



MEDIA RELEASE

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Conviction of Karpal Singh undermines the rule of law in Malaysia

The president of the Australian Bar Association, Mark Livesey QC, has expressed deep concern that Karpal Singh, the internationally renowned Malaysian barrister and member of parliament, was convicted last Friday on a charge of sedition.

“This is a very disturbing development, which further undermines the rule of law in Malaysia”, said Mr Livesey.

Karpal Singh has appeared in many important cases to defend the rights and liberties of Malaysians, such as Anwar Ibrahim. However, many Australians will remember Mr Singh as the barrister who represented convicted drug trafficker Kevin Barlow, who was executed in 1986.

In 2009 Mr Singh appeared in a constitutional case involving the legal authority of the Sultan of Perak to remove one of his ministers. During a press conference, Mr Singh questioned that authority, and the government alleges that he uttered words which have the tendency to create hatred towards the sultan.

For many years after it gained its independence from Britain in 1957, Malaysia retained colonial-era laws, particularly the Internal Security Act (replaced by the Security Offences (Special Measures) Act in 2012) and the Sedition Act, which grant the government sweeping powers to detain people.

This is not the first time that the Government of Malaysia has sought to use these laws to stifle criticism. Mr Singh was himself imprisoned in 1987 and 1989, and in 2001 Amnesty International listed him as a prisoner of conscience. These laws are widely regarded as draconian.

If convicted, Mr Singh might be fined or imprisoned for up to three years. Under the Malaysian Constitution, this could disqualify him as a member of parliament, where he is the leader of the largest opposition, the Democratic Action Party.

“The Sedition Act, under which Mr Singh was convicted, was not intended to be used in this manner. In 2012 the Malaysian Prime Minister promised to repeal this law. That has not happened. This verdict will have a chilling effect on the freedom of expression in Malaysia and we join with numerous legal professional bodies around the world in calling for the law to be repealed”, said Mr Livesey.

Mr Singh will be sentenced on 7 March 2014.

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