is an interplay between authorities and journalists.

Answer (Mr Bhandari): In many cases in Nepal the law enforcement authorities request information on our sources for the stories. We always protect our sources. We never reveal the sources until it is safe. We have everything in the stories that we can reveal especially the evidence and the documents. Law enforcement can take on the revealed information in our story in their investigation, but we need to remain independent and protect our sources.

Question: Have you encountered problems with authorities when conducting investigative reporting?

Answer (Mr Ferrie): There definitely have been examples within OCCRP. Sometimes people are reporting from economies where there are state elements connected to organized crime. I would point to a documentary that OCCRP has produced called the killing of a journalist. It is a horrifying true story when a journalist in Slovakia was investigating these crimes between politicians. It went to the very top and he gave his life in the end for that story.

Answer (Mr Bhandari): Yes, when we are working against people in power. Once information is very open and transparent, journalists can fight corruption. The other opposite is when journalists want to find the right information by applying to information requests, but we do not get the correct information or we do not get it at all because it is not shared by those in power. There are instances where we have to make request, but at the same time use a different strategy in getting the document or information.

Question: What do you think anti-corruption and law enforcement agencies should or could do to provide a safe operating environment to enable journalists to better perform investigative journalism?

Answer (Mr Ferrie): The first key word is transparency, and the second is accessibility. The need for free media, and accessible and transparent corporate and property registries are keys. The extent to which anti-corruption agencies have the power in formulating legislation differs from economy to economy, but these are key factors. It is a matter of advocating for changes in legislation in a given economy. Anti-corruption agencies could also liaise with journalists as those relationships are really important. But of course you need to evaluate the journalists and their trustworthiness, independence and competency. These relationships involve mutual trust and can be beneficial to both sides as well as to society at large.

Answer (Mr Bhandari): Both the media and law enforcement are trying to make the world more transparent and more accountable in different ways, but there are overlapping areas on evidence, investigations and reporting process. We need free and independent media, and the openness and transparency really help with our investigations. In Nepal when journalists conduct investigations, sometimes we get support from law enforcement agencies in getting background and other information. This relationship requires trust and independence.

Question: OCCRP and J4T are global networks of investigative journalists, so there are a lot of investigative journalists working across jurisdictions in different economies. Have you encountered any problems with the disparity between the legal framework and or regulatory restrictions in conducting cross-border investigations, and how do you handle it?

Answer (Mr Ferrie): That is an interesting question and a very complicated subject. Journalists operate in different economies, which have different legal systems. I would like to highlight that a lot of the time journalists are threatened with lawsuits. These may be frivolous suits, when they are investigating a high-level corrupt person that has access to a lot of money. The lawsuits aim to stop journalists or threaten them to stop investigations. OCCRP has engaged in a lawsuit in London in relation to a story on a money laundering network, which is a jurisdiction where this happens a lot because of the law in the UK. The lawsuit took us for a couple years. They dropped the case because they knew they were not going to win. We were not intimidated and did not stop reporting. Fortunately we had good lawyers working pro bono for us."

Answer (Mr Bhandari): If there are such threats of legal intimidation, we have a network of lawyers who are willing to support and defend us. Also doing a legal check on the law in each jurisdiction before releasing a report and working with a lawyer can be helpful.

Question: When receiving tips or clues, what makes you decide to investigate the story?

Answer (Mr Ferrie): The tips have to be evaluated. There are situations where people know something is happening but they do not have evidence. I will ask if they can provide any evidence at all, some documentation, or even whether they can give me an idea of a company that they think is being used to siphon all these funds, a property that they think that the funds went into which I can then use public records to connect to the corruption. Usually the process is one of evaluating the tip and try to see if in practicality we can actually investigate it.

Answer (Mr Bhandari): I assess anything before I will consider publication. It will take time to assess evidence before deciding to further investigate a story. We spend months investigating whether the clues are correct, then once we get the evidence we can start with the story. From the clue to the pitch, it is a rigorous and time-consuming process.

Question: What have been the most creative partnerships with emerging leaders, nontraditional or civic actors that your organizations have undertaken?

Answer (Mr Bhandari): In Nepal we train a lot of investigative journalists from all different provinces. It is a very rewarding experience because there are not many systematic or organized trainings in Nepal. Seeing these young leaders in journalism as well as female investigative journalists and woman leaders in the media doing investigation means investigative journalism is important in South Asia. At the same time we have an inclusive and diverse group of investigative journalists. I think that will really help with uncovering corruption and lead to consequences.

Answer (Mr Ferrie): Within the network, OCCRP has member centers which usually are local investigative journalism offices and civil society organizations that do similar work. These are very rewarding and creative partnerships. We have the resources to back them up and to help them because investigative journalism is very resource-intensive, with maybe months spent on investigating one story and there are security and legal risks. At OCCRP we are willing to work with people around the world who are working at a local level to investigate corruption but these stories cannot be broadcast on renowned newspapers. We can help them with resources, for example, fact-checking"and preventing strategic litigation against journalists.We have legal advice and editorial resources that we can help.

Question: Is there any plan to set up"a journalist organization at an international level for investigative reporting purposes?"

Answer (Mr Ferrie): Both of our organizations, OCCRP and J4T are examples of this, a network of investigative journalists. The Global Investigative Journalism Network (GIJN), meanwhile, is a group of different organizations and journalists working across the world. So it is interesting, the landscape is changing. The collaborative model is really taking off in different places. I think journalism traditionally was and still is a very competitive industry. When I first got into investigative journalism at OCCRP, I needed a shift in thinking because this collaborative model is a whole different model and a good one. I think we are going to see more of this.

Answer (Mr Bhandari): The collaboration really makes investigative journalism alive. Media outlets may face funding scarcity, and investigative journalism is time-consuming. Openness and collaboration makes it work for journalists. Investigative journalist organizations can offer support and publish stories from local to global or cross-border stories. Local organizations can collaborate with, for example, OCCRP, the GIJN and other organizations.

4.4 Lessons Learned & Best Practices from APEC Economies

Malaysia - Mr Samsul bin Salip, Deputy Director of Corporate Communication Division, Malaysian Anti-Corruption Commission (MACC), shared experience of MACC in empowering the media to help carry out anti-corruption functions.

The role of the media is very important, especially for MACC as a mediator in spreading the anti-corruption messages. The main functions of the media are:
- To inform of news and events, announcements and warnings, in promoting new initiatives and encourage public participation in programs;
- Bridge between the government and the community especially the government's new policy;
- Cultural transmission and influencing societal norms;
- Insert anti-corruption message into entertainment;
- Advertise the education and raise awareness;
- Act as a watchdog to monitor and expose abuse of power and corruption

To function as a watchdog to the society, the media should be free, pluralist and independent, as well as ethical and responsible and accountable based on verified facts constantly seeking for justice. The media should not be controlled by the government nor powerful corporate entities. The media should not monopolized by one voice, but act as the voice of the people.

Digital media and social media
Before sharing information, it is important to consider which message should be conveyed, areas of coverage and distance, target group, and effectiveness. Only then can it be identified which media platform will be suitable. Besides print media such as newspapers, magazines, journals, booklets, there are electronic media, radio, television and also on the Internet. Social media is MACC's main choice with an extra attention, especially on Facebook, Twitter, Instagram, YouTube, and our own website at www.sprm.gov.my. MACC's dedicated social media team consists of 30 officers who monitor postings and comments so that appropriate action can be taken, including those that can lead to immediate actions on corruption.

Despite portals to access new media in the modern world, traditional media such as newspapers, radio and television still have their own space because of publishing or promotional material and buying airtime on radio and television is quite expensive. MACC sets aside a small budget for it. Strategic engagement with media agencies is also put in practice. MACC uses videos on YouTube channel promote newsletters and the latest trends. There is a technical team to produce videos, documentaries and others, and use new application trends such as TikTok to convey messages to youngsters. MACC value the creative idea of young officers to produce catchy and interesting videos for this purpose.

Press conferences

MACC uses press conferences and press releases to deliver input to the media. Press conferences are usually held to explain important findings in the investigation, the publicity of a high-impact program or the dissemination of information which has a great impact on the organization. The press conferences involve a lot of journalists from various agencies to get full coverage. For one-way communication, press statements are issued as an announcement, explanation, verification, correction of facts and contact of individual for case management, for instance.

Media articles

MACC publish advertorials for print publications. Journalists are invited to a session with the speaker of the publication, which will then be broadcast on newspaper and television. The writing will be more focused on the topic of the events, and the answer given by the speaker. In addition, MACC officers also write success stories and letters for the editors and submit them to publication. Articles are usually published in the four main languages in Malaysia, especially Malay and English.

Media help to cover operations

The media also plays a role in high-rating issues related to operation, rather than prevention and education program. The reason is perhaps the demand of the readers in Malaysia for professional news about operations, as opposed to very minimal publicity involving prevention and education program.

MACC invites journalists to feature corruption detection stories for coverage of the relevant issues which affect the domestic interest. Examples are the "Ops Hacks" which MACC conducted in collaboration with the Immigration Department to tackle the immigration systems hacking syndicate, and "Ops Power" to tackle high electrical electricity theft for Bitcoin mining. The media have also publicized court files of cases on trial or sentenced. The social media team will prepare appropriate infographic with credit to the reporting media and share it on MACC's social media platforms.

Moreover, MACC launch documentary series "MACC Focus", which are true stories based on the MACC investigations. It aims to cultivate public awareness of noble values and educate them about the dangers of corruption, abuse of power, and misappropriation. This year five episodes were shared on the YouTube platform, receiving favorable response. There are feature real-life interviews with witnesses and informants involved to give an overview of the modus operandi of the crime and the effect. An example is the vocation of illegal masseurs in massage parlors, where the massage therapies are illegal immigrants, operating without a license and involved in human trafficking. Some enforcement officers received bribes as a reward for protecting the massage parlors."

Protecting community outreach
The media also help the MACC publicize community education programs which involve different target groups and receive widespread coverage from various media. MACC engage with the media doing meeting caucuses with visitors, taxi drivers, students, and collaborating with the military police and engagement with the public and the private sectors.

Education and awareness
The media is used to publicize campaign materials such as posters and infographic containing messages on how to report corruption, and to promote procedures for online application for lectures, exhibitions and workshops. It involves large and impactful programs which need public involvement. The program is broadcast on Facebook live before it starts, and when it is over a video will be produced to collect views and feedbacks from the participants.

Online radio
MACC is the first and only enforcement agency that established its own streaming radio: MACC.FM since 2015. The content is focused on sharing corruption information and talk show programs featuring guests and influencers to talk about anti-corruption. Two former Malaysian Prime Ministers, Former President of Pakistan and Commissioner of the Independent Commission Against Corruption (ICAC) have been on the show.

Media engagement
The objective of MACC's engagement with the media is to be media-friendly in order to allow for more cooperation in the future. MACC organized several events, such as dialogue sessions, shooting competitions, and meetings with editors in chief including courtesy visits. MACC gives recognition to the media by organizing media award for best news and articles in the print media, publication in electronic media, and photos. Regular engagement sessions with the media has indirectly formed a continuous relationship and cooperation for urgent needs. The strategy of organizing events such as a media award event gives a very high impact.

Additionally, the media are invited to the workshops with MACC. In May 2022, there was a one-day program featuring guest speakers from MACC sharing corruption prevention initiatives and explaining the true story of some big cases which involved investigation and money laundering. MACC invited media figures to share the role and ethics of the media in writing reports, as well as to share past and present experience in media issues and challenges. MACC also involves the role of the media in activities so the media can have direct experience and report more accurately.

On the dark side of social media, MACC is undoubtedly the focus of netizens, either in the form of praise or condemnation. MACC became the target of attacks by parties with political interest and have been under the social media spotlight with more and more followers. On a positive side, people are beginning to see MACC as the only agency which can prevent corruption. Mastery of new media is important as a medium to effectively deliver anti-corruption and education messages. MACC is increasing the use of communication and techniques to master the new media to spread correct information and anti-corruption messages.

The United States - Ms Laura Pavlovic, Deputy Director, USAID's Democracy, Human Rights and Governance Center, shared the experience and challenges in the United States and lessons learned from the program that the United States Agency for International Development (USAID) has implemented globally to support media efforts to combat corruption.

In the United States, investigative journalism has played an essential role in ensuring accountability of both public and private actors dating back to the 19th century. The work of investigative journalists throughout US history has spurred the creation of key public safety legislation, and led to the breakup of one of the largest US corporations and the resignation of the US President. Despite the history, in the United States as many economies around the world the work of investigative journalists is challenged like never before by declining employment in the newsroom and increasingly challenging financial outlook, in which the cost of investigative journalism continues to rise, while the media as a whole struggles for their economic survival.

The traditional business model that sustained the media through advertisements collapsed, due to a global decline in advertising revenue. Much of that advertising goes to big technology companies. The dynamic changes in the financial context led to what some even call a media extinction event because many of the local media are unable to survive financially. In the United States, local media are perishing at an astonishing rate. In June 2022, a study revealed that the United States was experiencing the closure of almost 2 local newspapers a week and over 360 newspapers were closed before the COVID-19 pandemic began. Most communities which are losing newspapers do not get digital paper as replacement.

At the same time, in the United States and globally, corruption is eroding public faith in democratic and economic institutions. Corruption undermines the trust the communities place in public institutions. It enables abuses of human rights in the trafficking of wildlife, arms, drugs, and human beings. Corruption deprives citizens of equitable access to public services such as health care, education, and sanitation. Numerous studies have shown that widespread corruption in developing economies has been linked to a rise in political disengagement, brain drain, democratic backsliding, and weakening of trusted institutions.

For all of these reasons, countering corruption has become an imperative for USAID. USAID recognized that without addressing corruption, the development gains that USAID seek to support will not be sustained. Corruption is basically development in reverse. Investigative journalism is critical to ensuring the transparency and accountability that are essential to political, economic and social development progress. Investigators rely on reports to conduct legal investigations and support prosecutions. Economies use them when applying targeted sanctions and advocacy groups take up these reports for pushing for reforms. In addition to the figures of the impact produced by OCCRP, a study shows that for each dollar invested in an investigate story in the United States, there can be over $100 in benefits to the society. Over the past several years, support for investigative journalism has become a key facet of USAID's support to anti-corruption efforts globally. Programming seeks to build citizens' demand to reduce corruption, fraud, and other criminal activities to increase exposure to professionally produced investigative journalism. USAID is a major supporter of efforts to build specialized local capacities for investigative reporting, professionalized investigative newsrooms, and connect them with local networks of reporters. Today there are programs in the European and Eurasian region as well as in Latin America and the Caribbean.

Networks such as OCCRP focus on supporting investigative journalists who work collaboratively in networks, often across borders, to investigate crime, corruption and conflict. It takes a network to fight a network. Criminals, warlords, corrupt actors, work with their networks to achieve their aims, and it requires a team of network journalists to uncover their crimes and follow their money trails. Working in networks allows for journalists in different economies to follow the money trail across borders, and for their safety in reporting in another economy where it is safer. Finally having a global network reporting and publishing reports across the world expose corrupt networks and have global residents.

Publication of the network investigating project like the Panama Papers stimulated a global discussion on beneficial ownership. USAID also supports investing in the creation of tools needed for investigative reporters to do this type of work efficiently and safely, such as easily searchable research databases and digital security tools. Unlike traditional daily reporting, investigative journalists require extensive support that entails a rigorous and intensive program of mentoring, coaching, and learning by doing. While investing in capacity development is important, it is equally critical to take a holistic and proactive approach to safety and security. USAID looks at the digital, physical, psychosocial and legal safety and ensure that journalists are well equipped to mitigate these risks. Finally, among various lessons learned, perhaps the most critical is the need for journalistic independence. There is a high firewall between donors' support and the stories which reporters and outlets USAID supports work on. Investigative reporters are given complete editorial independence to follow the money trail wherever it leads. In some cases, it means they go after targets that our economies may be working with.

Above and beyond these efforts however, in order to investigative journalists to catalyze actions toward accountability, complicated investigations have be accessible to readers. Journalists must tell a story that resonates with readers and enables them to understand corruption and how it affects their lives. Often, this is done to the story of individual in a way that humanizes the impact of corruption and helps readers understand why they should care and how these issues impact their lives. This could be done by summarizing complex reporting to easy-to-digest and understandable story or reaching audience through different formats such as video, audio or infographics.

Accountability for corruption only begins with the stories. Investigative journalists also need access to a wider coalition of activists and advocates to take their investigations forward. One example is the Global Anti-Corruption Consortium (GACC), funded by the US Department of States. Again, there is a firewall between the investigative journalists and the anti-corruption activists they work with. The GACC supports the collaboration of hard hitting investigative journalism with skillful civil society capacity. It aims to advance alliances between groups fighting corruption as these alliances are essential to driving change.

Specifically, the GACC brings together investigative reporting by OCCRP's network and advocacy efforts driven by Transparency International (TI), including its Chapters around the world. Evidence uncovered by OCCRP's cross-border investigations fuels the effort of TI's anti-corruption movement and strengthens its works across continents. For example, TI staff may draft letters drawing on the evidence that has been under investigative journalist's investigations to law enforcement authorities, presenting the uncovered evidence and seeking further official investigations. Local civil society partners, such as TI Chapters, often have relationships with lawmakers who work on anti-corruption and good governance issues."

Local NGO partners may provide testimonies to commissions or serve on expert panels. These provide an opportunity to speak to larger audiences about corruption and other issues on the anti-corruption agenda. These panels and commissions also provide advocacy opportunities to reach out to law enforcement, lawmakers, and policymakers to advocate for individual issues.

Finally, local civil society organizations with legal expertise can also research and write amicus briefs or coordinate pro bono legal assistance for ongoing legal cases where uncovered material can present new evidence. Support for investigative journalists' networks and broader anti-corruption coalitions have become a key element of the support USAID provides to anti-corruption efforts globally. As USAID works to support efforts to connect investigative journalists and anti-corruption advocates globally, USAID has also recognized that our support needs to adapt to address the constantly evolving threats to these key accountability actors.

A new program has been designed to address one of the challenges addressed by this panel. The Pandora papers, the Paradise Papers and many other investigative reporting projects have had impact around the globe. Investigative journalism plays a critical role in exposing corruption and promoting accountability. Nevertheless, because of the impact of their work, investigative journalists around the world are increasingly facing lawsuits that aim to silence reporters by burdening them with the cost of legal defense until they abandon their stories."

A survey was conducted with investigative journalists to ask what their biggest challenge was and how to address it, they mentioned the idea of creating an insurance program. Per a study last year by the Foreign Policy Center, prices for legal action such as strategic litigation against public participation or SLAPP suits had the greatest impact on investigative journalists' continuing their works. Organizations like the Index on Censorship and the Business and Human Rights Resource Center have documented that this trend is increasing. They have also found that lawsuits related to libel, defamation, privacy and copyright infringement all meant to cripple organizations trying to hold the powerful to account are on the rise.

To address this challenge, next year USAID will launch **Reporters Mutual**, an insurance fund that will provide liability coverage for defense assistance to investigative reporters and their organizations in the event of defamation claims. The beneficiaries of this insurance fund will be investigative journalism outlets, practitioners, and civil society organizations that are doing investigative work. USAID commissioned a study to inform the design of this fund. This study is exploring the idea of creating an insurance entity that will calculate expected loss, premium capitalization needs and the jurisdiction to be covered under insurance product.

USAID intends to bring this insurance practice together with other efforts, like the work on pro bono legal support, and donors interested in addressing this issue. Once operational this fund will supplement the system that is very reliant on reactive approaches including working with legal assistance from organizations that may already be overwhelmed and trying to respond. It is expected to be an effective new tool that can help support media in responding to increased attack. Initiatives like this will hopefully enable investigative journalism networks to maintain their focus on ensuring journalist safety both during their capacities and connecting them to activists and advocates. These efforts are key to developing a safer and a more financially sustainable ecosystem for the media. USAID hopes to expand support for these sorts of networks to additional regions in the years ahead.

These efforts are complemented by the work that USAID and its partners do in economies and regions around the world to support the freedom of expression of the press, improvements in enabling a supportive environment for the media and piloting in the scale-up of more sustainable financing models for the media. This is key not only for the future sustainable and effective investigative journalism but also to the creation of more transparent and accountable modes of governance that are responsive to the citizen needs and deliver development and democratic results. In seeking to advance these critical objectives, USAID looks forward to continuing dialogue with other donors, partner economies, the private sector and anti-corruption and law enforcement agencies in years ahead.

Indonesia - Ms Chrystelina GS, Head of Public Information and Communication Unit, and Ms Ipi Maryati Kuding, Spokesperson, Corruption Eradication Commission (KPK), shared the best practices of Indonesia in working with the media in relation to anti-corruption.

KPK and the media: relation, collaboration, engagement
KPK's anti-corruption strategy focuses on the *Trisula*: Education, Prevention and Enforcement.
- Education and Public Participation - to minimize the intention to commit corruption
- Monitoring and Prevention - to reduce opportunities for corruption
- Enforcement and Prosecution - deterrent effect in preventing corruption and optimizing state losses.

Three main functions of the media regarding corruption
- Watchdog of corruption – the media function within a system of checks and balances with the purpose to monitor and observe the behavior of public officials
- To promote integrity - by creating a discourse in positive terms about the value of integrity, transparency and accountability
- To engage citizens in anti-corruption efforts – with new technologies and digitalization

KPK uses media for spreading news and information, public services, campaigns and advocacy, education, as well as brand and engagement. KPK uses Instagram, Twitter, YouTube, website, podcast and a magazine called Integrity.

Social media for anti-corruption
Social Media is the new force in anti-corruption efforts as alternative media. In Indonesia the number of social media users is growing rapidly, so KPK has decided to use them for campaigns and advocacy. Social media are a medium for collaborating with other stakeholders and netizens, including influencers and provide clarification on issues not properly reported. KPK creates new content, program, and hashtag campaigns with other government agencies to promote anti-corruption. Social media is also a tool for developing public trust. Without public support and confidence, KPK cannot manage to achieve its vision and mission in creating a corruption-free society. Therefore social media is really helpful for communicating the anti-corruption campaign to earn public trust and public support."

KPK has its own website and social media channels where videos, infographics and other media materials are produced and shared. Programs on social media include a live streaming where audience can ask the KPK spokesperson about corruption prevention, education or even enforcement. Content on podcast is created for people to listen to what is happening in KPK and what KPK is doing or has done.

<u>Prevention issues: challenging to be reported by media</u>
Enforcement issues are easier to be adopted by the media because it attracts more public attention. People are happy when KPK has detained suspect or disclosed big cases involving high-ranking profiles. Prevention and education issues are no less important, but require more efforts to make journalists understand about the main topics, impact to the society and recommendations, and to make the media want to set the agenda.

Specific strategies and approaches are therefore needed to promote the prevention and education issues to attract media attention. In this vein, KPK pairs the issues of prevention and enforcement so that prevention issues get more attention and place in the mass media. Packaging prevention issues creatively, optimizing through social media including video release and feature/in-depth reporting on YouTube and Instagram story/reels so people are informed of what KPK does to the prevention of corruption. This is especially for considering institutional issues that could fit into the agenda setting.

For example, Indonesia will have a general election, so KPK presented the research in a general election and the issue could be adopted by the media. In an effort to prevent corruption in local government, KPK encourages the implementation of the good governance principles concerning eight focused areas. Some of these areas are local government budget, procurement and regional asset management to prevent state financial loss. Issues identified under regional asset management include assets which do not have legal document but are being occupied by unauthorized party for personal gain. These assets may be land, buildings, office buildings, irrigation and other public facilities including lakes. When one of the priority lakes in West Sumatra was threatened with reclamation involving high-ranking personnel, KPK stepped in the prevention to initiate lake saving activities as an action of saving state assets. KPK provided data and information for media coverage and journalists' understanding about the importance of saving the lake by holding media discussion, press briefings, facilitating live coverage in the field and providing documentation. Social media platforms were also used to attract media attention to start reporting the situation. As a result of media coverage, the reclamation of the lake was stopped and the lake was saved.

<u>Empowering journalist for anti-corruption issues</u>
For KPK, the media will always a strategic partner in eradicating corruption. KPK strives to build a harmonious and professional relations with the media through media relations programs which aim at, firstly, **building trust** between both sides and adhering to the honest and open principles by speaking the truth at an editor's meeting, press briefing or media gathering. Secondly KPK aims to provide a platform for **journalist professional skills**. Anti-Corruption Journalism Academy was established for journalists to exchange experiences and get updates on corruption issues.

On the other hand, KPK also respects the **media independence**. In the digital era, where the press industry is continuing to develop in the midst of flood of information, journalists need to professionally handle digital challenges to ensure that people obtain quality information. In addition, media independence becomes a challenge when faced with media ownership. KPK understand that the media has their own policies. Based on professional relationships, KPK aims to support and empower journalists by providing them with the data and information needed to do accurate news coverage.

Discussions and Q&A

Question: How does MACC get the mass media interested in reporting information about education awareness and preventing corruption?
Answer (Malaysia): MACC has a list of activities in the organization for the whole year. We send invitations to the respective media and prepare write-ups for the press to cover. We know that the media is very much interested in corruption cases, but activities on prevention and education on corruption is equally important. Hence the role of media coverage is very much appreciated and there is no other way around but to build a good relationship with the media constantly. Last weekend, for example, MACC organized a program with the deaf community, the first of its kind by the Commission with a very prominent guest. In conclusion, we have to prepare unique and special program and activities to attract the media for coverage."

Question: What is the role and protection of investigative journalists and quality protection for media organizations? Are there any practical examples or maybe some efforts already being taken in the respective economies on establishing self-regulatory mechanisms of the media like professional codes of conduct or press councils?
Answer (Indonesia): Freedom of the press in Indonesia is based on an Article in the constitution of the Republic of Indonesia which protects journalists' freedom to use various media in terms of seeking, processing, and conveying information.
Comment: To discuss this further is to elaborate on the witness protection scheme to ensure the safety of informants or whistle-blowers. This protection can perhaps be extended to investigative journalist who conduct investigations on corruption and bribery issues. An argument from another perspective is that the media and journalists should follow their professional codes of conduct to ensure ethical investigative reports and truthful reporting.

Question: How do you ensure the integrity of investigations within MACC from the influence of powerful ministers, royalties, and businessmen trying to protect their interests?
Answer (Malaysia): MACC adheres to the principles of being independent, transparent and professional, so we will not be influenced by whoever. MACC put a stress on every request received. We will be dealt with it on equal footing and will investigate it accordingly.

Question: What will be the criteria for granting funds to support journalists financially? Would the fund be allocated to local or international journalists?
Answer (The United States): The ultimate location of the funds and the geography that will be working in are still being worked out, but the idea is that journalists around the world should be able to join the membership association that will host the insurance fund. This goes back to the question asked earlier, participating journalists will be signatories to the code of ethics so they will be willing to submit their reporting to fact-checking and publication, and legal review then they would be able to secure the insurance for themselves and for each of the investigative report which they publish.
Comment: The insurance fund is a great initiative and will be of direct value to journalists.

Question: How are you working with the media to get the public more engaged in the prevention of corruption?

Answer (Indonesia): KPK is working with the media to get the public more engaged by cooperating in campaigns and advocacy as a way to fight corruption. Exclusive information is given to selected media and we collaborate as partners for special occasions, especially in prevention and education programs. We have the media published special columns for Q&A. People and stakeholders can pose questions and we directly answer them. We have some exclusive columns for local media to publish problematic local issues. Talk shows are another way KPK can engage with the people and they know what KPK is fighting for and they can support us through the media. The media is always the main supporter for us in helping to achieve our goals in making Indonesia free from corruption. This is why KPK is keeping relationship with the media and launches programs to inform the people and journalists to know more about anti-corruption programs.

Question: Could you please give a more detailed example of pairing the issues of prevention and enforcement to attract public attention?

Answer (Indonesia): Paring enforcement with prevention issues is using the enforcement to corruption prevention. We know that people are happy when KPK arrests or detains a suspect or catch something red-handed concerning one topic. On the other hand, KPK also has the research on that same issue. So we try to highlight the research at the same time as the arrest or during the process of the investigation. This is one of the strategies that we use in pairing of the issues of prevention and enforcement.

Question: How to use the media to campaign with kids or younger generations for corruption prevention in the long term?

Answer (Malaysia): We are now in the middle of a poster drawing competition with the primary schools and secondary schools. After the competition, we have portrait posters and annual reports to publish. We organize video and singing competition, as well as debate and public speaking contest on anti-corruption topics.

MACC works closely with the Ministry of Education to emphasize good values. We launched Honesty Shop at selected schools. Anti-corruption elements are incorporated in textbooks. MACC organizes a program with an anti-corruption hero. We conduct sessions for students in schools and launched mini-series with the local cartoon production companies, which are most popular in Malaysia, Indonesia and other economies in delivering anti-corruption messages.

Answer (Indonesia): Even though children may not understand or recognize the word "corruption," we share the anti-corruption values for the kids by creating comics and fairytales and we collaborate with the teachers and parents because they will be the ones that tell stories and values to the younger generation. KPK also carries out programs in schools to improve the teachers' capability on anti-corruption values and spread them through our social media channels. There is a special channel for kids and a special section on social media, which young people can read books and stories tailored for young children and students.

Question: In addition to the relationships with lawmakers and law enforcement, could you please tell us more about the efforts to empower local journalists?

Answer (The United States): With respect to capacity development for investigative journalists, our lesson learned is the importance of having a dedicated and focused network on empowering journalism because working on investigative journalism requires very specific skills. There is the value of having a network and editors to mentor investigative journalists over years with specialized skills needed for effectively engaging in highly sensitive longer-term investigations while addressing a lot of challenges that come along with investigative journalism. This kind of empowerment is best carried out through networks like OCCRP and similar networks working on investigative journalism.

Question: Are there any other civil society organizations or NGOs?

Answer (The United States): Absolutely. Above and beyond the work that we are doing on investigative journalism networks, USAID also supports a much broader approach to anti-corruption work that is inclusive of engagement of civil society organizations, along the lines of integration of advocacy, education and prevention programming and others. In addition to that, we have substantial work in several economies and will continue engaging with domestic anti-corruption institutions in economies where USAID operates. Through networks such as the GACC, making connections while enabling the independent reporting of investigative journalists help develop the relationships between investigative journalists, civil society and ultimately lawmakers and law enforcement entities. Those exchanges can proceed while the independence of investigative journalists is respected.

Question: How long could any investigative journalist take to complete investigation if they are sponsored by anyone?

Answer (The United States): The period a journalist takes to investigate an investigative story may vary and in several cases it can take many years. An investigation may also take a dozen or hundreds of investigative journalists as well. The number of large networks' investigations like the Panama Papers or the Paradise Papers are the investigations which took years to build.

5. Conclusions

The following conclusions and arguments were derived from the presentations and discussions.

5.1 Enabling environment for the media to play positive role in anti-corruption

For effective encouragement of the media's inclusion in the fight against corruption, it is essential to have an enabling environment where the media can effectively perform a positive role in exposing corruption and demanding accountability and transparency. Openness in terms of media freedom and accessibility of data are keys.

The level of media freedom and the protection of freedom of expression define how much the media are allowed to do journalistic work. These may be subject to limitations on the grounds of privacy protection and public order. There needs to be a balance between safeguarding the level of freedom of expression appropriate to the domestic context and reasonable exercise of the exceptions.

Access to information, including open data, technologies and development of data standards, is another fundamental element for such an enabling and conducive environment. It impacts journalists' capacity to do investigations. The more information is made publicly available, the more journalists and the public are able to uncover and inspect corruption cases. Again there needs to be a balance between the rights to privacy and the rights to access information.

5.2 Media ethics and professional codes of conduct

It is equally necessary to take into account the dangers of fake news and questionable media independence. This is especially the case with the rise of citizen journalists, the proliferation of social media and media ownership by business leaders, political figures or corrupt elites. Reporting can be used or abused to influence or manipulate public opinion.

Therefore, it is absolutely essential for the media and journalists to conduct their investigation and reporting in an ethical and responsible manner. Verification of evidence is necessary to ensure the coherence, completeness and accuracy of the obtained fact. Another prerequisite for journalists, especially investigative journalists, is to have the right and obligation to protect the confidentiality of the sources.

The scope of what journalists can do to ensure adherence to ethical standards varies by economies. It can be legal provisions, regulatory mechanisms, media council or a combination.

5.3 Challenges and obstacles for investigative journalists

The lack of data and limited access to information pose a significant challenge and obstacle for journalists and investigative journalists, making it difficult to further investigate the tip or cover the story. At the same time, they also face physical, emotional, legal and financial risks. In addition to threats and harassment, which can be particularly problematic for female investigative journalists, lawsuits are filed to discourage or stop journalists from doing investigations. Moreover, investigative journalism is time-consuming and requires very specific skills and adequate financial support because investigating a story is a long and costly process.

5.4 Collaboration is important.

To overcome challenges in investigative journalism, the collaborative model in the form of networks of investigative journalists working across borders is becoming a trend in the journalistic landscape. Collaboration within networks or with advocacy organization, civil society or NGOs can make investigative journalism work more effectively and deliver more impact. They can provide funding support or legal assistance for reporters and journalists who are facing lawsuits or need legal advice.

Collaboration between different organizations providing different sets of information is also important in producing an environment of transparency and quality data which allow journalists to obtain information necessary for further investigating the story.

5.5 Lessons learned and best practices

Anti-corruption agencies can engage with the media to enlist their cooperation in spreading anti-corruption values, raising public awareness about the negative impact of corruption and covering operations to prevent corrupt practices or tackle offenders of corruption. Anti-corruption agencies can engage traditional media such as newspapers and print media, radio and television. A plethora of social media platforms can also be used to reach wider audiences.

In order to maintain harmonious and profession relations with the media, it is important for anti-corruption agencies to build trust between both sides.

Initiatives to be contemplated include the provision of legal and financial aid to investigative journalists and their organizations to enable them to continue their journalistic work and investigation, and designing capacity building programs to equip them with specialized skills in order to more efficiently engage in investigations and overcome the challenges and obstacles posed by investigative journalism.

6. Ex-Post Evaluation Survey

6.1 Introduction

The purpose of the ex-post evaluation survey was to collect feedback from the participants on the rate of satisfaction with the organization of the Panel Discussion and the content, and the degree of increase in participants' knowledge and skills. The ex-post evaluation survey was conducted via an online questionnaire survey. It was circulated once the Panel Discussion was delivered and re-circulated to collect more responses.

6.2 Summary of results

A total of 41 responses were received.

6.2.1 General

Participants were invited to share the level of satisfaction with how the event was organized regarding the use of Zoom Meeting, relevance of the agenda items and topics, panelists and their content, as well as time allocation.

Vast majority of the respondents (40 responses – 97.56%) either *strongly agreed* or *agreed* that Zoom Meeting was an appropriate platform for virtual event

100% of the respondents either *strongly agreed* or *agreed* that
- The agenda items and topics were relevant;
- The content was well organized and easy to follow;
- the panelists were well prepared and knowledgeable about the topic; and
- The time allotted was sufficient.

Positive comments (partially adapted and hidden for confidentiality reasons):
- Great workshop. We thank Thailand for putting forward a project on this important anti-corruption topic. The speakers and panelists provided a well-rounded perspective
- Nice to obtain some significant and broad perspectives from all the speakers. Despite some technical issue in the ending, the overall flow of the agenda items was great and well-conducted.
- The discussion running well and interactive
- Thank you for hosting the Panel Discussion. A very inspiring workshop to know more about economies' experiences and various perspectives from all the participants.
- Appreciates the work of Thailand to host this event. The panelists were well selected and provided interesting information and insights which assisted in developing knowledge of the role of the media in exposing corruption. Appreciated the virtual format as this allowed convenient attendance. The content was well organized and easy to follow. Hearing from two speakers on each of the topics brought different perspectives to the discussion. Enjoyed the Q&A session and greatly benefited from the questions provided by the other member economies and the Project Overseer which further built on the group learnings. All of the speakers were highly distinguished and very knowledgeable on their topics. The time allotted may not have been sufficient as the sessions ran over time.

6.2.2 Content

Agenda:
Item 1: Media's Role in Anti-Corruption was the most preferred agenda item, as indicated by almost half of the respondents (19 out of 41 responses – 46.3%).

Improvement:
Over two-thirds of the respondents (29 out of 41 responses – 70.7%) rated the improvement in the following after participating in the Panel Discussion as *very much*:

- Knowledge and information on how the media has become increasingly important in anti-corruption
- Awareness about the limitations and challenges of the media and journalists in serving as anti-corruption watchdog

Almost two-thirds of the respondents (23 responses – 56.1%) rated that their awareness about how their economy can help the media and journalists to better serve as anti-corruption watchdog after the participation has improved *very much*.

Overall satisfaction:
Almost two-thirds of the respondents (25 responses – 61%) were *highly satisfied* (over 80% rate of overall satisfaction) with the event content, while the other 15 respondents (36.6%) were *satisfied* (50-80% rate of overall satisfaction). There was only one response that found it was good but could have been improved.

41 responses
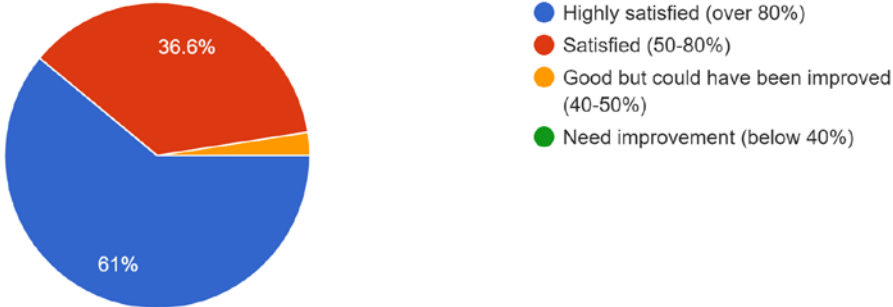
Overall level of knowledge and skills:
About half of the respondents rated their overall level of knowledge of and skills in the topic PRIOR TO participating in the Panel Discussion as *medium*, while about 30% rated a *high* level and about 15% rated a *low* level of current knowledge and skills.

AFTER participation, 25 out of 41 respondents (60%) rated their overall level of knowledge of and skills in the topic as *high* (50-70% increase in knowledge), and 9 respondents (22%) rated *very high* (over 70% increase in knowledge).

Some of the comments:
- I learned a lot about efforts by media groups in the APEC region, as well as efforts by member economies to engage media on anti-corruption issues
- It was great given the insight about the struggling of journalism in digital era, the obstacle and how-to-do investigative journalism, also the insight on how economies have different approach on anti-corruption and media.

6.2.3 Project effectiveness & relevance

<u>Effective:</u>
26 out of total 41 respondents (63.4%) *strongly agreed* and the other 15 respondents (36.6%) agreed that the project achieved its intended objectives. There was no negative feedback on this question.
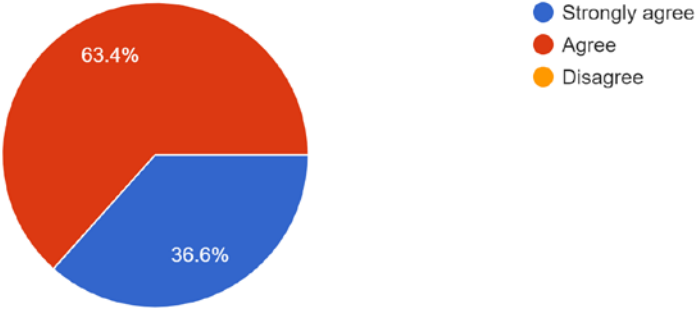
Participants were asked with open-ended question about what they viewed as the project's results/achievements. There was a general agreement that the project's results/achievements were its **effectiveness on increasing knowledge & awareness as well as the sharing and exchange of information** on the topic. Some of the comments are as follows:

- The project brought focus to a topic not previously addressed by ACTWG member economies. By bringing in panelists from outside the usual groups, it helped to increase member economies' knowledge about the importance of media independence, access to information, accountability measures, and the dangers posed to investigative journalists.
- Increase the knowledge of participants; Learn and gain awareness about how the media works in the context of anti-corruption and international networks of the media
- Know more about communication strategies regarding corruption issues so that they can be published by the media; How to use the media to detect corruption
- Awareness on how government agencies and journalists can collaborate; possibility of potential cooperation and improvement in anti-corruption
- Sharing of different perspectives on the engagement with the media in fighting corruption; We hear different opinions on the role of media in anti-corruption efforts'
- Exchange of experience between APEC economies; Participants from regional economies attended to exchange experiences related to the engagement with the media in anti-corruption
- The project achieved the objective of sharing information about the important role that journalists play in exposing corruption. This was achieved as presenters provided practical case studies, information on global networks of journalists and detailed information about how journalists investigate stories. The project also provided information to member economies about the ways in which we can work to enhance the capacity of journalists throughout the region to ensure that they can carry out their important work e.g. enhancing access to open data and ensuring robust freedom of information legislation.

Several positive comments were made that the panelists were experienced and knowledgeable, and the topic of discussion was interesting and not always open to the public.

Relevance:

Overall 75% of the respondents had strongly positive feedback on the relevance of this project to them and their economy, with 16 out of the 41 respondents (39%) found it *mostly relevant* and 15 more (36.6%) found it *very relevant*. 8 respondents found it somewhat relevant and only 2 respondents found it a little relevant.

41 responses
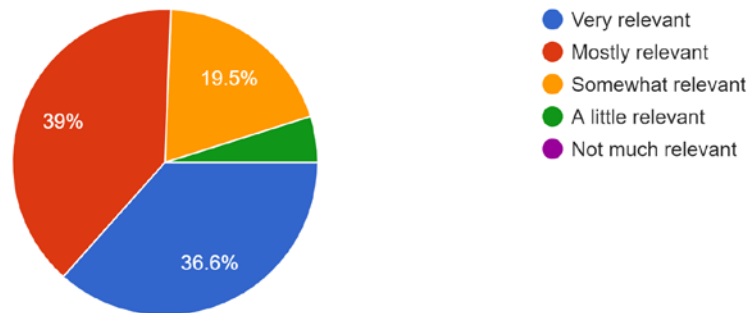
Capacity building:

Participants were asked with open-ended questions on how their capacity was built by the project and what new skills and knowledge they gained in particular. Most respondents shared their capacity was built by learning about the media's role in anti-corruption, including how investigative journalists pursued the leak and led to further investigation. Comments were specifically cited about learning how journalists used open source data and open contracting standards to expose corruption.

Several respondents shared that they learned about member economies' media campaigns and policies to raise awareness for corruption enforcement and prevention. Some commented that the project enabled them to develop future strategic plans or new program or task to engage and cooperate with the media for anti-corruption campaign.

Several respondents also learned about the challenges and obstacles journalists faced in doing investigative work. Certain respondents came to learn that the completeness of information had standards to be met because the completeness would be useful to journalists, and learned how the media could be an example in maintaining neutrality and independence from interference.

Sustainability:

About half of the respondents will use the skills and knowledge gained from this project to build capacity in the anti-corruption domain in their home economy by:
- Develop new work plans/strategies
- Develop new policy initiatives
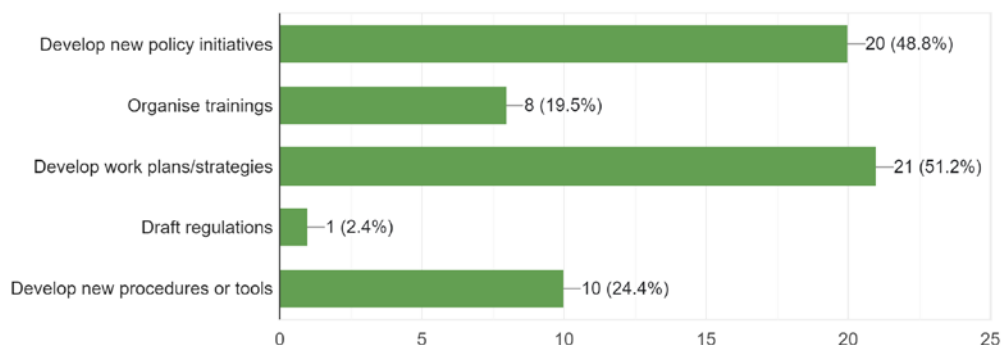
Explanations were made that new perspective from other economies would help with the development of new program or activities for anti-corruption campaign, while new law or regulations could be developed to allow for the media's participation in anti-corruption.

6.2.4 Comments on how the project could have been improved

Format & time allocation:
Some commented that they would have preferred more time and more interactive activities or workshop (collaboration project) or in-person format.

Content:
There were two comments about a more balanced approach, with more emphasis on the measures to promote integrity among journalists or how to improve professional code of conduct by the media. Another comment was made about more information on the inclusion of female journalists.

6.2.5 Participant information (optional)

39 out of the 41 respondents provided detail on their home economy.
Information on gender is collected. Out of 41 responses, 18 are male and 23 are female.

6.3 Assessment of ex-post evaluation survey

Despite the rather low percentage of the ex-post evaluation survey responses, overall the feedback collected was very positive. This is indicative of the project's effectiveness and relevance in contributing to APEC's capacity building goals, objectives and operational principles.

The project has contributed to the building of capacity and increasing participants' knowledge and skills on the linkages between the media and particularly investigative journalism on the one hand, and anti-corruption efforts on the other. Participants also learned about experiences from other APEC economies about how the government or state can cooperate with the media in anti-corruption.

Essentially, from the pre-event research work, prospective participants would like to learn about a balanced approach between the role of the media as an anti-corruption watchdog and the necessity to maintain media ethics and professional codes of conduct, and secondly how privacy/data protection law might affect the ability of the media. These two important issues were extensively discussed at the Panel Discussion and mentioned by survey respondents. In this vein, the topics of discussion at the Panel Discussion in line with the targeted scope of the project have been tackled.

The results of the ex-post evaluation survey showed that the project was effective in providing a platform for participants to enhance knowledge and exchange information and experience among the panelists and participants. Project participants can apply what they gained from this two-day Panel Discussion to future development of new work plans or strategies, as well as new policy initiatives in their economy to engage the media in anti-corruption efforts.

Annex I

Agenda
Panel Discussion on Empowering the Media's Inclusion in the Fight against Corruption
Day 1
Tuesday 26 July 2022 at 08:00 – 11:00 AM Thailand Time (GMT/UTC +7)
Virtual platform - Zoom Meeting
Hosting Venue - Office of the National Anti-Corruption Commission, Nonthaburi, Thailand

TIME	Agenda Item
07:00	**Virtual platform opens & on-site registration**
08:00 – 08:15	**Opening Session 1 -** VTR**:** APEC 2022 Thailand & Introduction • Opening Remarks by Police General Watcharapol Prasarnrajkit, NACC President and ACTWG & ACT-NET Chair 2022 • Virtual & On-site Group Photo • Outline of agenda & summary of pre-event research work by Project Overseer
08:15 – 09:30 (1 h 15 min)	**Item 1: Media's Role in Anti-Corruption** • Current state of the media's inclusion in anti-corruption • Role of investigative journalism/reporting in corruption investigation • Success factors for effective encouragement of the media in anti-corruption **Panelists** ➢ **Mr Francesco Checchi**, Regional Anti-Corruption Adviser, UNODC Regional Office for Southeast Asia and the Pacific ➢ **Mr Khairil Yusof**, Coordinator and Executive Director, Sinar Project **Discussion and Q&A**
09:30 – 09:45	*Coffee Break (15 minutes)*

09:45 – 10:55
(1 h 10 min)
	Item 2: Challenges for Journalists & Inclusion of Female Journalists
	• Firsthand experience in investigative journalism from notable journalists in the"region
	• Challenges and obstacles for journalists in conducting investigative reporting and serving as anti-corruption watchdog
	• Particular challenges or advantages for female investigative journalists?
	   How can the inclusion of female journalists in anti-corruption can be promoted?
	Panelists
	➢ **Mr Bagja Hidayat**, Executive Editor**/**Head of the Investigation Desk,
	   Tempo Magazine, Indonesia
	➢ **Ms Thapanee Eadsrichai**, Journalist and Founder,
	   The Reporters (Thailand) Online News Agency
	
	Discussion and Q&A

10:55 – 11:00	**Day 1 Summary**

N.B. The event will be conducted in English with simultaneous Thai interpretation and vice versa

Day 2
Wednesday 27 July 2022 at 08:00 – 11:00 AM Thailand Time (GMT/UTC +7)
Virtual platform - Zoom Meeting
Hosting Venue - Office of the National Anti-Corruption Commission, Nonthaburi, Thailand

TIME	Agenda Item
07:00	**Virtual platform opens & on-site registration**
08:00 – 08:15	**Opening Session 2 -** VTR**:** APEC 2022 Thailand & Introduction • Outline of agenda items by Project Overseer • Virtual & On-site Group Photo
08:15 – 09:15 **(1 h)**	**Item 3: Case Studies from Global Networks of Investigative Journalists** • Firsthand experience & cases in investigative journalism from notable networks of journalists operating at the international level **Panelists** ➢ **Mr Jared Ferrie**, Core Editor, Organized Crime and Corruption Reporting Project (OCCRP) ➢ **Mr Rajneesh Bhandari**, Investigative Reporter, Editor and Filmmaker, Journalists for Transparency (J4T) **Discussion and Q&A**
09:15 – 09:30	*Coffee Break (15 minutes)*
09:30 – 10:50 **(1 h 20 min)**	**Item 4: Lessons Learned & Best Practices from APEC Economies** APEC economies will present success cases and lessons learned from their efforts at home economies in encouraging the media's inclusion in anti-corruption**.** Participants are invited to discuss what should be the best practices**.** Scope of discussions include**:** • Collaboration with the media in corruption prevention, promoting integrity and awareness raising • Efforts to promote press freedom and protection • Efforts by the media to promote ethics and professional codes of conduct within their profession **APEC Economies' Presentations (20-25 minutes per economy)** ➢ **Malaysia - Mr Samsul bin Salip**, Deputy Director of Corporate Communication Division, Malaysian Anti-Corruption Commission (MACC) ➢ **The United States - Ms Laura Pavlovic**, Deputy Director, USAID's Democracy, Human Rights, and Governance Center ➢ **Indonesia** **1. Ms. Chrystelina GS**, Head of Public Information and Communication Unit **2. Ms Ipi Maryati Kuding**, Spokesperson Corruption Eradication Commission (KPK) **Discussion and Q&A**
10:50 – 11:00	**Day 2 Summary and closing remarks**

N.B. The event will be conducted in English with simultaneous Thai interpretation and vice versa