

**PUBLIC**

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**1 November 2007**

**UA 283/07**      **Detention without charge/ Torture and ill-treatment**

**MALAYSIA**      **Sajad Hussain Wani (m), Pakistan national**

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Sajad Hussain Wani, a Pakistan national studying in Malaysia, has been detained illegally for almost one month, and has been tortured by immigration authorities. Amnesty International is concerned that his detention is illegal, and that he may face further torture and ill-treatment.

Sajad Hussain Wani is studying for a Master of Business Administration (MBA) qualification at the Abdul Razak University in the Malaysian capital, Kuala Lumpur, and has a valid student visa. On 2 October, he was detained by immigration officials, after his former girlfriend contacted the authorities, allegedly requesting his arrest. Under Malaysian law, immigration officials are only permitted to arrest those suspected of being illegal immigrants. Sajad Hussain Wani is being held in the Sepang detention camp, near Kuala Lumpur's international airport. He has not been charged with any offence, and has not yet been brought before a court to challenge the legality of his detention.

On 7 October, Sajad Hussain Wani's friends visited him in detention, and noted that his face was bruised. Sajad Hussain Wani told them that he had cigarette burns on his body, including on his genitals. His lawyer has told Amnesty International he is aware of at least three incidents of abuse during the period of his detention, including one at the Immigration Department headquarters. The relatives of the former girlfriend have been implicated in the abuse, as they participated with the acquiescence of immigration officials. According to the lawyer, Sajad Hussain Wani has received some medical treatment for his injuries. The lawyer has filed a complaint against the immigration authorities over their detention and alleged torture of Sajad Hussain Wani, but the complaint has not been investigated by the Attorney General or the police.

#### **BACKGROUND INFORMATION**

Amnesty International has previously investigated the Malaysian immigration authorities' treatment of migrants and refugees. Police, security forces and immigration authorities are routinely accused of brutality and excessive use of force. Amnesty International has reported on widespread abuse of police and security forces' powers, including the use of torture and ill-treatment. There are very few investigations into human rights abuses committed by police, and there is currently no independent complaints mechanism for police misconduct.

#### **RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:**

- expressing concern that student Sajad Hussain Wani is being detained illegally by immigration authorities at the Sepang detention camp, and has been tortured in detention;
- calling for his immediate release, and for him to be allowed to return to university to continue his studies;
- urging the authorities to initiate a full and impartial investigation into his detention and torture, with the results made public and those responsible brought to justice.

#### **APPEALS TO:**

Prime Minister  
Datuk Seri Abdullah Haji Ahmad Badawi  
Prime Ministers Department  
Federal Government Administration Centre

Bangunan Perdana Putra  
62502 Putrajaya  
Malaysia  
**Fax: + 60 3 8888 3444**  
**E-mail: ppm@pmo.gov.my**  
**Salutation: Dear Prime Minister**

Tuan Hj. Zainun b. Saleh  
Director of Immigration Department  
Headquarters of the Department of Immigration Malaysia  
Level 1-7 (Podium) Block 2G4  
Precinct 2, Federal Government Administration Centre  
62550 Putrajaya  
Federal Territory  
Malaysia  
**Fax: + 60 3 8880 1200**  
**Email: zainun@imi.gov.my**  
**Salutation: Dear Director**

Attorney General  
Tan Sri Abdul Gani Patail  
Attorney General's Chambers  
Level 1-8, Block C3 & Level 2, Block C7  
Federal Government Administrative centre  
62512 Wp Putrajaya  
**Fax +60 3 888 9378**  
**Email pro@agc.gov.my**  
**Salutation: Dear Tan Sri Gani**

**COPIES TO:**

Pakistan Embassy in Malaysia  
High Commission of Pakistan in Kuala Lumpur, Malaysia  
High Commission for Pakistan, 132 Jalan Ampang,  
50450 Kuala Lumpur, Malaysia  
**Fax: + 60 3 2164 5958**  
**Email: pareplumpur@po.jaring.my**

and to diplomatic representatives of Malaysia accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 13 December 2007.