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Malaysia urged to end brutal punishments after women caned

Amnesty International called on the Malaysian government to end caning after three women were subjected to the punishment following their conviction for extramarital sex.

This is the first time women have been subjected to caning in Malaysia.

Malaysian Home Minister Hishammuddin Hussein announced today that three Muslim women were caned on 9 February at a prison near Kuala Lumpur. The women, along with four men, had been convicted of having extramarital sex in the Shariah court system, which has jurisdiction over Muslims in matters such as family law.

“The caning of these three women is just the tip of the iceberg,” said Donna Guest, Deputy Asia-Pacific Director at Amnesty International. “Since 2002 the Malaysian authorities have caned over 35,000 people, mostly non-Malaysians for immigration offenses.”

Most caning sentences in Malaysia are handed down by civil courts rather than Shariah courts. Amendments to the Immigration Act in 2002 stipulate caning for immigration offences, thus increasing the use of this punishment. In June 2009 the Malaysian government announced that they had sentenced 47,914 migrants to be caned since the amendments took effect.

"These thousands of cases point to an epidemic of caning in Malaysia," said Donna Guest. "The Malaysian government needs to abolish this cruel and degrading punishment, no matter what the offence."

The practice of caning can inflict severe physical suffering and leave damage and scarring for months. Such corporal punishment constitutes cruel, inhuman and degrading treatment, which is prohibited absolutely under international customary human rights law.

In July 2009 the Shariah High Court in Pahang sentenced a Muslim woman, Kartika Sari Dewi Shukarno, to six strokes of the cane and a fine after she pleaded guilty to consuming alcohol in a hotel bar in December 2007. To date her sentence has not yet been carried out.