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Malaysia: Lawyers and judges face intimidation in 'Allah' case

The Malaysian government must protect lawyers and judges against intimidation as they carry out their professional functions in the Malaysian Catholic Church's case to use the word 'Allah' in its magazine, the Herald.

On 14 January, the Herald's lawyer Derek Fernandez reported that his office had been ransacked the night before. He said the intrusion was a "professional job" in which the perpetrators used special tools to break in, blacked out a surveillance camera, yet took few valuables (apart from a laptop computer). In an interview with Malaysiakini TV, Fernandez said, "Obviously it's designed to intimidate....We're only doing our job."

The raid on the lawyers' office occurred within the larger pattern of near-daily attacks on non-Muslim places of worship following the High Court's decision in the case. On 31 December, Justice Datuk Lau Bee Lan ruled that the government's ban on the use of 'Allah' in non-Muslim publications infringed constitutional rights, including freedom of expression and freedom to practice one's religion.

Since then, at least ten Christian churches and one Sikh gurdwara have been desecrated or otherwise damaged in attacks. The government should protect freedom of religion and ensure that people can practice their religion without intimidation. It should also ensure that religious sites are fully respected and protected.

At the same time, the Malaysian judiciary has been targeted with threats of violence in connection with the High Court decision. On 7 January hackers replaced the homepage of the judiciary's website. According to reports in the Malaysian press, the hackers posted the messages "Allah only restricted to Muslim only" and "Mess with the best, die like the rest."

The Malaysian government must take decisive steps to protect lawyers and judges in the Herald case against intimidation. The authorities have a duty to ensure the physical safety of lawyers and judges in the case including by conducting investigations and, where warranted, prosecutions.

Amnesty International also expressed concern about the Home Ministry's statement on 12 January that it may use the Internal Security Act (ISA) in response to attacks related to the Herald case. The ISA provides for indefinite detention without charge or trial and has been used to detain prisoners of conscience. Suspects should be tried under the criminal code in fair trials that meet international standards.

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