



1. Please provide any information on how anti-government bloggers are likely to be treated by the Malaysian authorities.

According to a September 2010 article by the *Asia Sentinel*, the internet in Malaysia has ostensibly remained relatively free of government interference, “[d]espite the fact that Malaysian bloggers have developed a healthy opposition press delivering voluminous details of government wrongdoings that can’t be read in the government-controlled press”.¹ Similar sentiment was expressed by Freedom House, who noted that “[t]he internet continued to be the one bright spot in the media landscape, as the country remained formally committed to a policy of refraining from censorship of the medium”. However, Freedom House noted that “bloggers were still required to tread carefully, especially in light of their ongoing harassment and prosecution if they were known to the government”.²

According to the US Department of State, in September 2010 the government announced “the establishment of a taskforce to monitor the Internet for blog postings deemed harmful to national unity and to take actions against those trying to stoke racial tensions”. The government also reportedly monitored emails sent to blog sites, and “threatened to detain anyone sending content over the Internet that the government deemed threatening to public order or security”. Some bloggers, news providers and NGO activists reportedly self-censored due to criminal defamation and preventative detention laws.³

Reporters Without Borders reported that in January 2012, a Malaysian court ordered blogger Amizudin Ahmat “to pay 300,000 ringgit (100,000 US dollars) in damages to the minister of information, communications and culture, Rais Yatim, for allegedly defaming him in a blog article”. The penalty was imposed despite the blogger publicly apologising for not checking his sources, and displaying goodwill by removing the offending article. According to Reported Without Borders, “this trial may set a dangerous precedent for journalists and bloggers who expose political scandals”.⁴

In October 2010, the Centre for Independent Journalism (CIJ) reported that blogger Wong Choon Mei, writer of the Malaysia Chronicle blog, had been interrogated by government officials following a post where she had reproduced some quotes from articles by

¹ ‘Malaysian Website Blocked to Cover Up a Scandal’ 2010, *Asia Sentinel*, 9 September http://www.asiasentinel.com/index.php?option=com_content&task=view&id=2687&Itemid=178 – Accessed 21 February 2012

² Freedom House 2011, *Freedom of the Press 2011 – Malaysia*, Freedom House website <http://freedomhouse.org/report/freedom-press/2011/malaysia> – Accessed 21 February 2012

³ US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Malaysia*, 8 April, Section 2.a

⁴ ‘Blogger ordered to pay huge damages to minister in defamation case’ 2012, Reporters Without Borders website, 24 January <http://en.rsf.org/malaysia-opposition-blogger-ordered-to-pay-20-07-2011.40659.html> – Accessed 21 February 2012

Malaysiakini regarding a speech by Prime Minister Najib Abdul Razak. Wong was reportedly denied access to legal counsel during the interrogation; her lawyer was told that “she would only be allowed to remain present if she also gave a witness statement”, a breach of Malaysia’s constitution. According to the CIJ, such investigations “are a violation of the constitutional guarantee of freedom of expression and are clearly designed to intimidate the Malaysian online community, targeting certain news and information sites”.⁵

A September 2008 article by *BBC News* reported that Syed Azidi Syed Aziz, an opposition blogger known as Kickdefella, was arrested for “allegedly displaying a national flag upside down on his website”. He was detained under the Sedition Act after reportedly advocating on his website that “people fly the Malaysian flag upside down as a protest against the current political upheaval”. Syed Aziz was one of a number of high profile bloggers arrested in the same week.⁶

According to an article posted on the Global Voices Advocacy website, “political bloggers in Malaysia face the sobering prospect of the government taking tougher action against blog and website owners”. In order to counter online allegations, the government planned to take “alleged wrongdoers to court for defamation and sedition”. As the *Communications & Multimedia Act 1998* prevents censorship of the internet, the government had to rely on national sedition laws, the *Internal Security Act 1960*, and defamation law suits to control the publication of information.⁷

In April 2007, the government reportedly demanded that bloggers register their sites. In July of the same year, blogger Nathaniel Tan was detained for four days “under the Official Secrets Act for an anonymous comment which accused Deputy Internal Security Minister Datuk Mohd Johari Baharum of corruption”. Tan was released without charge.⁸

2. Deleted.

⁵ ‘Malaysian communication authorities intimidate news site, blogger, lawyer’ 2010, Southeast Asian Press Alliance website, source: Centre for Independent Journalism, 28 October <http://www.seapabkk.org/alerts/100369-malaysian-communication-authorities-intimidate-news-site-blogger-lawyer-.html> – Accessed 21 February 2012

⁶ ‘Malaysia arrests second blogger’ 2008, *BBC News*, 18 September <http://news.bbc.co.uk/2/hi/asia-pacific/7622437.stm> – Accessed 21 February 2012

⁷ ‘Plans for action against Malaysian bloggers’ 2008, Global Voices Advocacy website, 27 August <http://advocacy.globalvoicesonline.org/2008/08/27/plans-for-action-against-malaysian-bloggers/> – Accessed 20 February 2012

⁸ ‘Bloggers rally around Raja Petra’ 2007, Asia Media Archives, University of California Los Angeles website, 3 August <http://www.asiamedia.ucla.edu/article.asp?parentid=75215> – Accessed 21 February 2012

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