

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Malaysia: Authorities must release Anwar Ibrahim and end crackdown on dissent**

The Malaysian authorities must immediately and unconditionally release former opposition leader Anwar Ibrahim, who has now spent a year in prison on politically motivated charges. Amnesty International regards Anwar Ibrahim as a prisoner of conscience, who has been targeted solely for peacefully exercising his right to freedom of expression.

The 'sodomy' case against Anwar Ibrahim began in 2008. The Malaysian High Court cleared him of all charges in 2012, but the Court of Appeal overturned the acquittal in March 2014 and sentenced him to five years in prison. On 10 February 2015, Malaysia's Federal Court, the highest court in the country, upheld the decision of the Court of Appeal. The conviction disqualified him from political office and contesting in the next general election.

Numerous human rights groups have raised concerns about Anwar Ibrahim's trial and his treatment in detention. In November 2015, the United Nations Working Group on Arbitrary Detention (WGAD) found that his detention amounted to an arbitrary deprivation of liberty and that the best remedy was to release him immediately and ensure that his political rights be reinstated.

The WGAD also considered that his freedom of opinion and expression and his right to take part in government had been violated under Articles 19 and 21 of the Universal Declaration of Human Rights (UDHR) and that his treatment during detention may have violated the prohibition of torture or other cruel, inhuman and degrading treatment under Article 5 of the UDHR.

This is not the first time that Anwar Ibrahim has been jailed. In 1998, after calling for political reform, then Deputy Prime Minister Anwar Ibrahim was dismissed from government and arrested for corruption and committing 'illegal' homosexual acts – allegations he has always denied. He was beaten up while in police custody and convicted for corruption in 1999 and for 'sodomy' in 2000. He remained imprisoned until 2004 when the 'sodomy' conviction was overturned.

The criminalization of consensual sexual activity between adults – including those of the same sex – is contrary to international human rights law. No person should be arrested or detained for consensual sex with another adult – it is not a recognisable criminal offence under international law. Malaysia's 'sodomy' law should be removed from the statute book altogether.

Anwar Ibrahim's imprisonment comes amidst a wider crackdown on freedom of expression and political dissent in Malaysia. A recent report by Amnesty International highlights how at least 91 people, including human rights defenders, political activists, journalists, academics, and opposition politicians, were investigated, arrested or charged in 2015 alone under the 1948 Sedition Act. Other laws that have been used to silence critical voices include the 1984 Printing Presses and Publications Act, the 1998 Multimedia and Communications Act, the 2012 Peaceful Assembly Act and the 2012 Security Offences (Special Measures) Act.

Amnesty International calls on the Malaysian government to take immediate steps to repeal or amend all laws that impose unnecessary and disproportionate restrictions on the rights to freedom of expression and peaceful assembly and bring them into compliance with international human rights law and standards. The authorities should also drop charges and quash convictions against all individuals who have been targeted simply for peacefully exercising their right to freedom of expression.