

## **Hindraf: Review Uthaya's 30-month jail sentence**

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The Persatuan Hindraf Malaysia (Persatuan Hindraf) has urged the High Court to review the 30-month jail sentence against lawyer P Uthayakumar for sedition after the latter refused to defend himself at the Kuala Lumpur Sessions Court.

In a statement today, Persatuan Hindraf adviser N Ganesan said that the High Court can initiate a review on its own initiative without a formal application to set aside the conviction, if appropriate.

"There are various legal issues involved which warrant the interference of the High Court judge to review the case on his own motion, especially since Uthayakumar has given up hope on the judiciary and had refused to continue with his defence.

azlan"Above all, he has already been detained for 514 days under the draconian Internal Security Act (ISA) and this 30-month sentence would be double punishment," he added.

Uthayakumar was charged with writing a seditious letter to then British Prime Minister Gordon Brown, alleging "ethnic cleansing" and genocide against Indians in Malaysia.

"The letter written by Uthayakumar in his capacity as (former) legal adviser of Hindu Rights Action Force (Hindraf), was nothing more than a reflection of the genuine sentiments of Indian Malaysians who felt angry and oppressed by the unlawful demolitions of Hindu temples that were occurring prolifically in 2005-2007.

"The judiciary has to be sensitive to the true feelings of the people. Mere words contained in a letter should not be interpreted as sedition, especially if it reflected the feelings of the people who Uthayakumar represented," said Ganesan.

Double sentence, double standards

Furthermore, Ganesan noted that the sentence made a mockery of the legal system, as individuals such as Perkasa vice-president Zulkifli Noordin who insulted Hinduism, was let off scot-free.

Zulkifli has since apologised for his actions.

s ganesan hindraf pc brickfields five-year blueprint"The government has not (made a) move on these people and does not look to do that now. The law has to be applied equally on all citizens, not selectively persecute certain individuals," he said.

Ganesan (right) stressed that such double standards should not happen and the government now has an opportunity to reverse the perception that it supports an unfair justice system.

"This is exactly the kind of thing that should never happen in a multi-religious and multi-cultural country like ours - uncalled for insulting comments that cause grievous damage in interethnic relationships done with impunity on the one hand, and intolerant and harsh treatment for utterances from the spokespersons of the weak and defenceless on the other hand, for what are justifiable violations," he said.

Foundation: Waytha the best choice

Uthayakumar - together with his brother P Waythamoorthy - had been part of the Hindraf which was still a loose coalition of NGOs in 2007 when the letter was submitted.

The movement under the leadership of Waythamoorthy had since been officially registered on March 8 this year. He is now deputy minister in the Prime Minister's Department, and whose supporters include Ganesan.

Uthayakumar claims to be the de facto leader of what remains of the unregistered version of the movement that is not aligned to Waythamoorthy.

NONEMeanwhile, the Malaysian-American Foundation (MAF) in the US have expressed its support towards Waythamoorthy's (left) appointment into the cabinet.

In a statement, the California-based foundation stated that this is "based on attorney Waythamoorthy's track record as a sincere and determined human rights activist".

"The MAF... fully supports his (Waythamoorthy) appointment as a deputy minister in the Malaysian Prime Minister's Department to head a unit to improve the socio-economic status and human rights of minority ethnic Indians and all ethnic groups whose human rights are not protected in Malaysia.

"We feel he is the best choice for this endeavor."

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