

Joint Action Group for Gender Equality (JAG)

Media Statement, 21 November 2016

Stop the Intimidation and Release Bersih Chairperson, Maria Chin Abdullah



The Joint Action Group for Gender Equality (JAG) strongly condemns the arrest of Maria Chin Abdullah, the chairperson of BERSIH 2.0, on November 18, 2016 and call for her immediate release. Maria Abdullah was arrested under Section 124(c) of the Penal Code, allegedly for “activities detrimental to parliamentary democracy”. She was subsequently detained under the Security Offences (Special Measures) Act (SOSMA) and is reportedly held in solitary confinement in a 15 x 8 feet cell, without windows and with two light bulbs turned on 24 hours. This amounts to torture.

SOSMA is a draconian act. The original SOSMA had granted Law Enforcement powers to intercept and store any kind of communication, including digital communications, without any judicial oversight. Police Officers “not below the rank of SuperIntendants” could wiretap any communications if they *felt* there was need to do so, without obtaining any warrant. Amendments to SOSMA, have further enhanced existing powers to allow for any evidence “howsoever obtained, whether before or after a person has been charged” to be admissible in a court of law. This means that the mechanism to ensure accountability and transparency of government and the powers held by the legislative and executive through judicial oversight has been severely undermined through SOSMA. Any person who is tried under SOSMA will, from the day of arrest, stay in prison until acquitted by the apex court.

Mandeep Karpal Singh and at least twelve other leaders supportive of Bersih’s demands including “Tangkap MO1” organiser Anis Syafiqah were also arrested under various sections of the Penal Code. While Mandeep and others have been subsequently released, the arrests of Bersih’s leaders and supporters are grossly unjust and can only be seen as a form of intimidation against leaders who have demonstrated integrity and tenacity in being critical of the current government’s abuse of power and in upholding Bersih’s demands for a clean government and fair elections through peaceful means.

Clean and fair elections is fundamental to the promotion of democracy and the protection of the rights of the peoples of this nation. The Malaysian peoples have expressed peacefully through every Bersih rally that there is great dissatisfaction with the current electoral system and the lack of transparency and

accountability with the management of public funds. Instead of investigating and bringing to justice the true culprits who are robbing the nation such as those linked with the 1MDB, a USD681 million corruption scandal, we instead are forced to witness continuing acts of intimidation against human rights defenders and civil society leaders. Both Maria Abdullah and Mandeep Singh received death threats but those responsible for such threats of violence have yet to be detained.

The right to peaceful protest of any elected government's wrongdoings is the people's right, and Maria Abdullah and others are only exercising and defending that right. We strongly urge the Malaysian authorities to stop the clampdown on Bersih, human rights defenders and civil society leaders. We call for the immediate release of Maria Chin Abdullah and to drop all charges against those who have been critical of the government's abuse of power and protect our constitutional right to freedom of expression and association and peaceful assembly.

Released by the Joint Action Group for Gender Equality (JAG):

Persatuan Kesedaran Komuniti Selangor (EMPOWER)

All Women's Action Society (AWAM)

Justice for Sisters

Perak Women for Women (PWW)

Sabah Women's Action-Resource Group (SAWO)

Sisters in Islam (SIS)

Women's Aid Organisation (WAO)

Women's Centre for Change (WCC)