

URGENT ACTION

FREE POLITICIAN HELD FOR EXPOSING CORRUPTION

Politician Khairuddin Abu Hassan was arrested on 23 September under a national security legislation for reporting corruption. He is now serving 28 days' detention without trial and there are concerns for his safety.

Khairuddin Abu Hassan, former vice-head of the Batu Kawan division of the ruling party United Malays National Organisation (UMNO), was arrested by the Malaysian police on 23 September under the Security Offences (Special Measures) Act (SOSMA). According to the police he was arrested for submitting reports about corruption to various international law-enforcement agencies despite the fact the Malaysian authorities were already investigating the matter. Under the SOSMA, an individual can be detained without trial for up to 28 days. On the day of his arrest, Khairuddin Abu Hassan was taken to the Dang Wangi Police Station in the capital, Kuala Lumpur, where he is being investigated for "attempting to sabotage the state" (section 124L of the Penal Code) and "sabotage" (section 124K of the Penal Code). If found guilty under section 124K, he could be imprisoned for life.

Khairuddin Abu Hassan was arrested on 18 September on suspicion of acting to "topple the government" and was investigated under Section 124C of the Penal Code, which deals with activities deemed "detrimental to parliamentary democracy". He was remanded in custody for five days.

On 14 September, Khairuddin Abu Hassan and his lawyer, Matthias Chang, had been barred from leaving Malaysia for the United States. They were planning to submit reports to the FBI allegedly containing evidence of money-laundering involving Prime Minister Najib Razak, in connection with the state-owned investment company 1Malaysia Development Berhad (1MDB). Khairuddin Abu Hassan had reportedly provided similar material to the authorities in Switzerland, UK, Singapore and Hong Kong. Amnesty International believes the charges against Khairuddin Abu Hassan are part of a concerted effort to silence those exposing corruption in relation to the 1MDB.

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

- Calling on the authorities to release Khairuddin Abu Hassan immediately and unconditionally, and ensure that all charges against him are dropped, as he is a prisoner of conscience detained solely for peacefully exercising his human right to receive and impart information;
- Urging them to ensure that, pending release, Khairuddin Abu Hassan is not tortured or otherwise ill-treated, that he has regular access to his family and lawyers of his choosing, and that he is kept in conditions that meet international standards;
- Calling on them to end arbitrary arrest, detention, harassment and restrictions on freedom of movement against peaceful critics of the government;
- Urging them to review or repeal the Security Offences (Special Measures) Act, and all laws that allow for "preventive" or other administrative detention and undermine fair trial rights.

PLEASE SEND APPEALS BEFORE 6 NOVEMBER 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: +66 3 8888 3444
Email: ppm@pmo.gov.my
Salutation: **Your Excellency**

Attorney General
Tan Sri Mohamed Apandi Ali
Attorney General's Office
No. 45, Persiaran Perdana, Precinct 4
62100, Putrajaya, W. Putrajaya
Malaysia
Fax: +60 3 8890 5670
Email: pro@agc.gov.my
Salutation: **Dear Attorney General**

Inspector General of Police
Tan Sri Dato' Sri Khalid bin Abu Bakar
Ibu Pejabat Polis
Diraja Malaysia Bukit Aman
50560 Kuala Lumpur
Malaysia
Fax: +60 3 2070 7500
Salutation: **Dear Inspector General**

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**



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ADDITIONAL INFORMATION

The Malaysian authorities' crackdown on dissent has increased since the 1MDB corruption scandal which involves allegations that Prime Minister Najib Razak was linked to the misappropriation of hundreds of millions of US dollars from the state-owned investment company 1Malaysia Development Berhad (1MDB). Instead of trying to get to the truth of the corruption allegations and pursuing the matter through the criminal justice system, the Malaysian authorities have been harassing, silencing and locking up those who demand accountability, using a number of laws.

The Security Offences (Special Measures) Act (SOSMA), amended in April 2015, has allowed the authorities to arbitrarily arrest and detain individuals suspected of certain criminal offences. SOSMA, which replaced Malaysia's Internal Security Act (ISA), fails to meet international human rights standards in several key ways, including by allowing police to detain suspects incommunicado for 48 hours, increasing the risk of torture, and by allowing detention without charge or access to courts for up to 28 days. There are continued concerns about the treatment of detainees in custody in Malaysia by the police, including allegations of torture and other ill-treatment, with perpetrators enjoying impunity.

Khairuddin Abu Hassan is the first known detainee under the SOSMA who is not directly linked to allegations of national security, defence and terrorism. Aside from Khairuddin, other individuals have faced similar state harassment for speaking out on this scandal. In March, PM Najib Razak sued opposition leader Tony Pua for allegedly attacking him to gain political advantage for the opposition, and for slandering him in a November 2014 speech about the 1MDB. In July, Tony Pua and another opposition politician, Rafizi Ramli, were barred by immigration officers from leaving the country, without providing any information about the reason for the travel ban.

Aside from the SOSMA, Malaysian authorities have used the 1948 Sedition Act to investigate, charge and imprison human rights defenders, as well as opposition politicians, journalists, academics and students. So far this year, 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 recently made broad use of provisions in the Penal Code to silence dissent, in particular Section 124b, which criminalizes "activities that threaten parliamentary democracy". They have used other repressive laws such as the Printing Presses and Publications Act and Peaceful Assembly Act to clamp down on freedom of expression and assembly.

The operation of two media outlets, The Edge Financial Daily and The Edge Weekly, was suspended for three months by the Home Minister on 27 July for their critical reporting of the 1MDB scandal, which the authorities said was "prejudicial or likely to be prejudicial to public order, security or public and national interest". On 21 September, the High Court revoked the blanket suspension for failing to "comply with procedural fairness" under the law, and for being "tainted with illegality." Malaysian authorities are set to appeal against the decision.

Name: Khairuddin Abu Hassan

Gender m/f: m

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