

Malaysia – Cease harassment of Citizen Action Group on Enforced Disappearances (CAGED)

(Bangkok, 2 June 2017) – The Asian Forum for Human Rights and Development (FORUM-ASIA) calls on the Government of Malaysia to cease the persecution of the newly established Citizen Action Group on Enforced Disappearances (CAGED), which FORUM-ASIA member Suara Rakyat Malaysia (SUARAM) holds the Secretariat for, and instead focus on recent cases of enforced disappearances in the country. The Government should start with declaring the cases as enforced disappearances; conducting thorough, impartial, and independent investigations into the disappearances of Amri Che Mat, Pastor Joshua Hilmy and his wife Ruth Sitepu, and Pastor Raymond Koh; and initiate the ratification process of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).

The last half year has seen a worrying increase in disappearances in Malaysia. Amri Che Mat, age 43, was abducted on 24 November 2016. Amri is a co-founder of the charity organisation Perlis Hope. Amri had been accused of spreading the teachings of Shia, which has been deemed haram (forbidden) by the National Fatwa Council of Malaysia. Amri was disappeared at Bukit Chabang, Perlis.

Pastor Joshua Hilmy and his wife Ruth Sitepu were likely abducted on 30 November 2016. Pastor Joshua, a Malay Muslim who converted to Christianity, had been suspected of attempting to convert Muslims to Christianity. While there is little information about what happened to them, a friend of the couple filed a police report after not having been able to reach or locate them for an extended period of time. According to the police, the complainant could not provide sufficient information for them to take any action.

Pastor Raymond Koh, age 62, disappeared in the morning of 13 February 2017. CCTV footage, which is publicly available, shows the Pastor exiting a highway in a suburb of Kuala Lumpur when numerous black SUVs and motorcycles block his car. Several men are seen exiting the cars and running to Pastor Raymond. After a while the convoy drives away. Beyond this, nothing more is known about his whereabouts. The abduction of Pastor Raymond and of Amri were reportedly very similar.

Pastor Raymond headed Harapan Komuniti, a church-based charity organisation that helps, among other things, distribute food to people of all faiths. Pastor Raymond had also been accused of attempting to convert Muslims to Christianity, and had, as such, received threats before.

In response to this rise in disappearances, a coalition of non-governmental organisations, CAGED, was established on 5 May 2017. SUARAM holds the Secretariat of CAGED. Since its foundation, CAGED has issued statements and helped hold candle-light vigils to commemorate the disappeared across Malaysia.

Article 2 of the ICPPED defines enforced disappearances as: *‘the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with*

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the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law’.

Based on this definition, CAGED has issued statements calling on the Government of Malaysia to address the enforced disappearances of Amri Che Mat, Pastor Joshua Hilmy and his wife Ruth Sitepu, and Pastor Raymond Koh. In direct response to this, the Inspector-General of Police, Khalid Abu Bakar tweeted that the allegations were shocking, and called for the involved non-governmental organisations to be summoned for questioning.

On 24 May 2017, Executive Director of SUARAM, Sevan Doraisamy, CAGED spokesperson, Thomas Fann, and Rama Ramanathan from Bersih 2.0 were summoned to clarify their claims that the cases were enforced disappearances under Section 505(B) of the Penal Code. The three, were summoned as witnesses, refused to answer many of the questions put to them, and instead responded they would only answer the questions in court.

The cases of Amri and Pastor Raymond have already been reported to the United Nations Working Group on Enforced or Involuntary Disappearances (WGEID). However, as filing such a report requires permission from the family, this has not been done yet for Pastor Joshua and his wife Ruth. Statements condemning the disappearances of Amri and Pastor Raymond have been issued by the United Nations Human Rights Office for South-East Asia.

FORUM-ASIA firstly calls on the Government of Malaysia to cease the harassment of Sevan Doraisamy, Thomas Fann, and Rama Ramanathan, and all others involved with CAGED. Instead, the Government should prioritise the investigations into the disappearances of Amri Che Mat, Pastor Joshua Hilmy and his wife Ruth Sitepu, and Pastor Raymond Koh, and recognise these as enforced disappearance. Finally, the Government should immediately ratify the ICPPED without any further delay, and fulfil all obligations that come with it.

About FORUM-ASIA:

FORUM-ASIA is a regional human rights group with 58 member organisations in 19 countries across Asia. FORUM-ASIA has offices in Bangkok, Jakarta, Geneva and Kathmandu. FORUM-ASIA addresses key areas of human rights violations in the region, including freedoms of expression, assembly and association, human rights defenders, and democratisation.

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