

# URGENT ACTION

## APPEAL DATE SET FOR A NINE-MONTH JAIL SENTENCE

**Veteran activist, film maker and former political prisoner, Hishamuddin Rais, faces up to nine months in prison under the Sedition Act in Malaysia for his peaceful calls for electoral reform. The final appeal date has been set for 16 May.**

**Hishamuddin Rais** will face his final appeal on 16 May at 9am. He faces up to 9 months jail under the draconian Sedition Act in Malaysia. He has been convicted solely for the peaceful exercise of his right to freedom of expression and all charges against him must immediately be dropped.

Hishamuddin Rais was charged on 29 May 2013 for making seditious remarks at a forum after Malaysia's 13<sup>th</sup> General Elections held on 5 May 2013. His speech touched on the issues of electoral fraud and cheating. He also called people to exercise their right to peacefully protest against the election results. On 15 January 2016 Hishamuddin Rais was sentenced to nine months in jail, following an appeal by the prosecution in 2015 for a heavier sentence than a RM5,000 fine (USD\$1,237). A travel ban has also been imposed on Hishamuddin Rais as of December 2015, which restricts his freedom of movement, as provided by both international and domestic law.

Amnesty International has serious concerns about the Sedition Act in Malaysia as it criminalizes a wide array of acts such as those "with a tendency to excite disaffection against any ruler or government" or to "question any matter" that infringe upon the right to freedom of expression. Amnesty International believes the charges brought against Hishamuddin Rais are arbitrary and politically motivated as he was merely exercising his right to freely express himself.

### Please write immediately in English or your own language:

- Calling on the Malaysian authorities to ensure that all charges against Hishamuddin Rais are dropped, as they are based solely on his peaceful exercise of his right to freedom of expression;
- Calling on them to ensure that all people in Malaysia are free to critically engage with their government and to peacefully call for reforms without fear or criminalization or other reprisals;
- 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 22 JUNE 2016 TO:

#### Prime Minister

Datuk Seri Najib Tun Razak  
Prime Minister's Office of Malaysia,  
Main Block, Perdana Putra Building  
Federal Government Administrative  
Center 62502, Putrajaya Malaysia  
Fax: +603 8888 3444  
Email: ppm@pmo.gov.my  
**Salutation: Your Excellency**

#### Attorney General

Tan Sri Mohamed Apandi Ali  
Attorney General's Office  
No. 45, Persisaran Perdana, Precint 4  
62100 Putrajaya, W.P Putrajaya Malaysia  
Fax: +603 8891 5670  
Email: pro@agc.gov.my  
**Salutation: Dear Attorney General**

#### **And copies to:**

Chairperson, Human Rights Commission  
of Malaysia  
Tan Sri Hasmy Agam  
11<sup>th</sup> Floor, Menara TH Perdana,  
Jalan Sultan Ismail, 50250  
Kuala Lumpur, Malaysia  
Fax: +603 2612 5260  
Email: humanrights@suhakam.org.my

**Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY DATO AHMAD RASIDI HAZIZI** Malaysian High Commission, 45 Belgrave Square SW1X 8QT, 020 7235 8033, mwlon@btconnect.com

Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Since 2013 elections, the Malaysian authorities have overseen a far-reaching crackdown on freedom of expression. The 1948 Sedition Act has been used to investigate, charge, harass and imprison human rights defenders and target a wide range of individuals, such as activists, opposition politicians, journalists, academics and students. In March 2015, the Sedition Act Amendment Bill 2015 was passed to strengthen the Act, but also to no longer include the offence of an act of “bringing into hatred or contempt or exciting disaffection against the Government”. These amendments have been passed by both houses of Parliament, but have yet to come into force.

Hishamuddin Rais was charged under the Section 4(1)(b) of the Sedition Act after speaking at a forum on 13 May 2013, urging the public to attend the public demonstrations to peacefully protest the election results. Together with Hishamuddin Rais, five others were charged at this forum under the same section. They are: Safwan Anang, Adam Adli, Chua Tian Chang, Tamrin Ghafar and Haris Ibrahim. Safwan Anang, Adam Adli and Haris Ibrahim have been found guilty and convicted for sedition, either facing prison sentences or fines, while Chua Tian Chang and Tamrin Ghafar are in the midst of trial.

Hishamuddin Rais is a former prisoner of conscience, arrested under the Internal Security Act on 10 April 2001. The Internal Security Act allowed for detention without trial and accorded powers to the Home Minister to renew the order according to their discretion. Hishamuddin Rais and four others were accused of plotting to overthrow the government by ‘militant’ means and no evidence to support these allegations was ever made available to the public. He was unconditionally released from detention under the Internal Security Act when the Home Minister decided not to exercise his power of renewal.