



Statement on Recent Events in Malaysia

The Commonwealth Lawyers Association (CLA) is a pan-Commonwealth professional association of lawyers and exists to maintain and promote an independent legal profession and the rule of law throughout the Commonwealth.

The CLA is very concerned by reports that five lawyers have been arrested in Malaysia following their visit to a police station for the sole purpose of representing their clients who had been arrested for illegal assembly. The CLA understands that the lawyers were denied access to their clients, detained overnight and subsequently released the next day without being given any reason for their arrest and detention.

The right to Counsel is recognised in Article 5(3) of the Malaysian Federal Constitution and is universally recognised as an important facet of the rule of law in all democratic societies.

The CLA supports the stand taken by the Malaysian Bar Council at its Extra-Ordinary General Meeting of 15th May 2009, where it condemned the arrest and detention of the lawyers as, inter-alia, an interference in the performance of their primary duties as lawyers.

The CLA calls upon the Government of Malaysia to respect the role of lawyers, as detailed in the United Nations Basic Principles on the Role of Lawyers (adopted in 1990) and the United Nations Declaration on Human Rights Defenders (adopted in 1998), and to ensure that lawyers are able to access their clients without any hindrance and freely discharge their duties in the interest of effective administration of justice.

The CLA considers that it is imperative that a full and independent investigation into the matter be carried out as soon as possible and urges the Government of Malaysia to act accordingly. The CLA also urges the Government of Malaysia to reassure lawyers that they would be free to carry out their functions without Executive interference.

The CLA will continue to actively support the Malaysian Bar Council and the legal profession in Malaysia in their efforts to uphold the independence of the legal profession and respect for the rule of law.

Commonwealth Lawyers Association
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