Malaysia: FORUM-ASIA Condemn Anwar’s Conviction and Calls for Repeal of Repressive Laws

The Asian Forum for Human Rights and Development (FORUM-ASIA) strongly condemn the decision of the Malaysian Federal Court to uphold the conviction of Anwar Ibrahim of sodomy under Article 377B of the Malaysian Penal Code. The decision and five year sentence against the opposition leader and former Deputy Prime Minister is a gross miscarriage of justice by the country’s highest court that has blatantly ignored international democratic and human rights norms, inflicting irreparable damage to the future of democracy in Malaysia. The verdict is a serious step backward for an already dismal environment for the rule of law, democracy and human rights in Malaysia.

The trial of Anwar Ibrahim has blatantly contravened international fair trial standards. This was evidenced by the Court of Appeal’s hearing in March 2014, which was brought forward abruptly from its original date and a sentence that was delivered after a mere two days, thus preventing him from running in the Kajang state assembly by-election on 23 March 2014. The Federal Court’s rejection of a motion by Anwar to disqualify a member of the prosecution team, Shafee Abdullah, a lawyer closely linked with the ruling UMNO party was also indicative of an absence of fair trial rights.

“Anwar’s conviction demonstrates the gross failure of the Malaysian judiciary in upholding the rule of law and safeguarding fundamental rights in the country, confirming doubts about the independence of the judiciary in Malaysia,” said Henri Tiphagne, Executive Director of People’s watch, India and Chairperson of FORUM-ASIA.

Anwar’s conviction is a case of selective persecution by the Barisan Nasional government, aimed at crippling any attempt to challenge the ruling government’s position of power in the country. The fact that there have only ever been seven cases of prosecution under Malaysia’s sodomy law, of which two have involved Anwar, surely confirms this.

“The fact that Anwar was convicted in a preposterous trial illustrates the ruling coalition’s fundamental insecurity and unwillingness to face serious questions about their performance, as well as their desperation to hold on to power, regardless of the ramifications to Malaysia’s integrity,” added Serene Lim, Program Coordinator of SUARAM.

Anwar’s five year sentence comes against the backdrop of an ongoing crackdown against the opposition and critics of the Malaysian government. Human rights defenders, political activists, journalists, lawyers, and dissidents have all fallen foul of the government’s use of repressive laws like the sodomy law and its colonial-era Sedition Act, to arrest, detain, charge and convict in an attempt to silence their activities.

“We call on the Malaysian government to repeal the sodomy law, the Sedition Act and the Peaceful Assembly Act. We further strongly urge the government to immediately cease its ongoing crackdown on the opposition, human rights defenders and critics,” stressed Evelyn Balais-Serrano, Executive Director of FORUM-ASIA.

FORUM-ASIA stands in solidarity with all Malaysians in their struggle and demands for democratisation and greater respect for human rights and the rule of law. This struggle must now be intensified to reclaim the rights and democratic norms that have been taken away from the Malaysian people by the puppet judiciary system.
About FORUM-ASIA:

The Asian Forum for Human Rights and Development (FORUM-ASIA) is a regional human rights group with 47 member organisations in 16 countries across Asia. With offices in Bangkok, Jakarta and Geneva, 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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