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AUSTRALIA: POLITICAL ACTIVIST BECOMES FIRST PRISONER OF  
CONSCIENCE FOR OVER 20 YEARS

The Australian Federal Government should immediately and unconditionally release Albert Langer whom the organization considers to be the first prisoner of conscience in the country for over 20 years, Amnesty International said today.

“It is outrageous that anyone can find themselves in jail for a non-violent campaign urging citizens to make use of a legally acceptable form of voting,” the human rights organization said.

“We find it difficult to comprehend why the Australian Electoral Commission on the one hand declares as acceptable the optional form of voting advocated by Albert Langer, while on the other hand initiates legal action which ultimately led to his imprisonment for 10 weeks.”

Amnesty International believes that Albert Langer's imprisonment is a direct result of the exercise of his right to freedom of expression.

“By seeking the injunction the Australian authorities have interfered with the free exercise of that right guaranteed in the Universal Declaration of Human Rights, and also in the International Covenant on Civil and Political Rights, to which Australia is a party,” the organization said.

Albert Langer, a locally well-known political activist, had unsuccessfully challenged the validity of section 329A of the Commonwealth Electoral Act 1918 in the High Court of Australia. This section provides for prison sentences of up to 6 months for anyone who publicly encourages voters to fill in a ballot paper otherwise than in a clearly preferential manner.

Voting is compulsory in Australia, and voters in House of Representatives elections are asked to fill in their ballot papers by placing the numbers 1, 2, 3, 4, 5, etc, next to the candidates's names to indicate preference.

Following a complaint by the Australian Electoral Commission, the Victorian Supreme Court issued an injunction on 8 February 1996 ordering Albert Langer to stop urging Australians to mark ballot papers in a way that would have given preference to smaller political parties at the expense of the two major parties.

On 14 February 1996, Albert Langer was sentenced to 10 weeks' imprisonment for contempt of court after he had ignored the Victorian Supreme Court order to stop his campaign.

“Albert Langer's imprisonment is ultimately the result of contradictory provisions in the Australian Electoral Act affecting his fundamental right of freedom of expression,” Amnesty International said. “We regard him as a prisoner of conscience.”

The organization uses the term ‘prisoners of conscience’ to describe those imprisoned for their political, religious or other conscientiously held beliefs, or by reason of their ethnic origin, sex, colour, language, national or social origin, economic status, birth or other status who have not used or advocated violence.

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