

Escalating threats to fundamental rights in Malaysia

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Amnesty International Malaysia condemns the arrests of participants near the Kuala Lumpur City Center (KLCC) in last Saturday's planned protest against price hikes organized by the Coalition Against Inflation (Protes). We also take great concern over the selective prosecution initiated against a journalist for allegedly obstructing a police officer from carrying out his duties.

Amnesty International views these actions as a clear abuse of power that disregards the right of the public to hold peaceful assemblies and their right not to be subjected to torture, or cruel and inhuman, or degrading treatment.

Furthermore, the UN Code of Conduct for Law Enforcement Officials spells out in Article 5 that no law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment or invoke superior orders or exceptional circumstances, such as a threat to national security, to justify these actions.

We are also very concerned over the continuous act of obtaining blanket unilateral restraining orders against the general public as a means to crack down against public assemblies. Amnesty International Malaysia is of the view that the act of obtaining such restraining orders is a serious abuse of the legal process. This is because such applications are made and granted based solely on one party's prejudice that undermines the subjected parties' right to be heard in an open court.

The court order also gives the police unlimited powers and enables greater abuse of power as it subjects the general public to great risk of arbitrary arrest, detention as well as torture and other form of ill treatment, and selective prosecution. Amnesty International Malaysia views that the court order undermines the fundamental freedoms of assembly and movement guaranteed in our Federal Constitution.

We would also like to express serious concern over the arrest and detention of a journalist from the web newspaper Malaysiakini.com. Amnesty International Malaysia views his arrest as a serious failure to respect and recognize the professional function of a journalist in his or her cause of duty. We regret that the police decided to respond to queries by a journalist with a charge of obstructing a police officer from performing his duties.

We view that the charge against the Malaysiakini journalist is another act of intimidation to undermine media freedom and the rights and freedoms of journalists to report without intimidation and threats of arbitrary arrest, detention and selective prosecution.

In light of the fact that more demonstrations are likely in the lead up to elections expected early this year, Amnesty International Malaysia demands that the Government of Malaysia fully respect the fundamental rights of all people and implement the recommendations made by the Royal Commission on Police to amend Section 27 of the Police Act and to implement the draft 2005 Independent Complaints and Misconduct Commission (IPCMC) Bill immediately.

Released by

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