

PRESS STATEMENT

Malaysia: Stop Threats and Intimidation against the Rally on Electoral Reforms

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(29 June 2011, Bangkok) - The Asian Forum for Human Rights and Development (FORUM-ASIA) and the Southeast Asia Press Alliance (SEAPA) strongly condemn the on-going threats and intimidation by the Malaysian government against the electoral reform campaigners. The Coalition for Clean and Fair Elections (Bersih 2.0) is comprised of Malaysian civic and human rights organisations campaigning for electoral reforms and independent monitoring of elections in the country. Bersih 2.0 plans to hold a mass rally on 9 July 2011 to demand for, among others, fair access of all political parties to the media, reform of postal ballots and a revision of the electoral roll to address irregularities for the upcoming 13th General Elections to be held in mid-2012.

We are appalled over the current wave of arrests and intimidation by the authorities, which have taken place weeks ahead of the rally. On 26 June 2011, seven people were arrested by police in Taman Kosas, Kuala Lumpur, for wearing Bersih 2.0 t-shirts and allegedly “disrupting public order”. One day prior to this incident, around thirty supporters of the Parti Sosialis Malaysia (PSM), including two minors, were arrested in Kepala Batas, Penang, for distributing their election campaign flyers. They are being investigated under Section 122 of the Penal Code which punishes any attempt to “wage war against Malaysia’s monarch” with up to life imprisonment. As of yesterday, the police have arrested around 100 persons nationwide for distributing pamphlets or wearing Bersih 2.0 t-shirts for the 9 July mass rally.

FORUM-ASIA and SEAPA are deeply troubled by the announcement of the police that no gatherings will be permitted on 9 July on the basis of the Malaysia Police Act Section 27 which requires organizers of public gatherings of three or more persons to seek permits beforehand. We remind the Malaysian government that Article 10(1)(b) of the Federal Constitution clearly guarantees that “all citizens have the right to assemble peacefully and without arms”. The provisions of the Malaysian Police Act, which impede freedom of expression and peaceful assembly, should be repealed or amended immediately.

We are also gravely concerned over news reports that the Home Affairs Minister, Mr. Hishammuddin Hussein, has repeatedly indicated that the authorities may apply the draconian Internal Security Act (ISA) to prosecute the organizers of the Bersih 2.0 mass rally as well as any other gathering on 9 July. We emphasize that invoking the ISA is wholly inappropriate and an extremely disproportionate response to a legitimate and peaceful gathering. The Malaysian government is reminded that as a member of the UN Human Rights Council, it shall uphold the highest standards in human rights promotion and protection.

Lastly, FORUM-ASIA and SEAPA urge the Malaysian government not to shut down the space for its citizens to freely exercise their rights to freedom of expression and peaceful assembly, which are essential components for a solid and vibrant democratic society. The public has the right to be informed about the electoral reform campaigns and attend the public road shows being organized by Bersih 2.0 in the lead up to the 9 July rally. The media should also be able to independently report on

the issue without fear. The assault on the electoral reform campaigns and rallies send the wrong message to the Malaysian people and the international community about the government's capability and intentions of conducting free and fair elections. The Malaysian government must stop the threats and intimidation, immediately release the detained campaigners and supporters, and fully protect the rights of all individuals to assemble peacefully on 9 July. (ENDS)
