

DAP Supports CIJ 'Internet Blackout Day'
MalaysianMirror.com
9 August 2012
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The DAP would like to fully support the campaign launched by The Centre for Journalism (CIJ) Malaysia to hold Malaysia's first ever internet blackout day to protest against the introduction of the Evidence (Amendment) (No. 2) Act 2012.

On May 9 2012, the Evidence (Amendment) (No. 2) Act 2012 was passed in the Dewan Negara and gazette by the Law Minister last month. We deem the amendment as a blatant intrusion upon the fundamental human rights of Malaysia's internet users and thus urge the government to repeal this amendment immediately.

Section 114(A) severely infringes upon the freedom of online expression and undermines the civil liberties of Malaysia's internet users. We believe the amendment may be construed as an attempt by the powers that be to censor and police what can and cannot be said on the Internet. Such regulation passed with an ulterior motive in mind, only serves to undermine the purpose of the internet to disseminate information and facilitate an environment of open discussion.

Due to the broad scope of the terminology employed in the amendment, situations may arise where the act may impair the delivery of justice to wronged parties and even be used to persecute them. Internet subscribers may be held accountable for any comments or content deemed slanderous or offensive published through their internet connection even though it was published by somebody else without their consent. Victims of online identity theft may be charged under the act if offensive content is published online using their stolen accounts.

It is plain for all to see that the act just makes it easier for the prosecution to find scapegoats when dealing with cybercrimes instead of finding the real perpetrators. Under this act, identity thieves, con-artists and hackers will remain at large so long as they ply their trade using an internet connection that is attached to somebody else's name.

Furthermore, the following sentence "is presumed to have published ... unless the contrary is proved" found in Section 114(A) places the burden of proof on the defendant. This runs counter to the principle of law where the defendant is innocent until proven guilty.

The act also openly discourages people from sharing their internet be it access to their internet connections or to the websites they operate. Hotels, restaurants and even cybercafes will no longer be able to offer internet access to its patrons for fear of falling afoul of the law. This clearly runs contrary to the objective of making Malaysia one of the most "connected" countries in the world.

Thus, we would hereby like to reiterate our support for CIJ's initiative to launch an Internet blackout day on 14 August to voice our protest and dissatisfaction against the implementation of the Evidence (Amendment) (No. 2) Act 2012.

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