

Malaysia: Stop using unnecessary, disproportionate force against protesters

ARTICLE 19 and the Centre for Independent Journalism (CIJ) condemn the Malaysian police's use of excessive force against peaceful protesters outside Parliament on 13 August. The clashes followed the police's attempt to physically block plantations workers and activists, who were calling for a new housing scheme legislation to protect workers from forced evictions, from exercising their right to peacefully assemble. We urge the Malaysian police to effectively end any form of obstruction to the right to freedom of assembly in Malaysia. Furthermore, we remind authorities that the right to freedom of expression and peaceful assembly is guaranteed under Article 10 of Malaysia's Federal Constitution, and that the police have a positive duty to facilitate these rights, not hinder them.

'Parliament is not a prohibited location for peaceful assemblies and the police must allow such gatherings to take place without unwarranted interference. Instead of upholding their obligation to actively protect this right, the authorities used unnecessary force to block individuals who were merely seeking to reach the very representatives they had elected, in order to call for a decent housing scheme law for the plantation workers who have contributed to the nation's development for decades. According to international human rights standards, peaceful assemblies are permitted in public spaces and should be within sight and sound of their intended audience, particularly lawmakers, to effectively convey their messages. Any restrictions must meet the three part-test of legality, legitimate aim, proportionality and necessity,' said Nalini Elumalai, Senior Malaysia Programme Officer at ARTICLE 19.

On 13 August, [hundreds of plantation workers](#) from across Malaysia gathered at Taman Tugu (The National Monument), before marching to Parliament to submit a [memorandum](#) urging the government to enact legislation requiring alternative housing for plantation workers if their current estates are repurposed for development projects. Although they were eventually able to hand over the memorandum to Members of Parliament from the opposition and the government,

the peaceful protesters were first met with a police blockade. Authorities attempted to physically block protesters from advancing closer to the Parliament gates, causing a scuffle, and resulting in one person, Arutchelvan, Deputy Chairperson of the Socialist Party of Malaysia (PSM), to fall to the ground.

The police have since [claimed](#) that a policeman was injured due to the actions of the protesters. At least one person, Arutchelvan, has been [called](#) in by the police for investigation under Section 353 of the Penal Code for allegedly using criminal force to deter a public servant from discharging his duty.

'The right to peaceful assembly is a cornerstone of any functioning democracy. Prime Minister Anwar Ibrahim came to power on a promise of institutional and democratic transformation. Today's incident highlights the urgent need to accelerate the pace of these commitments, which must include not only a review of laws that restrict freedom of expression, but also ensure that law enforcement officers are adequately trained to respect and protect peaceful protesters,' said Wathshlah Naidu, Executive Director for the Centre for Independent Journalism.

Peaceful assemblies are crucial in bringing to light topics of legitimate public interest. The Malaysian government must demonstrate genuine commitment to its reform promises and take steps to revise problematic laws to strengthen freedom of expression and assembly. Such measures will be positive steps towards strengthening Malaysia's democratic institutions and promote police accountability, and end the culture of impunity that undermines Malaysia's democratic future.