

URGENT ACTION

NINE CHARGED OVER PEACEFUL PROTEST

An opposition parliamentarian, and eight other politicians and activists, have been charged by a Malaysian court for taking part in peaceful protests in February and March.

Nine people, including an opposition parliamentarian, were charged by the Kuala Lumpur Magistrate's Court on 8 September, for taking part in the #KitaLawan ("We Fight") protest rally organized by opposition political parties, NGOs and students on 28 March, and street demonstrations in February leading up to it, though both were peaceful.

The nine people charged are Bayan Baru MP **Sim Tze Tzin**, electoral reform group Bersih 2.0 chair **Maria Chin Abdullah**, Mohd Fariz Abd Talib Musa, Mandeep Singh, Adam Adli, Teja Assemblyman **Chang Lih Kang**, Special Aide to Batu MP **Mohd Rozan Azen Mat Rasip**, Semambu Assemblyman **Lee Chean Chung** and Amanah Negara Party and Perak state Youth Chief **Fakhrulrazi Mohd Mokhtar**. All nine took part in the #KitaLawan rally on 28 March calling for political reforms, especially the release of former Deputy Prime Minister Anwar Ibrahim, jailed in February on a politically motivated charge of "sodomy". He is a prisoner of conscience.

Eight of them have been charged with "organizing or participating in a street protest", under Section 4 (2) (c) of the Peaceful Assembly Act of 2012, and have court hearings set for 16 and 19 October. Fakhrulrazi Mohd Mokhtar has been charged under Section 4 (1) (b) of the Sedition Act over a speech he gave during a street protest held on 21 March. His first hearing will be on 11 December.

These charges appear to be retaliation for mass demonstrations held in Kuala Lumpur on 29 and 30 August, in which all nine took part. The rallies were known as "Bersih 4", demanding better governance and institutional reforms and were organized by electoral reform group Bersih 2.0.

Please write immediately in English, Malay or your own language:

- Urging the authorities to ensure that all charges against Sim Tze Tzin, Maria Chin Abdullah, Mohd Fariz Abd Talib Musa, Mandeep Singh, Adam Adli, Chang Lih Kang, Mohd Rozan Azen Mat Rasip, Lee Chean Chung and Fakhrulrazi Mohd Mokhtar are dropped, as they are based solely on the nine's peaceful exercise of their rights to freedom of expression and assembly;
- Calling on them to ensure that all people in Malaysia are free to peacefully exercise their rights without fear of criminalization or other reprisals;
- Urging them to immediately repeal all laws restricting the rights to freedom of expression and peaceful assembly.

PLEASE SEND APPEALS BEFORE 22 OCTOBER 2015 TO:

Prime Minister

Datuk Seri Najib Tun Razak
Prime Minister's Office of Malaysia,
Main Block, Perdana Putra Building
Federal Government Administrative
Centre, 62502 Putrajaya, Malaysia
Fax: +60 (0)3 8888 3444
Email: ppm@pmo.gov.my
Salutation: Your Excellency

Attorney General

Tan Sri Mohamed Apani Ali
Attorney General's Office
No. 45, Persiaran Perdana, Precint 4
62100, Putrajaya, W.P Putrajaya
Malaysia
Fax: +60 (0)3 8890 5670
Email: pro@agc.gov.my
Salutation: Dear Attorney General

And copies to:

Chairperson, Human Rights Commission
of Malaysia (SUHAKAM)
Tan Sri Hasmy Agam
11th Floor, Menara TH Perdana,
Jalan Sultan Ismail, 50250,
Kuala Lumpur, Malaysia
Fax: +60 (0)3 2612 5620
Email: humanrights@suhakam.org.my

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

NINE CHARGED OVER PEACEFUL PROTEST

ADDITIONAL INFORMATION

Since losing the popular vote in the 2013 elections, although ultimately holding on to power, the Malaysian authorities have overseen a far-reaching crackdown on freedom of expression, using the 1948 Sedition Act to investigate, charge and imprison human rights defenders, as well as opposition politicians, journalists, academics and students. Since the beginning of 2015, at least 60 people have been investigated, arrested or charged under the Sedition Act. The 2014 total was 44.

Law professor Azmi Sharom, who has been charged under the Sedition Law, lodged a legal challenge against the constitutionality of the law before the Federal Court, so proceedings in other sedition cases have been stayed. The Malaysian authorities have shifted to the use of other repressive laws to clamp down on freedom of expression and assembly such as the Printing Presses and Publications Act and Peaceful Assembly Act. Provisions in the Penal Code have also been used to silence dissent, in particular Section 124b, which criminalizes “activities that threaten parliamentary democracy”, and Section 143, despite the law limiting this only to violent assemblies with criminal elements.

The crackdown on dissent has increased since a corruption scandal around the alleged misappropriation of hundreds of millions of dollars from the state-owned development company 1Malaysia Development Berhad (1MDB), allegedly involving Prime Minister Najib Razak. Instead of genuinely trying to get to the truth of the corruption allegations and bring those responsible to justice, the Malaysian authorities have been harassing, silencing and locking up those who demand accountability.

Opposition lawmakers have been given travel bans, apparently because they have criticised the government’s handling of the 1MDB crisis. Two media outlets, *The Edge Financial Daily* and *The Edge Weekly*, were suspended from operating on 24 July, for their reporting of the scandal, which the authorities said was “prejudicial or likely to be prejudicial to public order, security or public and national interest.”

Names: Sim Tze Tzin, Maria Chin Abdullah, Mohd Fariz Abd Talib Musa, Mandeep Singh, Adam Adli, Chang Lih Kang, Mohd Rozan Azen Mat Rasip, Lee Chean Chung, Fakhrulrazi Mohd Mokhtar
Gender m/f: Both

UA: 194/15 Index: ASA 28/2426/2015 Issue Date: 10 September 2015