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MALAYSIA

Opposition parliamentarian faces three-year prison sentence for speaking out for women's rights

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“Even if I fail and have to go to jail, I have no regrets. I have no regrets of going down fighting for the principles of truth and justice. And pursuit of human rights, especially women's rights. There can be no women's rights if women rape victims are considered equally responsible, and even detained, whilst the accused remains free”. - Lim Guan Eng

Lim Guan Eng, a prominent opposition parliamentarian who has been outspoken on many issues, including women's rights, has been sentenced to three years in prison.

He has been found guilty of “prompting disaffection with the administration of justice” and “maliciously printing false information”. Amnesty International believes the case against him to be politically motivated and an obvious attempt by the Malaysian Government to prevent him from participating in public life.

Lim Guan Eng has been sentenced for his public criticism of the Malaysian Government's handling of allegations of statutory rape made against the Chief Minister of

Malacca. In 1994 Malaysian newspapers carried stories that the Minister was alleged to have had sex with a 15-year-old schoolgirl, which under Malaysian law constitutes statutory rape. The Minister later resigned in the wake of this and other scandals involving corruption allegations.

Public controversy over the case grew when the girl was taken into “protective custody” for questioning by the police and allegedly denied access to members of her family. She was later transferred by the courts to a rehabilitation centre for “wayward girls” for three years, despite continued efforts by her grandmother to secure her release. She gave birth to a baby while at the centre. The Malaysian Attorney General announced there was insufficient evidence to prosecute the Minister concerned and, at the same time, publicly revealed details of the girl’s sexual history. A number of other men alleged to have raped her were prosecuted in court.

The case has sparked outrage across all sectors of Malaysian society. Women’s groups expressed deep concern about its implications for women’s rights and the rights of rape victims in particular. Marina Mahathir, daughter of the Prime Minister, wrote in an article in the *Star* newspaper in November 1994: *“There are injustices in the law which are mind-boggling.... The lesson is clear - choose your rapist carefully.... As a woman, especially a Muslim woman, I am angry, disgusted and ashamed.... As a mother, I now have real fears for my daughter. What protection can we hope for our daughters if, in the interests of politics, a minor can so easily be sacrificed?”*

Lim Guan Eng was charged in early 1995 after he made public statements and published a pamphlet accusing the authorities of double standards in their handling of the case. In April 1997 he was found guilty of sedition and spreading false news and fined RM 15,000 (approximately US\$ 6,000), which would have been enough to disqualify him automatically from parliament. He appealed against this decision but on 1 April 1998 the Court of Appeal substituted the fine with a three-year prison sentence. On passing the sentence, the judge said that the court was sending a signal that it would not tolerate attacks on the judiciary. Lim Guan Eng was taken away from court in handcuffs to spend the night in Kajang Prison before bail could be raised.

He remains free on bail pending his final appeal which is expected to take place in July or August 1998. If the Federal Court upholds his prison sentence, he will be a prisoner of conscience, imprisoned because he expressed his opinions, and those of many of his constituents. He will also forfeit his parliamentary seat.

Lim Guan Eng, 38, is a member of parliament for Kota Melaka (Malacca) and Deputy Secretary General of the opposition Democratic Action Party (DAP). He is married with three young children. This could be the second time he is imprisoned for his political beliefs. In 1987, during a major crackdown against more than 100 political and social activists accused of posing a threat to national security, he was imprisoned without charge or trial for 18 months.

WHAT YOU CAN DO:

Please send urgent appeals to the Malaysian authorities calling for Lim Guan Eng's conviction to be overturned.

◆ Write to:

Dato' Seri Dr Mahathir bin Mohamad
Prime Minister and Minister of Home Affairs
Jalan Dato' Onn
50502 Kuala Lumpur
Malaysia
298 4172

Fax: +60 3 238 3784 or +60 3

Datuk Mohtar Abdullah
Attorney General
Attorney General's Chambers
Jabatan Peguam Negara Malaysia
Tingkat 20, Bangunan Bank Rakyat
Jalan Tangsi
50512 Kuala Lumpur
Malaysia

Fax: +60 3 293 2021 or +60 3 298 4989

◆ Please send copies of your letters to:

Dato' Seri Anwar Ibrahim
Deputy Prime Minister and Minister of Finance
Jalan Dato' Onn
50502 Kuala Lumpur
Malaysia

Fax: +60 3 238 3784 or +60 3 256 2666

- ◆ Please encourage parliamentarians in your country to take up this case.
- ◆ Please encourage women's groups in your country to send appeals.
- ◆ Please try to make as much publicity as possible about this case in your country.

KEYWORDS: SEXUAL ASSAULT / PRISONERS OF CONSCIENCE /
JUVENILES / WOMEN / POLITICIANS

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