

URGENT ACTION

HUMAN RIGHTS DEFENDER IN SOLITARY CONFINEMENT
Maria Chin Abdullah, human rights defender and prisoner of conscience, was arrested on 18 November for organizing a rally on free and fair elections. She was placed in solitary confinement and could be held for up to 28 days without charge or access to courts in deplorable conditions.

Maria Chin Abdullah, chairperson of Bersih 2.0, the coalition for clean and fair elections in Malaysia, was arrested on 18 November for 'attempts to commit activities detrimental to parliamentary democracy', under section 124C of the Penal Code at the Bersih 2.0 office in Petaling Jaya, Selangor. She has been detained under the Security Offences and Special Measures Act 2012 (SOSMA) and could be held for up to 28 days without charge or access to courts. Lawyers representing Maria Chin filed a habeas corpus application in the courts on 22 November to challenge the lawfulness and conditions of her detention. SOSMA specifically states that no individual will be arrested for 'political activity' or 'belief' and its use is strictly restricted to matters pertaining to public order and national security. However, this legislation is widely drafted, vaguely worded and is open to abuse. Amnesty International believes that Maria Chin's detention is part of a concerted, politically motivated attempt to intimidate and silence prominent activists and government critics.

The police raided the Bersih 2.0 office 24 hours ahead of the nationwide rally, known as Bersih 5, which took place on 19 November to demand electoral reform and transparency around recent corruption scandals and to strengthen parliamentary democracy. Fifteen other activists, members of opposition parties and student activists were also arrested for various offences, ranging from rioting to sedition and have been released on bail. Upon her arrest, Maria Chin was denied access to legal representation for the first two days but has since been allowed one meeting with her lawyers and family away from her place of detention. She is being held at an undisclosed location, unknown to her family and lawyers where she is kept in solitary confinement in a windowless cell with two lightbulbs kept on for 24 hours a day causing harmful sleep deprivation. Maria Chin suffers hypertension, osteoarthritis and has high cholesterol. There are severe concerns for her physical safety and health.

Please write immediately in English or your own language:

- Urging the Malaysian authorities to immediately and unconditionally release Maria Chin Abdullah and to drop all investigations and charges against other peaceful activists that have been arrested, investigated and detained in connection with the Bersih 5 rally for clean and fair elections;
- Urging the authorities to ensure that pending release, Maria Chin Abdullah is protected from all forms of torture and ill-treatment and provided with access to her family, lawyer and any healthcare she requires;
- Urging them to repeal or review the Security Offences (Special Measures) Act and all laws that allow for prolonged detention without charge which undermines fair trial rights.

PLEASE SEND APPEALS BEFORE 3 JANUARY 2017:

Inspector General of Police
 Tan Sri Dato' Sri Khalid bin Abu Bakar
 Ibu Pejabat Polis Diraja Malaysia
 Bukit Aman
 50560 Kuala Lumpur
 Malaysia
 Fax: +603 2070 7500
 Email: kpn@rmp.gov.my
Salutation: Dear Inspector General

Home Minister
 YB Dato' Seri Dr. Ahmad Zahid bin
 Hamidi
 Kementerian Dalam Negeri Malaysia
 Blok D1, D2 & D9 Kompleks D
 Pusat Pentadbiran Kerajaan Persekutuan
 62546 Putrajaya Malaysia
 Fax: +603 8889 1613
 Email: ahmadzahid@moha.gov.my
Salutation: Dear Home Minister

And copies to:
Attorney General
 Tan Sri Mohamed Apani Ali
 Attorney General's Office
 No. 45 Persiaran Perdana Precinct 4
 62100 Putrajaya, Wilayah Putrajaya
 Malaysia
 Fax: +603 8890 5670
 Email: pro@agc.gov.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, Fax 020 7235 5161, mwlon@btconnect.com

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

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ADDITIONAL INFORMATION

Maria Chin Abdullah, the Chairperson for the Coalition for Clean and Fair Elections (Bersih 2.0) has been subjected to harassment and intimidation by the Malaysian authorities and non-state actors. In November 2015, Maria Chin, along with Jannie Lasimbang, was charged under the Peaceful Assembly Act for failing to give prior notice of at least ten days for a demonstration. In October 2016, Maria Chin, her immediate family members, Bersih 2.0 Secretariat Manager, Mandeep Singh and former chairperson Ambiga Sreenevasan received death threats via disturbing images in a Whatsapp message and the perpetrators have yet to be brought to justice, see: <https://www.amnesty.org/en/documents/asa28/5014/2016/en/>.

In the previous four Bersih rallies between 2007 and 2015, there have been incidents of arrests, violence, harassment and intimidation against the organisers, activists and opposition politicians.

On 18 November 2016, Mandeep Singh, Bersih Secretariat Manager, was arrested with Maria Chin under section 147 of the Penal Code, which penalizes rioting, ahead of the Bersih 5 rally. Anthony Loke, opposition Member of Parliament was arrested under the Sedition Act 1948. Ronnie Liu, politician, was arrested under section 153 of the Penal Code, for 'wantonly giving provocation with intent to cause riot'. S. Arutchelvam, the Malaysian Socialist Party committee member was arrested together with Lee Khai Ming and Jimmy Wong, also opposition party members along with student activists Anis Syafiqah, Luqman Nul Hakim Zul Razali, and Safwan Anang. Also arrested were 'red-shirts', counter-demonstration leader Jamal Md. Yunus, Razali Zakaria and Hairol Nizam. On 19 November, activists Hishamuddin Rais, Fahmi Reza and Luqman Nul Hakim were arrested after the Bersih 5 rally, while opposition legislators Zuraida Kamaruddin, Howard Lee, and Chua Tian Chang were arrested for speeches made at the rally.

All have been released on bail with the exception of Maria Chin Abdullah.

UA: 263/16 Index: ASA 28/5186/2016 Issue Date: 22 November 2016