

Dato' Sri Mohammed Najib bin Tun Abdul Razak

Prime Minister of Malaysia
Office of the Prime Minister

Main Block, Perdana Putra Building

Federal Government Administrative Centre
62502 Putrajaya, MALAYSIA

Via facsimile: +60-3-8888-3444

11 September 2014

**Malaysian government must stop ongoing crackdown and honour its pledge to
repeal the Sedition Act**

Mr. Prime Minister,

We, the undersigned civil society organisations across Asia, write to you to register our serious concern over the Malaysian government's ongoing wave of arrests, interrogations, and charges against individuals under the Sedition Act 1948.

No less than 14 individuals are currently facing charges under the Sedition Act, in addition to 6 others who are being investigated under the Act. (*The list of these individuals are annexed to this letter.*) The latest of these include Susan Loone, a *Malaysiakini* journalist, who was arrested and interrogated on 3 September 2014 under the Sedition Act over a news article she authored. Earlier, on 2 September 2014, Azmi Sharom, an associate professor of law at the University of Malaya, was charged under the Act over a recent legal opinion he made on a political and constitutional crisis that occurred in 2009 in the state of Perak. Most recently, on 8 September 2014, Ali Abdul Jalil, a social activist, was charged on three different counts under the Sedition Act on the very same day.

The past week also saw the conviction Safwan Anang, former chairperson of the Solidarity Mahasiswa Malaysia (SMM), who on 5 September 2014 was sentenced to 10 months in prison under Section 4(1)(b) of the Sedition Act for allegedly urging the public to topple the government.

We are alarmed that the Sedition Act, an archaic piece of legislation that was originally used to suppress dissent during the colonial era, is not only still in place in Malaysia, but is now being used indiscriminately by the current Malaysian government to stifle democratic space in the country. Under the vague and overbroad provisions of the Sedition Act, almost any kind of speech may be criminalised, making it open to blatant abuses by the government. Such a repressive law certainly has no place in any modern democratic society.

Mr. Prime Minister,

We recall the pledges that you made on 11 July 2012, and again 3 July 2013, to abolish the Sedition Act. In addition to these pledges, you also just days ago further reaffirmed the same as recent as 5 September 2014. We certainly welcome these statements of commitment to abolish the Sedition Act, which demonstrate your acknowledgement of the problematic nature of the law. However, these statements have remained empty pledges. More alarmingly, the government has not only failed to deliver on its pledges to repeal the Act, but has in fact increased the use of the law.

We thus echo the overwhelming calls made by both the international community and Malaysians, including 128 Malaysian civil society groups, for the repeal of the Sedition Act. We further urge your government to end the current wave of crackdown by dropping all pending charges under the Sedition Act and cease the pursuance of cases that are being investigated under the Act. The repeal of the Sedition Act must be treated as a matter of top priority by your government. In the meantime, a moratorium on the use of the Act must be observed to demonstrate its sincerity in honouring its pledges and to prove its commitment towards democratic principles.

We thank you for your attention.

Signed by:

1. Asian Forum for Human Rights and Development (FORUM-ASIA)
2. Ain o Salish Kendra (ASK) Bangladesh
3. Alternative ASEAN Network on Burma (Altsean-Burma)
4. Association of Human Rights Defenders and Promoters (HRDP) Burma
5. Banglar Manabdhikar Suraksha Mancha (*MASUM*) Bangladesh
6. Cambodian League for the Promotion and Defense of Human Rights (LICADHO) Cambodia
7. Cambodian Human Rights and Development Association (ADHOC) Cambodia
8. Centre for Human Rights and Development (CHRD) Mongolia
9. Commission of the Disappearances and Victims of Violence (KontraS) Indonesia
10. Commonwealth Human Right Initiative
11. ELD Training Nepal
12. Globe International Center (GIC) Mongolia
13. Human Rights Ambassador for Salem-News.com United Kingdom
14. Indonesian Human Rights Monitor (Imparsial) Indonesia
15. Indonesia Legal Aid Foundation (Yayasan Lembaga Bantuan Hukum Indonesia/YLBHI) Indonesia
16. Informal Sector Service Center (INSEC) Nepal
17. INFORM Human Rights Documentation Centre Sri Lanka
18. Korean House for International Solidarity (KHIS) South Korea
19. Law and Society Trust (LST) Sri Lanka
20. Law, Basic Rights and Justice Foundation (HAK Association) Timor Leste
21. Maldivian Democracy Network Maldives

22. Migrant Forum in Asia
23. People's Empowerment Foundation (PEF) Thailand
24. People's Solidarity for Participatory Democracy (PSPD) South Korea
25. People's Vigilance Committee on Human Rights (PVCHR) India
26. People's Watch India
27. Pergerakan Indonesia
28. Solidarity for Asians' People Advocacies (SAPA) Working Group on ASEAN
29. Southeast Asian Committee for Advocacy (SEACA)
30. Southeast Asia Press Alliance (SEAPA)
31. Suara Rakyat Malaysia (SUARAM) Malaysia
32. Taiwan Association for Human Rights Taiwan
33. Think Centre Singapore

Annex

Individuals who are convicted under the Sedition Act:

1. P. Uthayakumar, Activist (Charged on 5 June 2007 and convicted on 5 December 2013)
2. Safwan Anang, Student Activist (Charged on May 2013 and convicted on 5 September 2014)
3. Karpal Singh, Lawyer (Charged on 3 September 2013 and convicted on 21 February 2014)

Individuals who are facing charges under the Sedition Act:

1. Abdullah Zaik Abdul Rahman, President, Ikatan Muslimin Malaysia (Charged on 19 June 2014)
2. Adam Adli, Student Activist (Charged on 23 May 2013)
3. Ali Abd Jalil, Activist (Charged on 8 September 2014)
4. Alvin & Vivian, Blogger (Charged on 18 August 2013)
5. Azmi Sharom, Law Lecturer, University of Malaya (Charged on 2 September 2014)
6. Chua Tian Chang, Member of Parliament for Batu (Charged on 1 March and 29 May 2013)
7. David Orok, Member, Sabah Reform Party (Charged on 3 September 2014)
8. Gopinath Jayaratnam, assistant engineer (Charged on 19 June 2014)
9. Haris Ibrahim, Social Activist (Charged on 29 May 2013)
10. Hishamuddin Rais, Social Activist (Charged on 29 May 2013)
11. Khalid Samad, Member of Parliament for Shah Alam (Charged on 26 August 2014)
12. MD Shuhaimi Shafie, State Assemblyperson for Sri Muda (Charged on May 2013)
13. N. Surendran, Lawyer, Padang Serai Member of Parliament (Charged on 19 April and 28 August 2014)
14. R.S.N Rayer, Lawyer, State Assemblyperson for Seri Delima (Charged on 22 May and 27 August 2014)
15. Tamrin Tun Abdul Ghafar, Student Activist (Charged on 29 May 2013)
16. Teresa Kok, Member of Parliament for Seputeh (Charged on 5 May 2014)
17. Wan Ji Wan Hussin, Muslim Preacher, Public Speaker (Charged on 10 September 2014)

Individuals who are being investigated under the Sedition Act:

1. 17-year-old schoolboy (name withheld)
2. Hassan Karim, Lawyer, Parti Keadilan Rakyat Johor Vice-Chairperson
3. Mohammad Nizar Jamaluddin, State Assemblyperson for Changkat Jering
4. Nasrul Omar, Twitter user
5. Rafizi Ramli, Member of Parliament for Pandan