

Malaysiakini Ordered to File Defence Statement Against Najib's Suit

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KUALA LUMPUR, June 18 (Bernama) -- The High Court here Wednesday ordered online news publisher Mkini Dotcom Sdn Bhd and two of its editors to file their defence statement against the defamation suit filed by UMNO president Datuk Seri Najib Tun Razak and party executive secretary Datuk Ab Rauf Yusoh over the publication of two articles last month.

Deputy registrar Norfauzani Mohd Nordin fixed July 1 for Mkini Dotcom Sdn Bhd, Malaysiakini.com editor-in-chief Steven Gan and its chief editor Fathi Aris Omar, as the defendants in the case, to file their statements.

Wednesday's proceeding was heard in chambers with counsel Ashok Kandiah, acting for the defendants, and counsel Wan Azmir Wan Majid, representing Najib and Ab Rauf, present.

Outside the court, Ashok Kandiah told reporters that Norfauzani fixed July 15 for Najib and Ab. Rauf to file their statement in reply after the defence had filed their statement.

Asked whether the defence would make an application to strike out the libel suit, Ashok said, "I will first refer this to my clients."

Norfauzani also fixed July 24 for case management.

On May 30, Najib filed the suit in his personal capacity and Ab Rauf, on behalf of UMNO, claiming that the three defendants had reported, produced and allowed the publishing of two articles titled "A case of the PM reaping what he sows" and "How much will Najib spend to keep Terengganu?".

The articles were said to have been published on May 14.

The plaintiffs claimed that the articles were carried in the 'Yoursay' column of the news portal www.malaysiakini.com by the defendants themselves or their assistants based on comments from the portal's subscribers or users which were then grouped into the articles under the major topics.

One of the articles, "A case of the PM reaping what he sows", was related to government policies and hudud while the other, "How much will Najib spend to keep Terengganu?" was on the political crisis in Terengganu which happened in May.

Najib and Ab Rauf claimed that the defendants had deliberately allowed the publication of the articles although knowing they were baseless accusations and untruths.

Najib claimed that the defamatory words had tarnished his reputation as a politician, as UMNO president and as prime minister.

The two plaintiffs claimed that the comments implied sarcasm to indicate that UMNO was incompetent as a political body and as the backbone of the Barisan Nasional.

They claimed the defamatory words were designed to portray UMNO as having abused its authority in the interests of the party, that it was an undemocratic party and which deliberately created undesirable situations.

The two plaintiffs claimed that as a result of the publication of the two articles, their reputation was severely tarnished when UMNO was condemned, particularly in the social media and mass media.

The plaintiffs seek general and special damages that would be assessed by the court.

They are also seeking aggravated damages, excessive damages, interest, an injunction to restrain the defendants or their assistants from publishing the articles, an order that the defendants issue a written apology to be published in the newspapers, and costs.

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