Malaysia: drop criminal charges against human rights defender Lena Hendry for screening “No Fire Zone” film

The ICJ is calling on the Malaysian Government to immediately drop the criminal charge against human rights defender Lena Hendry for screening the film ‘No Fire Zone: the Killing Fields of Sri Lanka’.

The case has been fixed for case management and the defence lawyers filed an application to set aside, permanently stay or quash the charges against Lena Hendry.

“Subjecting Lena Hendry to criminal prosecution simply for screening a documentary violates her rights and demonstrates Malaysia’s obligations to uphold freedom of expression,” said Sam Zarifi, ICJ’s Asia-Pacific Regional Director.

On 3 July 2013, Putrajaya, a Malaysian human rights advocacy organization where Lena Hendry works, and Kuala Lumpur and Selangor Chinese Assembly Hall Civil Right Committe (NLSCAH CRC) screened the film “No Fire Zone”, a documentary on the war crimes and human rights abuses allegedly committed at the end of the Sri Lankan civil war in 2009.

Immediately following the screening, 30 officers from the Malaysian Ministry of Home Affairs and the police entered the hall and recorded the identity of all persons who attended the event.

The authorities then arrested Lena Hendry and two colleagues, Anna Har and Azul Prakash, and interrogated them for three hours at Daing Wangi police station.

On 19 September 2013, Lena Hendry was charged under section 6(1)(b) of the Film Censorship Act 2002 for showing a film that had not been approved by the Board of Censors.

If found guilty, she could be fined up to RM50,000 (approximately USD 9,932) and sentenced to up to three years imprisonment.

“The Malaysian government told the UN Human Rights Council during its universal periodic review that it maintains a ‘strong commitment to the rule of law, to upholding respect for human rights, and ... widening the democratic space’, said Sam Zarifi. “That commitment is inconsistent with prosecuting human rights defenders for disseminating documentary human rights information.”

Under international law and standards, Malaysia must respect the right to freedom of expression of all persons, including the right to seek and impart information of all kinds.

In the case of human rights defenders, the UN Declaration on Human Rights Defenders imposes a special duty on States not only to respect this right, but also to protect those who exercise this right through their exposure of human rights violations.