

## PRESS RELEASE - THE OBSERVATORY

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### **MALAYSIA: Passage of peaceful assembly bill a major setback for civil liberties**

Paris-Geneva-Bangkok, December 21, 2011. The passage of the highly restrictive Peaceful Assembly Bill by the Senate of the Malaysian Parliament on December 20, 2011 over the strong opposition of the Malaysian civil society and lawyers casts serious doubt over the Government's sincerity of its announced intention to implement reforms to ensure greater enjoyment of civil liberties for Malaysians, said today the Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT).

Approved by the lower house on November 29, 2011, the Bill bans street protests, prohibits non-citizens and anyone under the age of 21 from organising or participating in an assembly, and puts significant power in the hands of district police chiefs to impose restrictions and conditions on an assembly. The only recourse to appeal any restrictions and conditions is with the Minister of Home Affairs, leaving no other adequate safeguards independent from the executive branch of the government.

On December 7, 2011, four independent United Nations Special Procedures<sup>1</sup> have deemed the Bill a threat to the right to peaceful assembly and that many of its provisions represent "arbitrary and disproportional restrictions" that are "not justifiable under international law". Malaysian civil society has long argued that this Bill is more restrictive than any existing laws regulating assemblies.

*"Instead of increasing civil liberties as the Prime Minister has promised in his speech on Malaysia Day in September, the government, with the passage of this Bill, has demonstrated that its true intention seems to be the exact opposite",* said Debbie Stothard, Deputy Secretary-General of FIDH. *"Human rights defenders will be especially affected by this Law since they are at the forefront of organising public events in support of social justice and human rights causes",* she added.

*"This law is a real set-back for civil liberties in Malaysia. It falls short of minimum human rights standards on freedom of assembly and is clearly discriminatory",* said Gerald Staberock, Secretary General of OMCT. *"What we need now is a real overhaul of the legislative framework to enable human rights defenders rather than enshrining arbitrariness into permanent legislation",* he concluded.

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<sup>1</sup> UN Special Rapporteurs on the rights to freedom of peaceful assembly and of association; on human rights defenders; on the right to freedom of expression; and on the human rights of migrants. See OHCHR Press Release: <http://bit.ly/uis4BX>.