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Malaysia: Restriction of freedom of expression hits the Internet

The police investigation of the independent internet news site, *Malaysiakini*, under the Sedition Act calls into question the pledge by Malaysian authorities not to censor the internet, Amnesty International said today.

"This demonstrates, yet again, how restrictive laws are used to curtail freedom of expression in Malaysia," the organization added.

The police raided the *Malaysiakini* office on Monday, confiscating all nineteen of their computers, effectively preventing the site's publication. The raid came following a complaint alleging that a letter published on the site was seditious. The complaint was made by youth wing of the United Malay National Organization (UMNO), the largest party in the government coalition.

Part of the complaint reportedly refers to the letter's questioning of affirmative action for Malays. The 'special position' of Malays and indigenous peoples is enshrined in the Malaysian Constitution. These provisions include preferential treatment in many aspects of life, including education and work.

"The investigation of *Malaysiakini* makes the government's pledge not to censor the internet sound hollow. Laws like the Sedition Act, that fail to conform to international human rights standards, threaten the survival of an independent media and freedom of expression in Malaysia," Amnesty International said.

Malaysia's restrictive laws are routinely used to curtail internationally recognized human rights, such as freedom of expression. Efforts by independent domestic and international media sources, as well as opposition politicians and Malaysian non-government organizations to comment on sensitive social issues, run the risk of fines, prosecution and imprisonment.

"It is time that the Malaysian government stopped eroding human rights in the name of stability and development. Real stability and development can only be achieved through guaranteeing the free expression of views on emerging social and economic problems, and protecting other fundamental human rights," Amnesty International concluded.

Background

In its efforts to promote Malaysia as a centre for Information Technology, the government has until recently restrained itself from using its array of restrictive laws in regard to the Internet. Under

Section 3 of the Communications and Multimedia Act, the government prohibited the censorship of the Internet, although there are provisions to act against "defamatory and false information". However, recent events may signal an end to this restraint.

The Sedition Act (1948) places wide limitations on freedom of expression, particularly regarding sensitive political subjects such as race. Under Section 4(1) c of the Act anyone responsible for a "seditious publication" is liable to a fine not exceeding RM5000 or up to three years imprisonment. Sedition itself is broadly defined in Section 3(1) e as "to promote feelings of ill-will and hostility between races or classes of the population of Malaysia."

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