

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Malaysia: Release prisoner of conscience Anwar Ibrahim and respect freedom of expression ahead of elections

The Malaysian authorities must immediately and unconditionally release Anwar Ibrahim, a leading opposition politician and prisoner of conscience, who has now spent three years in prison on politically-motivated charges. The authorities must stop the repression and persecution of government critics and allow everyone to freely express their views and opinions in the context of general elections that must be held by August this year.

On 10 February 2015, Malaysia's Federal Court upheld Anwar Ibrahim's conviction for 'sodomy' charges that sentenced him to five years in prison. It has been announced that Anwar Ibrahim could be granted early release in June 2018, but the conviction would still disqualify the former opposition leader from running for office for another five years and prevents him from contesting the upcoming general elections. The third anniversary of his imprisonment comes as Malaysia's opposition coalition named former premier Mahathir Mohamad as its candidate for Prime Minister, in place of Anwar Ibrahim. A former leader of the main party in Malaysia's ruling coalition, Mahathir Mohamad has promised that he would seek a royal pardon for Anwar Ibrahim so he could be eligible to be Prime Minister if the opposition wins.

Anwar Ibrahim's continued detention is part of a wider long-standing crackdown on freedom of expression and political dissent by the Malaysian authorities, who have sought to stifle and undermine political opposition in the country. Since the ruling coalition lost the popular vote in the 2013, repression has intensified through the investigation and arbitrary detention of human rights defenders, journalists, academics, government critics and opposition politicians exercising their right to freedom of expression and peaceful assembly. In addition, there has been an increase in the use of arbitrary travel-bans imposed on human rights defenders.

Ahead of elections in the coming months, Amnesty International urges the authorities to immediately and unconditionally release Anwar Ibrahim. The organisation calls on the Malaysian authorities to quash his conviction, and allow him to run for office as his sentence stems solely from the peaceful exercise of

his human rights. The government must ensure the respect and protection of the rights to freedom of expression and peaceful assembly during the upcoming election campaign, and break free of the cycle of targeting its political adversaries and outspoken government critics with trumped-up criminal charges, heavy penalties and disqualification from public office. The authorities must also take prompt steps to repeal or amend all laws that impose undue restrictions of these rights and ensure that Malaysian laws are in compliance with international human rights law and standards.

Background

Amnesty International believes that the criminal charges of sodomy brought against Anwar Ibrahim are politically motivated and intended to target and harass him for his criticism of the government. The irregularities in proceedings brought against him appear to be in line with a persistent attempt by the ruling coalition to disqualify him from holding political office and from fulfilling his role as an elected Member of Parliament and as former leader of the opposition.

The criminalisation of sexual activity between consenting adults – including those of the same sex – violates international human rights law. No person should face harassment and persecution for consensual sex with another adult; it is not a recognisable criminal offence under international law. Amnesty International has documented how the sodomy law has often been used as a tool of political repression in Malaysia, and Amnesty International has called repeatedly for the repeal of Section 377 of the Malaysian Penal Code which criminalises same-sex relations.

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