

14 January 2000
AI INDEX: ASA 28/01/00

PUBLIC STATEMENT

Malaysia: Opposition leaders charged with sedition - selective prosecutions reflect politically-motivated misuse of restrictive laws

Amnesty International today expressed grave concern at the Malaysian Government's renewed use of restrictive laws, including the Sedition Act and the Official Secrets Act (OSA), to charge journalists, publishers and leading members of opposition parties, including former deputy Prime Minister Anwar Ibrahim's defence lawyer, Karpal Singh.

"Hopes that divisions within Malaysian society might begin to be reconciled through a renewed respect for the right of all citizens to peacefully express dissenting views have been dashed - the Malaysian authorities are once again resorting to selective prosecutions to curb and deter freedom of expression."

Today, opposition Democratic Action Party (DAP) deputy chairman Karpal Singh and Keadilan (KDN - National Justice Party) vice-president Marina Yusoff pleaded not guilty to charges of sedition, while former Anwar Ibrahim aide Mohamad Ezam Noor denied charges under the OSA.

Yesterday, Zulkifli Sulong, editor of the opposition Parti Islamic SeMalaysia (PAS) newspaper 'Harakah', and its publisher, Chia Lim Thye, also denied charges of publishing an allegedly seditious article.

Amnesty International has long believed that the continued existence of an array of restrictive laws in Malaysia, many unable to be challenged in court, pose a grave threat to fundamental rights of freedom of expression, association and assembly.

The organisation fears that the safeguards designed to prevent the authorities from using such laws to initiate selective prosecutions for political purposes have been fundamentally weakened.

The organisation is concerned that, under the current broadly-defined terms of the Sedition Act, both government and opposition figures have made statements in the course of public and electoral debate which can be interpreted as potentially seditious. However, only opposition members have now been charged.

"Charging political leaders and journalists with sedition threatens to strike at the heart of free speech in a democratic society. Charging lawyers with sedition for statements made in court in defence of their clients threatens the rights of fair trial. When such prosecutions appear to fall solely on opposition figures, public confidence in the rule of law and administration of justice risks being seriously undermined," Amnesty International said.

Amnesty International is also concerned that the courts may not provide an adequate defence of the fundamental right of freedom of expression enshrined in the Malaysian Constitution and in international human rights law. In 1998 Lim Guan Eng, a DAP parliamentarian charged with sedition, was sentenced to 18 months imprisonment. A prisoner of conscience, he was released in August 1999.

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