



Cultural Dimensions in Cyberspace: The Malaysian Experience

السَّلَامُ عَلَيْكُمْ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ



agenda

Introduction

Malaysian Identity and Culture

Challenges

MALAYSIAN COMMUNICATIONS AND MULTIMEDIA OUTLOOK



66.8%

Household Broadband
Penetration

6,240,600

Total Broadband Subscriptions

19,200,000

Internet User Nationwide



3,741,900

Total Wireless Broadband
Subscriptions

83.7%

3G Coverage on Populated Area



96.8%

Cellular Coverage on Populated Area

16,415,000

3G Subscriptions

42,604,000

Cellular Subscriptions

143.4%

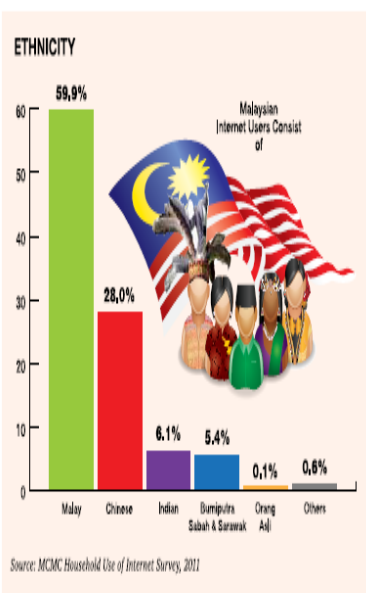
Cellular Penetration Rate

Data as of Q2 2013

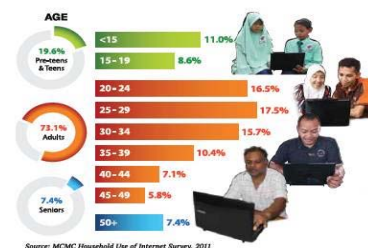
http://skmm.gov.my/skmmgovmy/media/General/pdf/SKMM_Q2_Eng.pdf

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Malaysian Internet User Profile



2011



2012

PreTeen & Teens

13.2%

Adults

73.9%

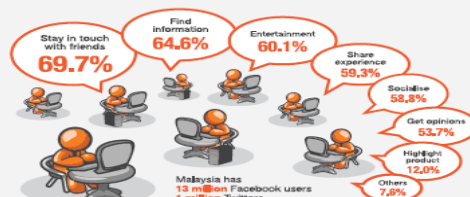
(34% age 20-29)

Seniors

13.2%

WHAT'S ON YOUR MIND?

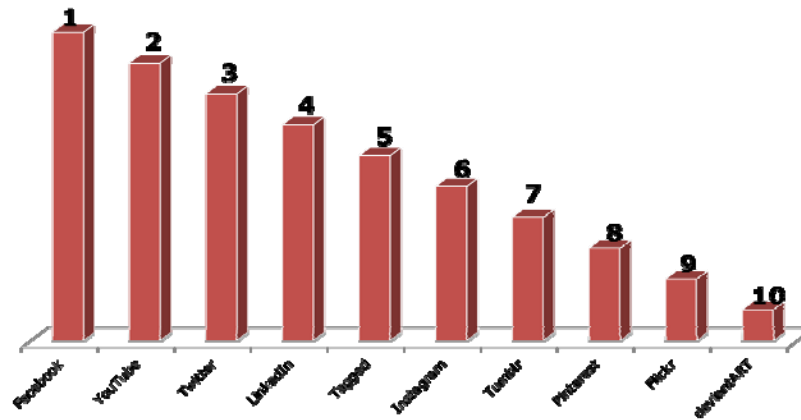
What did Malaysian social networkers really do?



What goes online, stays online!

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Malaysian Top 10 Social Networks - 2012



Note: The sites in Table 18 are ordered by their one-month Alexa traffic rank. The one-month rank is calculated using a combination of average daily visitors and page views over the past month. The site with the highest combination of visitors and page views is ranked first⁴⁹

Source: Adapted from Alexa.com, "Top Sites in Malaysia"⁵⁰

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Type of complaints	Nos.
1. Menacing/Offensive	301
2. False	287
3. Obscene	176
4. Fraud (including phishing)	102
5. Others	144
Total	1,010



Malaysian Identity and Culture Must be jealously guarded, developed, preserved and promoted

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• Jalur Gemilang (Malaysian Flag)

Cultural representation through National Identity

The picture of the Malaysian Flag indicates the background is tri-color - Red, white and blue

According to Ancient and Heraldic traditions much symbolism is associated with colors.

The colors on the Malaysian flag represent the following:

- White - peace and honesty
- Red - hardiness, bravery, strength & valour
- Blue - vigilance, truth and loyalty, perseverance & justice. The blue field also symbolizes the unity of the Malaysian people
- Yellow - the yellow seen on the crescent and star is the color of the royal family and representation of Islam as the Official Religion of Malaysia



Examples of other laws which apply to common online situations



Penal Code (Act 574)

Wantonly giving provocation, with intent to cause riot

153. Whoever maliciously or wantonly, by doing anything which is illegal, gives provocation to any person, intending or knowing it to be likely that such provocation will cause the offence of rioting to be committed, shall, if the offence of rioting is committed in consequence of such provocation, be punished with imprisonment for a term which may extend to one year, or with fine, or with both; and if the offence of rioting is not committed, with imprisonment for a term which may extend to six months or with fine or with both.

Causing, etc., disharmony, disunity, or feelings of enmity, hatred or ill-will, or prejudicing, etc., the maintenance of harmony or unity, on grounds of religion

298A. (1) Whoever by words, either spoken or written, or by signs, or by visible representations, or by any act, activity or conduct, or by organizing, promoting or arranging, or assisting in organizing, promoting or arranging, any activity, or otherwise in any other manner—

(a) causes, or attempts to cause, or is likely to cause disharmony, disunity, or feelings of enmity, hatred or ill will; or
(b) prejudices, or attempts to prejudice, or is likely to prejudice, the maintenance of harmony or unity,

on grounds of religion, between persons or groups of persons professing the same or different religions, shall be punished with imprisonment for a term of not less than two years and not more than five years.

What goes online, stays online!

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Examples of other laws which apply to common online situations



Penal Code (Act 574)

Act caused by inducing a person to believe that he will be rendered an object of Divine displeasure

508. Whoever voluntarily causes or attempts to cause any person to do anything which that person is not legally bound to do, or to omit to do anything which he is legally entitled to do, by inducing or attempting to induce that person to believe that he, or any person in whom he is interested, will become or will be rendered by some act of the offender an object of Divine displeasure if he does not do the thing which it is the object of the offender to cause him to do, or if he does the thing which it is the object of the offender to cause him to omit, shall be punished with imprisonment for a term which may extend to one year or with fine or with both.

Word or gesture intended to insult the modesty of a person

509. Whoever, intending to insult the modesty of any person, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen by such person, or intrudes upon the privacy of such person, shall be punished with imprisonment for a term which may extend to five years or with fine or with both

What goes online, stays online!

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Religious Blasphemy



Facebook Response:

After the review our team have not found any violations of our Terms of Services. User's are allowed to create content that is against different religions (Christianity, Buddhism, Islam) so long as they target ideas, practices and beliefs. It is true that we will remove content that specifically targets a Muslim person but our review shows that the Page and profile is criticizing the religion itself, which again is allowed. If you feel there are posts targeting Muslim people, then we will be happy to re-review, however please note criticizing the Islam religion and offending a Muslim is different that directly attacking a person based on their religious belief.

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Community Guideline VS National Aspirations



YouTube Response:

We are unable to identify a Community Guidelines violation in the content you reported. For more information regarding our Community Guidelines, please visit: http://www.youtube.com/t/community_guidelines

We would encourage you to try to resolve any issues directly with the creator of the content in question. You may be able to contact the user through YouTube's private messaging feature. To learn more about sending private messages, please visit: <http://support.google.com/youtube/bin/answer.py?hl=en&answer=57955>

Community Guideline VS National Aspirations



SIX CHARGED WITH INSULTING SULTAN



I'm guilty

Private school lab assistant Azrin Md Zain admitted posting offensive comments against the Sultan of Perak on the Internet last month and was fined RM10,000 in default five months' jail. "I will not touch the website any more because Malaysians are sensitive," he said.

We are not guilty

Land surveyor Nor Hisham Osman, 36, pleaded not guilty to committing the offence at his residence in Seri Kembangan on Feb 11.

Mobile phone shop owner Rurtin Suhaimin, 36, claimed trial to the charge of committing the offence in the interior Kundasang town.

KURUP KEEPS PENSIANGAN
>N6

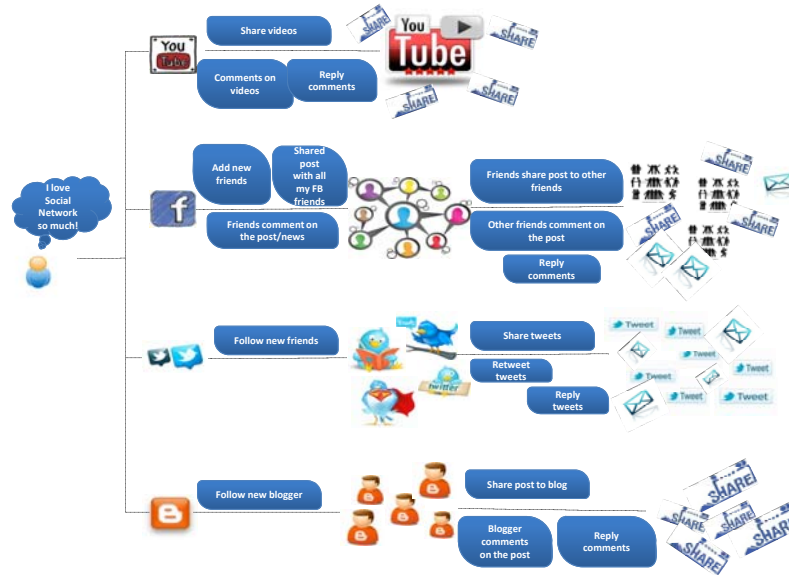
TERESA SUES OVER ARREST
>N16

SIVA CAN HIRE LAWYER
>N18

Self-employed Muslim Ahmad, 54, claimed trial to committing similar offences in Setapak between Feb 7 and Feb 8.

Chan Hon Keong, 26, claimed trial to committing the offence in Permatang Pauh. His wife Khoo Hui Shuang was not in court.

Emergence of Social Media Culture?



Challenges and Way Forward



ISSUES	PROBLEMS	IMPACT
SUSPECT'S INFORMATION	<ul style="list-style-type: none"> • Impersonation is easy by using the techniques available for free on line 	<ul style="list-style-type: none"> • Difficulty in obtaining evidence such as IP addresses and the suspect's activities/movement.
ADMINISTRATOR AND WEB SITE ARE HOSTED IN OVERSEAS	<ul style="list-style-type: none"> • Not subjected to the country's law. • Not cooperating with MCMC/other Authority • Subjected to the country's law where it is hosted. • Confidentiality policy – Not reveal the details of the website owner 	<ul style="list-style-type: none"> • Need to go through the legal process & procedures of foreign country (Mutual Legal Assistance) which is limited and time consuming.
THE CONTENT CAN BE CHANGED EASILY OR TRANSFERRED	<ul style="list-style-type: none"> • Unable to detect the content that is in breach of laws. 	<ul style="list-style-type: none"> • No evidence of an offence
NO ACCURATE RECORDS OR CONSUMER DATA TRANSACTION/ACTIVITY	<ul style="list-style-type: none"> • ISP do not store the required records or data • Information stored in the computer can be deleted. 	<ul style="list-style-type: none"> • Unable to connect the suspect with the offence committed
INTERNET CONTENT TOO MANY AND UNORGANISED	<ul style="list-style-type: none"> • Manual surveillance requires extra manpower. • Unable to manage information systematically 	<ul style="list-style-type: none"> • Unable to swiftly trace the content which is in breach of the law



INTERNATIONAL COOPERATION

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Chair of ASEAN Telecommunications Regulatory Council (ATRC) Network Security Working Group
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A member of the Security & Prosperity Steering Group (SPSG) of APEC Telecommunications and Information Working Group (APECTEL)
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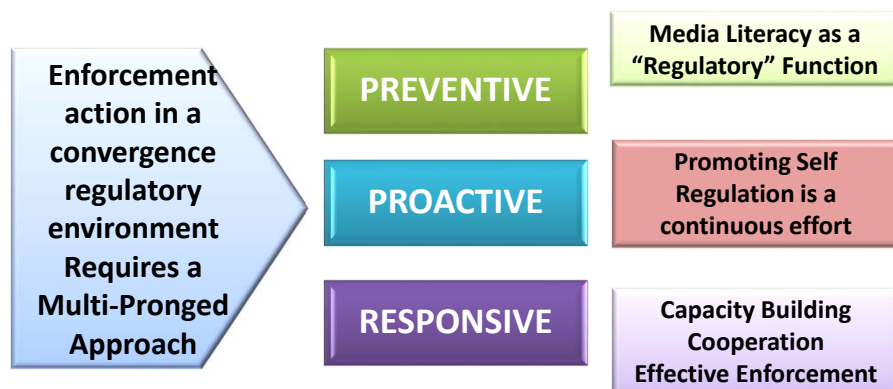
Member of Steering Committee of the Meridian (A meeting and workshop for Governmental and Regulatory bodies responsible for the protection of critical infrastructure)
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Signatory of the Seoul-Melbourne MoU against Spam and member of the London Action Plan
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MoU with Korean Communications Standards Commission
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Member of IIC International Regulators Forum

CONCLUSIONS



Thank You



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