

URGENT ACTION

DETAINED STUDENT ACTIVIST AT RISK OF TORTURE

Student activist Ali Abdul Jalil was beaten up by prison officers in Malaysia and is facing charges under the country's draconian Sedition Act. He is a prisoner of conscience, detained solely for the peaceful exercise of his right to freedom of expression. He is at risk of further torture or other ill-treatment.

Ali Abdul Jalil was arrested on 8 September and charged at Selayang Session Court, Selangor state, under Section 4(1)(c) of the Sedition Act for comments allegedly criticizing the monarchy. He was released later that day after posting bail of 5,000 Malaysian Ringgit (approximately US\$1,570) but was immediately rearrested and charged at Shah Alam Session Court with two further counts under the same provision of the Sedition Act. He was taken to Sungai Buloh prison, Selangor state, where he was held for 15 days. During this time he was verbally and physically ill-treated by a prison officer who punched him in the stomach, slapped his face, and hit his leg with a baton and rubber pipe. Ali Abdul Jalil's family were not allowed to visit him for his first 12 days in detention.

Ali Abdul Jalil was released again on bail on 23 September; however, he was immediately rearrested and sent to Johor Bharu Selatan prison, where he remains in detention. He is now facing three charges under Article 4(1)(c) of the Sedition Act. The charges relate to posting so-called "seditious" comments on social media on 21 January 2014 and again on 18 August – including comments allegedly mocking the Johor sultanate and calling for the state's monarchy to be abolished. Ali Abdul Jalil has been charged and detained solely for the peaceful exercise of his right to freedom of expression and Amnesty International considers him a prisoner of conscience.

Please write immediately in Malay, English or your own language:

- Calling on the authorities to release Ali Abdul Jalil immediately and unconditionally and ensure that all charges against him are dropped, as he is a prisoner of conscience detained solely for peacefully exercising his right to freedom of expression;
- Urging them to ensure that Ali Abdul Jalil is not tortured or otherwise ill-treated, that he has regular access to his family and lawyers of his choosing, and that he is kept in conditions that meet international standards;
- Calling on them to ensure a prompt, independent and effective investigation into allegations that Ali Abdul Jalil was tortured or otherwise ill-treated in police custody, and ensure that those responsible are brought to justice in fair trials, without the imposition of the death penalty or other cruel, inhuman or degrading punishments;
- Urging them to immediately repeal the Sedition Act and drop charges and repeal sentences against all those currently charged or convicted of "sedition" solely for the peaceful exercise of their right to freedom of expression.

PLEASE SEND APPEALS BEFORE 6 NOVEMBER 2014 TO:

Prime Minister

Datuk Seri Najib Tun Razak
Prime Minister's Office of Malaysia
Main Block, Perdana Putra Building
Federal Government Administrative
Centre, 62502 Putrajaya, Malaysia
Fax: 011 60 (0)3 8888 3444
Email: ppm@pmo.gov.my
Salutation: Your Excellency

Attorney General

Tan Sri Abdul Gani Patai
Attorney General's Office
No. 45, Persiaran Perdana, Precinct 4
62100, Putrajaya, W.P Putrajaya
Malaysia
Fax: 011 60 (0)3 8890 5670
Email: pro@agc.gov.my
Salutation: Dear Attorney General
And copies to:

Chairperson, Human Rights

Commission of Malaysia (SUHAKAM)
Tan Sri Hasmy Agam
11th Floor, Menara TH Perdana,
Jalan Sultan Ismail, 50250
Kuala Lumpur, Malaysia
Fax: 011 60 (0)3 2612 5620
Email:
humanrights@suhakam.org.my

Also send copies to:

H.E. Ambassador Datuk Othman Hashim, Embassy of Malaysia
3516 International Court, NW, Washington DC 20008
Fax: 1 202 572 9882 | Phone: 202 572 9700 | Email: malwashdc@kln.gov.my

Please let us know if you took action so that we can track our impact. Send a short email to uan@aiusa.org with "UA 241/14" in the subject line and include in the body of the email the number of letters and/or emails you sent. Thank you for taking action! Please check with the AIUSA Urgent Action Network Office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Over the past two months, the Malaysian authorities have intensified their use of the Sedition Act, a colonial-era law that criminalizes criticism of the government, to target peaceful dissidents. Two student activists were recently convicted and sentenced under the Sedition Act. On 19 September, Adam Adli was sentenced to one year in prison, while Safwan Anang was sentenced to 10 months' imprisonment on 5 September. Since the beginning of August, at least eight people, including Ali Abdul Jalil, have been charged with making "seditious" statements under the Act. The eight – who also include Wan Ji Wan Hussin, Chow Mun Fai, David Orok, Dr Azmi Sharom, N. Surendran, Khalid Samad and RSN Rayer – are now among 15 people known to be facing sedition charges. See UA 231/14, <http://www.amnesty.org/en/library/info/ASA28/009/2014/en>.

On 22 September, police in Malaysia announced that they were re-opening a sedition investigation relating to a speech given by opposition leader Anwar Ibrahim during a political rally in March 2011 in which he criticized the government.

Amnesty International has serious concerns about the Sedition Act, which criminalizes a wide array of acts, including those "with a tendency to excite disaffection against any Ruler or government" or to "question any matter" protected by the Constitution. Those found guilty can face three years in prison, be fined up to 5,000 Malaysian Ringgit (approximately US\$1,570) or both. The Sedition Act does not comply with international human rights law and standards, and violates the right to freedom of expression, which is enshrined in Article 19 of the Universal Declaration of Human Rights, and also guaranteed in Article 10 of the Malaysian Constitution.

Amnesty International is also concerned about persistent reports of torture and other ill-treatment of those detained in Malaysia, which in some cases have resulted in deaths in custody. The country is bound by rules of customary international law which prohibit torture and other ill-treatment in all circumstances.

Name: Ali Abdul Jalil (m)

Issues: Prisoner of conscience, Freedom of expression, Risk of torture and ill-treatment

UA: 241/14

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