

For Immediate Release

24 November 2016

Free Maria Chin, Abolish SOSMA!

We, the undersigned civil society organizations, strongly condemn the detention of the chairperson of Bersih 2.0, Maria Chin Abdullah, on 18 November 2016 for 28 days under the new Internal Security Act (ISA) – the draconian Security Offence (Special Measures) Act 2012 (SOSMA).

We reiterate that the right to freedom of peaceful assembly and freedom of expression of the people are guaranteed by the Federal Constitution. The Bersih 5 rally had been very peaceful and conducted without any untoward incidents despite repeated violence and provocation from the red shirts before the rally. The act of the police in arresting leaders of civil society movements and opposition parties before they could exercise their constitutional rights is not only mala-fide, but also a blatant abuse of powers in violation of the Federal Constitution.

We are further outraged with the use of the draconian SOSMA against Maria Chin Adullah. When SOSMA was legislated in 2012 to replace the infamous ISA which was abolished after widespread opposition from the people, the government assured the public that the new legislation that gave extensive powers to the police would only be used against terrorists and that “no person shall be arrested and detained for his or her political beliefs and activities.” Those members of parliament that ignored the criticism of the civil society and passed the law should now be held accountable.

Clearly, Maria Chin Abdullah is no terrorist. The use of SOSMA against Maria Chin Abdullah to stop her from leading the Bersih 5 rally, and previously against Khairuddin Abu Hassan and Matthias Chang to stop them from lodging complaints of corruption in 1MDB overseas, have proven that when such a powerful legislation is given to the government, it will not hesitate to use it to cover-up the abuse of powers and corruption in the government.

We reiterate our concerns that the prolonged 28 days of detention under the SOSMA with limited access to legal representation and family is a blatant violation of international human rights laws. The International Covenant on Civil and Political Rights provides that no one should be subject to arbitrary arrest and detention and that anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to be released.

The 28 days of prolonged detention without judicial oversights such as disallowing the detainees to have access to lawyers and family members will only facilitate the practice of torture, either mental or physical or both.

We condemn the use of a secret detention place by the police in detaining Maria Chin. The use of secret detention center is totally unacceptable in a civilized society. All detention centers must be made public and subject to public scrutiny to ensure that they are operated in accordance to the law and the rights of the detainees.

We are therefore extremely concerned with the mental and physical wellbeing of Maria Chin Abdullah who is being held in solitary confinement in a cell with no windows and where the lights are kept on for 24 hours. Such detention environment is inhumane and constitutes a form of torture under international human rights laws.

We demand the release of Maria Chin Abdullah immediately and unconditionally.

We demand that Maria Chin Abdullah have unlimited access to lawyers and her family members whilst she is still under detention

We demand that the authorities preserve and ensure the mental and physical wellbeing of Maria Chin Abdullah while in detention and that she is accorded prompt medical treatment when required.

We call on the National Human Rights Commission to visit Maria Chin Abdullah regularly at the secret detention place to ensure her rights and wellbeing.

We call upon the Inspector General of Police to be more professional and transparent to uphold the law and demand the government to abolish the draconian SOSMA.

Endorsers:

1. Akademi Belia
2. All Women's Action Society (AWAM)
3. Anak Muda Sarawak (AMS)
4. Angkatan Warga Aman Malaysia (WargaAMAN)
5. Article 19, London, United Kingdom
6. Association of Women Lawyers (AWL)
7. Baramkini
8. Bersih Sibü
9. Center for Orang Asli Concerns (COAC)
10. The Centre to Combat Corruption & Cronyism (C4)
11. Council of Churches of Malaysia (CCM)
12. ENGAGE
13. G25
14. Greenfriends Sabah
15. Institut Kajian Dasar (IKD)
16. Islamic Renaissance Front (IRF)
17. Japan Graduates Association, Malaysia (JAGAM)
18. Jaringan Orang Asal SeMalaysia (JOAS)
19. Jaringan Rakyat Tertindas (JERIT)
20. Jawatankuasa Bertindak Kuala Lumpur Tak Nak Insinerator
21. Jihad for Justice
22. Johor Yellow Flame (JYF)
23. Kuala Lumpur and Selangor Chinese Assembly Hall (KLSCAH)

24. Kuen Cheng Alumni Association
25. Kumpulan Aktivis Mahasiswa Independen (KAMI)
26. LLG Cultural Development Centre (LLG)
27. Malaysians Against Death Penalty and Torture (MADPET)
28. Malaysian Indians Progressive Association (MIPAS)
29. Malaysian Indians Transformation Action Team (MITRA)
30. Malaysian Network of Engaged Buddhists
31. Malaysian Physicians for Social Responsibility (MPSR)
32. Malaysia Youth & Students Democratic Movement (DEMA)
33. Malaysian Youth Care Association (PRIHATIN)
34. Mama Bersih
35. Muslim Professionals Forum (MPF)
36. National Indian Rights Action Team (NIAT)
37. Negeri Sembilan Chinese Assembly Hall (NSCAH)
38. One Race – Human Race
39. Oriental Hearts and Mind Study Institute (OHMSI)
40. Partners of Community Organizations in Sabah (PACOS Trust)
41. Pemuda Sosialis
42. People Welfare And Rights Organisation (POWER)
43. Perak Women for Women Society (PWW)
44. Persatuan Aliran Kesedaran Negara (Aliran)
45. Persatuan Alumni PBTUSM Bahagian Utara
46. Persatuan Alumni PBTUSM Kuala Lumpur dan Selangor
47. Persatuan Bekas Siswazah Universiti dan Kolej di China, Malaysia(LiuHua)
48. Persatuan Kesedaran Komuniti Selangor (EMPOWER)
49. Persatuan Masyarakat Sel dan Wilayah Persekutuan (PERMAS)
50. Persatuan Meditasi Prajna Kuala Lumpur & Selangor
51. Persatuan Penganut Buddha Bodhi Kuala Lumpur (PPBBKL)
52. Persatuan Rapat Malaysia (RAPAT)
53. Persatuan Sahabat Wanita, Selangor (PSWS)
54. Pertubuhan IKRAM Malaysia (IKRAM)
55. Pertubuhan Pembangunan Kebajikan Dan Persekitaran Positif Malaysia (SEED)
56. Projek Dialog
57. Pusat KOMAS
58. Raub Ban Cyanide Action Committee (BCAC)
59. Sabah Women's Action Resource Group (SAWO)
60. Sahabat Rakyat
61. Sarawak Access (SACCESS)
62. Save Open Space, Kota Kinabalu, Sabah
63. Saya Anak Bangsa Malaysia (SABM)
64. The Society for the Promotion of Human Rights (PROHAM)
65. Student Progressive Front USM
66. Student Progressive Front UUM

67. Sunflower Electoral Education Movement (SEED)
68. Sisters in Islam (SIS)
69. SUARAM Malaysia
70. Tenaganita
71. Teoh Beng Hock Trust for Democracy
72. Tindak Malaysia (TM)
73. USM Tionghua Language Society
74. We Are Malaysians
75. Women's Aid Organisation (WAO)
76. Women's Centre for Change (WCC)
77. Women Development Organisation of Malaysia PJ branch
78. Writer Alliance for Media Independence (WAMI)
79. Vajrayana Buddhist Council of Malaysia
80. Young Buddhist Association of Malaysia (YBAM)