'Stop intimidating web media over PM' speech'
Malaysiakini.com
October 28, 2010

The Centre for Independent Journalism (CIJ) Malaysia views with concern the investigations being conducted by the Malaysian communications regulator, the Malaysian Communications and Multimedia Commission (MCMC) into online reports of a speech by Prime Minister Najib Abdul Razak.

The harassment began on 22 October, when officers from the commission visited the offices of online news site Malaysiakini, recording a statement from the editor-in-chief, Steven Gan.

According to the news site, the officers were investigating Malaysiakini's reporting of Umno's annual general meeting.

This was followed up by the interrogation of blogger Wong Choon Mei, who writes the blog Malaysia Chronicle. The interrogation took place on Monday Oct 25, and centred around a post where she reproduces some quotes from the Malaysiakini articles.

While Wong was told that she was being investigated for possible breach of Section 211 and 233 of the Communications and Multimedia Act 1998, she was denied access to legal counsel during the course of the questioning. Her lawyer, Latheefa Koya, was told that she would only be allowed to remain present if she also gave a witness statement. This is a clear breach of Article 5 of Malaysia's constitution.

According to one report by a Malay-language daily, MCA lodged a police report against Malaysia Chronicle, but it is unclear whether the MCMC investigation is a result of this report. There are no reports that the Prime Minister's Office has issued any clarification or rebuttal of the reports.

These 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, given that similar articles and headlines have appeared in other publications with no problems from the authorities.

In a country where print and broadcast media are tightly controlled by both ownership and legislation, the Internet provides an important space for political discussion and expression, a space guaranteed under Article 3 of the Communications and Multimedia Act.

CIJ recommends that the MCMC drops all investigations into both Malaysiakini and Malaysia Chronicle. We also remind the commission of the constitutional guarantees of both legal representation and freedom of expression, and hope that in future it will work to uphold these important legal principles.

To ensure that it does not engage in future violations of the right to legal representation, we recommend that MCMC conducts an investigation into the conduct of the officers who denied this right to Wong.

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