

# URGENT ACTION

## BLOGGER AT RISK OF PRISON FOR FACEBOOK POST

**Malaysian blogger Vivian Lee has been found guilty of sedition and sentenced to six months' imprisonment for a Facebook post she made in July 2013. She will be imprisoned if her final appeal is rejected.**

On 27 May **Vivian Lee May Ling** was found guilty of sedition and sentenced to a six month prison sentence for a social media post containing a 'mock greeting' to all Muslims during the month of Ramadan, featuring a pork dish. The court allowed a stay of execution pending the consideration of her appeal at the High Court of Kuala Lumpur and she was released after the payment of a RM20,000 (USD\$4808) bail imposed by the Sessions Court.

Vivian Lee pleaded not guilty of charges related to the mock greeting on a Facebook page she shared with Alvin Tan (currently seeking asylum in the United States) in July 2013. She was charged under section 4(1)(c) of the Sedition Act 1948, and for creating 'enmity between different groups of religion or races' under Section 298A(1)(a) of the Penal Code. In April 2016 she was acquitted of the Penal Code charge as it was ruled it did not apply to non-Muslims. She was however found guilty of sedition on 27 May.

Amnesty International views this case with utmost concern as it creates a dangerous precedent of jailing social media users for Facebook postings that may be deemed 'offensive' by certain communities. The Sedition Act is wide and arbitrary in its nature and application and is constantly used by the Malaysian government to harass, detain, prosecute, imprison and silence its critics and to criminalize a wide array of acts, utterances and publications.

Under international law and standards, the right to freedom of expression is not limited to views that are widely acceptable and popular, rather, states must also respect and protect the expression of minority views, as well as views many find offensive. Amnesty International believes that Vivian Lee has been criminalised for the legitimate exercise of her right to freedom of expression and her sentence should be quashed immediately and unconditionally.

### **Please write immediately in English or your own language:**

- Calling on the Malaysian authorities to quash the conviction of Vivian Lee, as she has been convicted solely for peacefully expressing her views online;
- Calling on the Malaysian authorities to end the crackdown on social media users for their peaceful expression of their views even if some might find them offensive;
- Urging the Malaysian government to immediately repeal the Sedition Act and review and amend all other laws which restrict the right to freedom of expression to ensure that they comply with international human rights law and standards.

### **PLEASE SEND APPEALS BEFORE 14 JULY 2016 TO:**

Prime Minister Datuk Seri Najib Tun Razak

Perdana Putra Building Federal

Government Administrative Center 62502

Putrajaya Malaysia

Fax: +603 8888 3444

Email: ppm@pmo.gov.my

**Salutation: Your Excellency**

Attorney General Tan Sri Mohamed Apandi

Ali Attorney General's Office No. 45

Persisaran Perdana, Precint 4 62100

Putrajaya, W.P Putrajaya Malaysia

Fax: +603 8891 5670

Email: pro@agc.gov.my

**Salutation: Dear Attorney General**

**And copies to:**

Chairperson, Human Rights Commission

Tan Sri Hasmy Agam, 11th Floor, Menara

TH Perdana, Jalan Sultan Ismail, 50250

Kuala Lumpur, Malaysia

Fax: +603 2612 5260

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**



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### ADDITIONAL INFORMATION

On 11 July 2015, a photograph of Vivian Lee and Alvin Tan was uploaded on Facebook with the words “Happy breaking fast” followed by “with BakKutTeh (a pork dish)” and a *Halal* (permitted in Islam) logo. They were charged on 18 July but Alvin Tan absconded and is currently seeking asylum in the United States. Under the Sedition Act and Penal Code, Vivian Lee could have faced three years in prison, a fine of up to RMB 5000 (USD\$1200), or both.

Since 2013 elections, the Malaysian authorities have overseen a far-reaching crackdown on freedom of expression. The Sedition Act, a relic of colonial times, has become the Malaysian government’s most frequently used tool to harass, prosecute and detain peaceful critics such as activists, opposition politicians, journalists, academics and bloggers. In recent years the laws utilized by the authorities have grown in variety to include the Peaceful Assembly Act 2012, various Penal Code offences, and most recently the Communications and Multimedia Act 1998.

The rights to freedom of expression and peaceful assembly are enshrined in the Universal Declaration of Human Rights as well as the Malaysia constitution. They include the right of every individual to peacefully express their ideas on issues that are important to them, exchange ideas, to peacefully protest and to seek, receive and impart information and ideas without fear.

Amnesty International is urging the Malaysian government to take immediate steps to repeal or amend repressive laws including the Sedition Act 1948, the Peaceful Assembly Act 2012 and the Communications and Multimedia Act 1998 so as to bring them into line with international human rights law and standards.

Name: Vivian Lee May Ling

Gender f

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