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Malaysia: Acquittal of Lena Hendry welcomed but human rights defenders continue to face intimidation and criminalisation

Amnesty International welcomes today's judgment by the Kuala Lumpur magistrate court acquitting Lena Hendry on criminal charges for screening a film on human rights violations in Sri Lanka.

It is shameful that the Malaysia authorities charged her in the first place. This case highlights the shrinking space for human rights defenders carrying out their legitimate human rights work.

Lena Hendry, a woman human rights defender, was charged in 2013 under Section 6 of the Film Censorship Act 2002 for screening a film on alleged war crimes and crimes against humanity committed by both the Sri Lankan government forces and the Liberation Tigers of Tamil Eelam (LTTE) at the end of the armed conflict in 2009 entitled 'No Fire Zone: the Killing Fields of Sri Lanka.'

Lena Hendry was the first human rights defender to have been charged under this law which criminalizes the act of possessing or exhibiting films not approved by the Film Censorship Board of Malaysia. Lena Hendry faced up to three years imprisonment, a fine not exceeding RM 30,000 (USD 7,300) or both.

The magistrate found that the prosecution had failed to prove its case against her. However, the authorities can still appeal this decision.

Amnesty International believes that the arrest and detention of Lena Hendry in 2013 - together with her colleagues from her organisation KOMAS - and her eventual charges were politically motivated and a blatant abuse of the legal process. It also contravenes Malaysia's international obligations and commitments to uphold the right to freedom of expression.

The organisation also believes that the long, drawn-out trial of Lena Hendry that began in September 2013 is part of a wider pattern of intimidation, harassment and criminalisation of human rights defenders in Malaysia and runs contrary to the government's recent vote in favour of a UN General Assembly resolution in November 2015 which recognises the important role of human rights defenders globally.

Further, Amnesty International is concerned about the wide, arbitrary powers granted to the Film Censorship Board by section 6 of the Film Censorship Act 2002 and the heavy, disproportionate punishment that is levied by this act.

The organisation urges the Malaysian authorities to immediately repeal or amend all other laws, including the Film Censorship Act, which restricts the right to freedom of expression and to ensure that they are in strict compliance with international human rights law and standards.