MALAYSIA

	2009	2011
INTERNET FREEDOM STATUS	**Partly Free**	**Partly Free**
Obstacles to Access	9	9
Limits on Content	12	11
Violations of User Rights	20	21
Total	**41**	**41**

POPULATION: 28.9 million
INTERNET PENETRATION: 56 percent
WEB 2.0 APPLICATIONS BLOCKED: No
SUBSTANTIAL POLITICAL CENSORSHIP: No
BLOGGERS/ONLINE USERS ARRESTED: Yes
PRESS FREEDOM STATUS: Not Free

INTRODUCTION

The Malaysian government has actively encouraged access to the internet and mobile phones, and the use of such media has risen rapidly since the first internet-service provider (ISP) was inaugurated in 1992. By the end of 2009, more than half of the population accessed the internet and the figure continues to grow.[1] In the watershed general elections of March 2008, the ruling National Front (BN) coalition lost its two-thirds parliamentary majority for the first time since 1969. In addition, opposition parties won control of five of the 13 states, including those with relatively high internet penetration rates, such as Penang and Selangor. Together with the growing popularity and importance of independent online news outlets, the use of the internet for political mobilization was widely perceived as contributing to the opposition's electoral gains.[2]

In both the run-up to and aftermath of the elections, many observers sensed that the government and ruling coalition had recognized the potential political impact of the internet and had therefore grown more determined to control it. In recent years there has been a series of incidents in which bloggers have been harassed or charged under vaguely worded security laws. The government has also made a more concerted effort to influence public opinion by establishing its own presence online, while several online news outlets and opposition-related websites have faced cyberattacks. However, more systemic forms of

[1] International Telecommunications Union (ITU), "ICT Statistics 2009—Internet," http://www.itu.int/ITU-D/icteye/Reporting/ShowReportFrame.aspx?ReportName=/WTI/InformationTechnologyPublic&ReportFormat=HTML4.0&RP_intYear=2009&RP_intLanguageID=1&RP_bitLiveData=False.
[2] "Malaysia's Uneasy Dance with the Web," *Asia Sentinel*, August 17, 2010, http://asiasentinel.com/index.php?option=com_content&task=view&id=2645&Itemid=178.

censorship, such as technical filtering, have not been implemented. Meanwhile, a growing number of Malaysians have begun to blog or to communicate via advanced web applications such as the Facebook social-networking site, the Twitter microblogging service, and the video-sharing site YouTube.

OBSTACLES TO ACCESS

Internet penetration has grown dramatically over the past decade, from 3.7 million users in 2000 to as much as 16.1 million in 2010, according to estimates by the Economist Intelligence Unit.[3] Moreover, according to the Nielson Media Index, almost 4 in 10 users spent one to two hours on the internet every day in 2008.[4] Malaysians can access the internet through home connections, mobile phones, or cybercafes. Cybercafes play an important role in bridging the urban-rural connectivity gap. Nevertheless, there remains an acute digital divide in the country, with more than 80 percent of internet users living in urban areas,[5] and significantly lower penetration rates in the more sparsely populated states of East Malaysia, where most residents belong to indigenous groups.

Mobile-phone use has also increased significantly in recent years. By the end of 2010, the number of subscribers—33.1 million—exceeded the country's total population, meaning some individuals had multiple phone lines.[6] By comparison, mobile-phone penetration was just 21.8 percent in 2000.[7] Given the high overall penetration rate, there is less of an urban-rural divide in mobile-phone use than in internet connectivity.[8] With four active third-generation (3G) service providers, access to 3G mobile technology is expanding, and the number of subscribers reached 8.6 million by the end of 2010.[9] Faster broadband access and the increasing availability of 3G service have allowed a growing number of Malaysian citizens to circulate information via advanced web applications like the video-sharing website YouTube, the social-networking site Facebook, and the microblogging application Twitter. All such applications are freely accessible. In August 2010, however, a politician from the ruling coalition voiced calls for Facebook to be blocked after a user

[3] Economist Intelligence Unit, "Malaysia Internet: Sub-sector Update," December 20, 2010, http://www.eiu.com/index.asp?layout=ib3Article&article_id=197731004&country_id=1600000160&pubtypeid=1162462501&industry_id=&category_id=&rf=0.

[4] "Internet Reaches One in Five in Malaysia," *Asia Media Journal,* October 23, 2008, http://www.asiamediajournal.com/pressrelease.php?id=610.

[5] Digital Media Across Asia, "Malaysia Internet Penetration: Malaysian Internet Users in Urban/Rural Area," http://comm215.wetpaint.com/page/Malaysia+Internet+Penetration, accessed August 20, 2010.

[6] Malaysia Communications and Multimedia Commission (MCMC), *Communications and Multimedia: Selected Facts and Figures, Q4 2010* (Cyberjaya: MCMC, 2010), http://www.skmm.gov.my/link_file/facts_figures/stats/pdf/Q4%202010%20Text.pdf, accessed February 28, 2011.

[7] Ibid.

8 MCMC, *Communications and Multimedia: Selected Facts and Figures, Q1 2008* (Cyberjaya: MCMC, 2008), http://www.skmm.gov.my/link_file/facts_figures/stats/pdf/Q1.pdf.

[9] MCMC, *Communications and Multimedia: Selected Facts and Figures, Q4 2010.*

posted comments perceived as insulting to the prime minister and Islam.[10]

The lack of high-quality infrastructure in many parts of the country remains the primary obstacle to improved connectivity.[11] In response, the Malaysian government has prioritized the development of broadband internet infrastructure. Broadband usage has increased dramatically since 2007, with household penetration reaching 31.7 percent by the end of 2009. Nevertheless, the infrastructure remains insufficient to meet growing demand.[12] In March 2010, the government launched a National Broadband Initiative, which introduced five programs to expedite expansion of broadband internet and mobile-phone coverage. In some cases, the programs were carried out in cooperation with formerly state-owned Telekom Malaysia, the country's largest telecommunications company, which retains a monopoly over the fixed-line network.[13] In addition to these initiatives, the introduction of wireless WiMAX technology since 2008 has enabled provision of broadband services to areas of the country that are difficult to reach via cable connections; four WiMAX providers were in operation as of mid-2010.

Regulation of the internet falls under the immediate purview of the Malaysian Communications and Multimedia Commission (MCMC), which is overseen by the minister of information, communications, and culture. Both the MCMC and the ministry are guided by the 1998 Communication and Multimedia Act (CMA), which gives the information minister a wide range of licensing and other powers. MCMC commissioners are appointed by the government. Since the end of 2008, the process for appointing members of the MCMC advisory board has become more transparent and participatory, involving consultations with a wide range of stakeholders and resulting in the inclusion of civil society members on the board. The board's powers are extremely limited, however, and the MCMC has emerged as one of the country's greatest obstacles to free expression and a driving force in efforts to censor online speech.

Under the CMA, a license is required to own and operate a network facility. There are 21 ISPs operating in the country, most of them privately owned. There have not been any reported denials of ISP license applications, but the licensing process could serve as a means of control, and the owners of major ISPs and mobile-phone service providers often have connections to the government. Of the two largest ISPs, TMnet and Jaring, the former is a subsidiary of the privatized national phone company Telekom Malaysia, and the latter is wholly owned by the Ministry of Finance. Maxis Communications, the largest mobile-phone service provider, was founded by Ananda Krishnan, who also owns the largest satellite

[10] "Shahidan Wants Facebook Banned, Cites National Security," *Malaysian Insider*, December 6, 2010, http://www.themalaysianinsider.com/malaysia/article/shahidan-wants-facebook-banned-cites-national-security/.
[11] "Your 10 Questions for Dr. Mohamed Awang Lah," *Star Online*, May 22, 2010, http://biz.thestar.com.my/news/story.asp?file=/2010/5/22/business/6298179&sec=business.
[12] MCMC, "Broadband Meter: Subscribers and Users,".*MyConvergence*, March 2010, http://myconvergence.com.my/main/images/stories/SpecialEdition/pdf/MyConBumper_p97_BBMeter.pdf.
[13] Sira Habu and Shaun Ho, "RM 1 Billion Initiative to Promote High-Speed Broadband Usage," *Star Online*, March 25, 2010, http://thestar.com.my/news/story.asp?file=/2010/3/25/nation/5931577&sec=nation.

broadcaster and enjoys close ties to former prime minister Mahathir Mohamad. Two new mobile-phone providers have joined the market since 2008: YTL Communications and Umobile, both of whose owners are closely associated with the ruling party. Since 2007, some local governments, such as those in Selangor and Kuala Lumpur, have sporadically frozen cybercafe licenses or closed venues operating without licenses in an effort to limit illegal activities like online gambling.[14] While it is not part of a deliberate government effort to restrict public access to the internet, the closure of hundreds of cybercafes in this crackdown has hampered access for the general population in some regions of the country.[15]

LIMITS ON CONTENT

The government does not employ any known filtering technology to actively censor internet content, though the authorities have taken other measures to restrict the circulation of certain information. There are no laws aimed at limiting or censoring the internet in particular, and a provision of the CMA explicitly states that nothing in the act "shall be construed as permitting the censorship of the Internet." The Bill of Guarantees of the Multimedia Super Corridor (MSC), an information-technology development project, also promises no censorship of the internet. The government has generally upheld its pledges to avoid direct censorship, except in the case of an MCMC decision to block the controversial website *Malaysia Today* for two weeks in August 2008.[16] The site, founded by popular blogger Raja Petra Kamarudin, has been very critical of the ruling party, but was unblocked following a public outcry.[17]

In August 2009, news emerged that the Information Minister Rais Yatim had directed the MCMC to issue a tender for a nationwide internet filtering system. Following objections from the public and free speech advocates, the plan was put on hold, though it remains unclear whether it has been permanently abandoned.[18] Meanwhile, many government-linked companies and public universities restrict access for their students and employees to certain sensitive websites, such as the independent online news outlet Malaysiakini.

Although there were no reported instances of technical blocking, there have been cases of administrative efforts to remove content from the internet. The energy, water, and communications minister—then responsible for the MCMC before an April 2009 cabinet

[14] Bavani M and Komala Devi, "Illegal Internet Cafés Biting into Business of Legitimate Cybercafés," *Star Online*, May 21, 2010, http://thestar.com.my/metro/story.asp?file=/2010/5/21/central/6304101&sec=central.
[15] Ibid.
[16] "Syed Hamid Tells Why Malaysia Today was Blocked," *Star Online*, August 29, 2008, http://thestar.com.my/news/story.asp?file=/2008/8/29/nation/22194389&sec=nation.
[17] Sim Leoi Leoi and Florence A. Samy, "MCMC Told to Unblock Malaysia Today (Update 2)," *Star Online*, September 11, 2008, http://thestar.com.my/news/story.asp?sec=nation&file=/2008/9/11/nation/20080911145128.
[18] Rebekah Heacock, "Malaysia Considers, Backs Down From National Internet Filter," OpenNet Initiative Blog, August 13, 2009, http://opennet.net/blog/2009/08/malaysia-considers-backs-down-national-internet-filter.

reorganization—reportedly said in September 2008 that the commission had formed a panel composed of the police, officials from the attorney general's office, and representatives of the Home Ministry to monitor websites and blogs. While there is no comprehensive information available, this mechanism appears to be active, as the MCMC has been known to track online discussions and then instruct bloggers or online news outlets to remove articles or comments that are perceived as antiestablishment or overly critical of the government. Procedures surrounding such requests are generally nontransparent. In one case that received widespread attention, the MCMC in September 2009 directed Malaysiakini to take down two videos from its website. The commission argued that the videos were "provocative" and ordered their removal under the CMA. The first video showed Muslim demonstrators marching with a cow's head to protest the relocation of a Hindu temple, and the second showed the home minister defending the protesters. Malaysiakini's editor-in-chief, Steven Gan, refused to comply with the order, stating that his outlet had no ill intentions in posting the videos. Following an investigation that lasted several days and involved the interrogation of multiple staff members, the MCMC forwarded the case to the attorney general, urging that Malaysiakini be prosecuted for failing to comply with the removal order. Should the attorney general pursue the case, Malaysiakini faces a potential fine of up to 50,000 ringgits (US$14,300), and Gan could receive up to a year in prison.[19]

The level of self-censorship appears to have remained consistent in 2009 and 2010 as compared to previous years. Although the repeated prosecution of bloggers has caused some online writers to exercise greater caution, critical commentary and exposés of official misconduct have a regular presence in online discourse. The authorities discourage free expression on sensitive or "red-line" issues such as Islam's official status, race, royalty, and the special rights enjoyed by *bumiputera* (ethnic Malays and other indigenous people, as opposed to the ethnic Chinese and Indian minorities).

Expanded internet access has led to the emergence of a vibrant blogosphere, and an increasing number of Malaysians are turning to the internet as their main source of news. In a survey of the 50 most-viewed websites, Malaysiakini ranked 13th.[20] Despite such popularity, the site has reportedly encountered difficulties securing advertisements, as businesses fear reprisals given the site's reputation for independent journalism and criticism of the government. The use of social-networking platforms has also become a primary online activity for many individuals. There are almost six million Facebook users in Malaysia, and the country is ranked fourth in the Asia-Pacific region for number of social-networking media users.[21] It was also estimated that there were almost 500,000 Twitter users and two

[19] Reporters Without Borders, "Malaysiakini Website Refuses to Bow to Censorship," news release, September 24, 2009, http://en.rsf.org/malaysia-malaysiakini-website-refuses-to-24-09-2009,34575.
[20] Alexa, "Top Sites in Malaysia," http://www.alexa.com/topsites/countries;0/MY, accessed February 23, 2011.
[21] Harmandar Singh, "The Game of Demystifying Social Media," *Star Online*, May 29, 2010, http://biz.thestar.com.my/news/story.asp?file=/2010/5/29/business/6338710&sec=business.

million bloggers as of mid-2010 in Malaysia.[22] Almost all prominent politicians and civil society groups, including those representing ethnic minorities, blog or tweet regularly, and many also have a presence on Facebook, including Prime Minister Najib Razak.[23] English, and to a lesser extent Malay, are the dominant blogging languages.

Some bloggers have exposed corruption in the government or initiated online campaigns to challenge government policies or improve transparency. Penang Watch, launched in 2007, receives and tracks citizens' complaints to the local government in the northern state of Penang in an effort to increase official accountability. In recent years, nearly half of the complaints posted to the site have reportedly been successfully resolved by the local authorities.[24] In October 2010, after the Home Ministry banned a newly released book on Malaysia's leaders, a decision condemned by human rights groups, an alternative copy was circulated online.[25]A loose coalition of bloggers has formed in an effort to self-regulate and advocate against restrictions on free expression. Although they have held annual meetings to discuss ongoing political developments in Malaysia,[26] they have been relatively ineffective due to a lack of formal organization and mechanisms for punishing offending bloggers other than expulsion from the coalition.[27]

VIOLATIONS OF USER RIGHTS

Malaysia's constitution provides each citizen with "the right to freedom of speech and expression," but allows for limitations on this right. The government exercises tight control over print and broadcast media through restrictions on licensing and the use of the Official Secrets Act (OSA), the Sedition Act, and harsh criminal defamation laws to penalize journalists and other critics. Violations of these laws are punishable by several years in prison. With regard to online expression, the government has, on multiple occasions, circumvented protections afforded by the MSC Bill of Guarantees and the CMA,[28] carrying out arbitrary

[22] Yung-Hui Lim, "105,779,710 Users and New Estimates of Twitter Users in Asia," *GreyReview,* April 20, 2010, http://www.greyreview.com/2010/04/20/105779710-million-users-and-new-estimates-of-twitter-users-in-asia/; "Rais: 2 Million Bloggers Proves media Freedom," *Malaysian Digest*, June 17, 2010, http://www.malaysiandigest.com/entertainment-lifestyle/4742-rais-2-million-bloggers-proves-media-freedom.html.
[23] Najib Razak's blog, *1Malaysia*, can be found at http://www.1malaysia.com.my/.
[24] Sopheap Chak, "Penang Watch," Technology for Transparency Network, February 25, 2010, http://transparency.globalvoicesonline.org/project/penang-watch.
[25] Jerrenn Lam, "Malaysia: Home Ministry Bans Controversial Book," Global Voices, October 4, 2010, http://globalvoicesonline.org/2010/10/04/malaysia-home-ministry-bans-controversial-book/.
[26] "Malaysia's Bloggers Debate 'Allah' Issue," Union of Catholic Asian News, May 24, 2010, http://www.ucanews.com/2010/05/24/muslim-bloggers-debate-%E2%80%98allah%E2%80%99-issue/.
[27] Ahirudin Bin Attan, "National Alliance of Bloggers Set Up," *Rock'y Bru* (blog), April 5, 2007, http://rockybru.com.my/2007/04/national-alliance-of-bloggers-set-up.html.
[28] Multimedia Super Corridor (MSC), "MSC Malaysia 10-Point Bill of Guarantees," http://www.mscmalaysia.my/topic/MSC+Malaysia+Bill+of+Guarantees, accessed November 16, 2010; MCMC, "Communications and Multimedia Act 1998," http://www.skmm.gov.my/index.php?c=public&v=art_view&art_id=43,

arrests and launching investigations against internet users under the older, more restrictive laws that had principally been applied to traditional media. In 2009 and 2010, the government also sought to restrict online expression under the CMA itself, particularly relying on the broadly worded Section 233, which bans content deemed "indecent, obscene, false, threatening, or offensive."[29]

Throughout 2009 and 2010, a number of bloggers faced legal harassment, intimidation, fines, and brief periods of detention. No bloggers were imprisoned at year's end, though several had charges pending against them. Bloggers who had been targeted earlier also continued to face legal proceedings, and some new charges were issued. Raja Petra, the blogger and *Malaysia Today* founder, was charged with sedition and criminal defamation in 2009 over his writings implicating the prime minister and his wife in the killing of a Mongolian national. He left the country halfway through his trial, and warrants were issued for his arrest.[30] The charges against him were dropped pending his return to Malaysia. In 2010, new police reports were filed against Petra for his continued criticism of the government from exile,[31] with many ruling party leaders calling for him to be extradited and put on trial. Some have also called for his citizenship to be revoked.[32] In another case, musician Wee Meng Chee, also known as NameWee, was investigated in August 2007 for a parody of the national anthem that was posted on YouTube, and faced another probe in 2009 for criticizing national power supplier Tenaga Nasional over a blackout. In August 2010, police reportedly visited Wee late at night, allegedly as part of an investigation of sedition charges for a video he had posted on YouTube criticizing a school principal for expressing racist slurs about her students.[33]

Over the last two years, several individuals have also been arrested and charged with sedition under the CMA for comments posted in blogs,[34] and for alleged threats made on Facebook.[35] Many of these cases involve individuals who had been critical of Malaysian

accessed November 16, 2010.

[29] Reporters Without Borders, "Malaysiakini Website Refuses to Bow to Censorship."

[30] Teh Eng Hock, "Raja Petra Can't Be Tried in Britain," *Star Online*, May 26, 2010, http://thestar.com.my/news/story.asp?file=/2010/5/26/nation/6340987&sec=nation.

[31] K Kabilan, "RPK: 1Malaysia Will Be Najib's Downfall," *Free Malaysia Today*, May 25, 2010, http://politicalwatchmalaysia.blogspot.com/2010/05/rpk-1malaysia-will-be-najibs-downfall.html "Perkasa Makes Police Report Against Raja Petra," *Malaysia Today,* January 7, 2010; http://malaysia-today.net/mtcolumns/newscommentaries/29452-perkasa-makes-police-report-against-raja-petra.

[32] "Revoke RPK's Citizenship, Government Urged," *Star Online*, May 30, 2010, http://thestar.com.my/news/story.asp?file=/2010/5/30/nation/6369336&sec=nation.

[33] "High-Voltage Insult of TNB Lands Namewee in Trouble," Malaysiakini, November 24, 2009, http://www.malaysiakini.com/news/118254; Lim Kit Siang, "Why Police Investigating Wee Meng Chee for Sedition When There is Nothing Seditious in his Latest 3-Minute Rap Against the Kulai Secondary School Principal for Making Racist Slurs Against Students?," *Lim Kit Siang* (blog), August 31, 2010, http://blog.limkitsiang.com/2010/08/31/why-police-investigating-wee-meng-chee-for-sedition-when-there-is-nothing-seditious-in-his-latest-3-minute-rap-against-the-kulai-secondary-school-principal-for-making-racist-slurs-against-students/.

34 Charles Ramendran, "Bomb Threat by Blogger," *Sun2Surf*, January 13, 2010, http://www.sun2surf.com/article.cfm?id=42322.

[35] G Vinod, "PAS Member: I Did Not Threaten to Kill Saiful," *Free Malaysia Today*, May 19, 2010,

royalty. In early 2009, a constitutional crisis erupted in the state of Perak, where the opposition had gained control in the 2008 elections. Due to defections to the BN, the two sides became evenly divided in the state legislature, both claiming the right to govern. Perak's head of state, Sultan Azlan Shahmade, subsequently made a crucial decision that allowed the BN to regain control of the state government, prompting some internet users to criticize the sultan. Among them were two bloggers, Ahiruddin Attan, known online as Rocky Bru, and Jed Yoong, a former writer for the opposition Democratic Action Party's publication *Rocket*. They were questioned by police in February 2009 over their critiques of the monarchy, but were quickly released.[36] In March of that year, eight more people were charged for making online comments that allegedly insulted the Perak royal family under Section 233(1) of the CMA and Section 34 of the penal code. One of the individuals pleaded guilty and was sentenced to a fine of 10,000 ringgits (US$2,700) or, in default, five months in jail.[37] The spate of cases marked the first time the CMA had been used to charge individuals for comments posted online, setting a precedent that continued to play out in 2010. In January, blogger Khairul Nizam Abdul Ghani was charged with sedition under the CMA for posting comments that insulted a deceased state ruler. He faced a maximum penalty of one year in prison and a fine of up to 50,000 ringgits (US$13,500).[38]

In some cases, bloggers faced legal harassment for content that most observers regarded as humorous satire. On September 24, 2010, police arrested cartoonist Zulfiklee Anwar Ulhaque, better known as Zunar, under the country's Internal Security Act, for publishing cartoons that were deemed insulting to the prime minister and his deputy. Police seized more than 60 copies of a newly published book of his cartoons and raided the offices of Malaysiakini, where Zunar works. Zunar was released soon after his arrest and no formal charges were pressed, though they could be revived at any time.[39] As of the end of 2010, he was reportedly attempting to sue the authorities for unlawful detention.[40] Another blogger, Irwan Abdul Rahman, was charged by the MCMC for circulating false news over a satirical blog post claiming that Malaysia's main utility company was planning to sue the World Wildlife Fund for its Earth Hour initiative, in which individuals are requested to turn off all

http://www.freemalaysiatoday.com/fmt-english/news/general/5771-pas-member-i-did-not-threaten-to-kill-saiful.

[36] Centre for Independent Journalism, "Debate on Royal Powers Draws Attacks and Threats; Bloggers Ahiruddin Attan and Jed Yoong Questioned by Police," International Freedom of Expression eXchange (IFEX), March 4, 2009, http://www.ifex.org/malaysia/2009/03/04/capsule_report_debate_on_royal/.

[37] Centre for Independent Journalism, "Six People Charged with 'Insulting' Royalty Online," IFEX, March 16, 2010, http://www.ifex.org/malaysia/2009/03/16/six_people_charged_with_insulting/; IFEX, "Government Hounds Bloggers That Criticise Royalty," news release, March 25, 2009, http://www.ifex.org/malaysia/2009/03/25/government_hounds_bloggers_that/.

[38] "Malaysian Blogger Charged with Insulting Dead Sultan," *China Post,* January 31, 2010, http://www.chinapost.com.tw/asia/malaysia/2010/01/31/243065/Malaysian-blogger.htm.

[39] "Malaysian Cartoonist Goes into Hiding After Sedition Arrest," RFI English, September 28, 2010, http://www.english.rfi.fr/asia-pacific/20100928-malaysian-cartoonist-goes-hiding-after-sedition-arrest.

[40] Tom Spurgeon, "CR Holiday Interview #7: Zunar," *The Comics Reporter*, December 27, 2010, http://www.comicsreporter.com/index.php/cr_holiday_interview_7_zunar/.

lights and electrical appliances for one hour.[41] He was released on bail, and the court date was set for March 2011. If found guilty, Rahman could be fined up to 50,000 ringgits (US$13,500) or be sentenced to a year in jail.[42]

Two other cases involved complaints over content related to religion or corruption allegations. On August 9, 2010, the right–wing group Perkasa lodged a complaint against blogger Helen Ang for authoring an article that questioned the position of Islam in Malaysia.[43] In October, Malaysia's minister for Information, Communication and Culture lodged a police complaint against two bloggers who alleged that the minister's son had received part of the ministry's1 billion ringgits (US$ 320 million) allocated for improving broadband access in the country.[44] The minister denied the allegations.

The extent of government surveillance of the internet is unclear. However, in recent years the authorities have repeatedly hinted that they may take steps to register bloggers. The information minister floated the idea in May 2009 and again in January 2010, but it was temporarily set aside following protests by the blogging community and several media outlets. Privacy protections are generally poor in Malaysia, and the Internal Security Act allows police to search and seize evidence without a warrant.[45] The authorities appear to be capable of tracking down anonymous internet and mobile-phone users with the help of service providers. Indeed, ongoing court cases indicate that police regularly gain access to the content of text messages from telecommunications companies, sometimes without needing to go through judicial channels. Beginning in 2007, all mobile-phone users, including roughly 18 million prepaid users, were required to register as part of an effort to decrease rumor-mongering activities,[46] though the rule appears to have been weakly enforced. Users in cybercafes are not required to register.

While bloggers and online journalists have been subject to arbitrary arrest, they generally do not face physical violence. However, independent online news outlets and some opposition-related websites faced repeated distributed denial-of-service (DDoS) attacks in 2009 and 2010. Although the attacks have not been conclusively traced to the government, some observers believe that they are either sponsored or condoned by Malaysian security agencies. The *Malaysia Today* website reportedly faced two such attacks in 2009 and another two in 2010, with each crippling the site for four to six hours. A new website, *Free Malaysia*

[41] Reena Raj, "MM Editor Charged for Poking Fun at TNB," Malay Mail, September 2, 2010, http://www.mmail.com.my/content/48276-mm-editor-charged-poking-fun-tnb.
[42] Hafizah Hoze Rizal, "Blogger Hassan Skodeng's Case Set for March 15," Malay Mail, January 26, 2011, http://www.mmail.com.my/content/62051-blogger-hassan-skodengs-case-set-march-15.
[43] "Perkasa Lodges Report Against Blogger," Malaysian Insider, August 9, 2010, http://www.themalaysianinsider.com/malaysia/article/perkasa-lodges-report-against-blogger/.
[44] Cecilia Victor, "Rais Yatim Lodges Report Over Allegations Against Son," Malay Mail, October 12, 2010, http://www.mmail.com.my/content/52046-rais-yatim-lodges-report-over-allegations-against-son.
[45] Privacy International, "Privacy in Asia: Final Report of Scoping Project," November 2009, https://www.privacyinternational.org/issues/asia/privacy_in_asia_phase_1_report.pdf.
[46] "Dec 15 Registration Deadline Stays: MCMC," Bernama, August 18, 2006, http://www.bernama.com/kpdnhep/news.php?id=214811&lang=en, accessed March 20, 2009.

Today, launched in November 2009, was subject to multiple attacks throughout 2010.[47] Similarly, oppositionist websites such as the official site of the People's Justice Party and the blog of its leader, Anwar Ibrahim, suffered DDoS attacks in 2010.[48]

[47] "FMT Comes Under DDOS Attack," *Free Malaysia Today*, April 7, 2010, http://freemalaysiatoday.com/fmt-english/news/general/4294-fmt-comes-under-ddos-attack.
[48] Neville Spykerman, "Cyber Attack: Anwar's Blog Latest to Be Hit," Malaysia Today, September 10, 2010, http://www.malaysia-today.net/mtcolumns/newscommentaries/34410-cyber-attack-anwars-blog-latest-to-be-hit.