

9 May 2001

Further information on UA 94/01 (ASA 28/006/2001, 11 April 2001) and follow-up (26 April 2001, ASA 28/007/2001) - Fear of torture or ill-treatment / incommunicado detention / prisoners of conscience

**MALAYSIATian Chua [m], Vice President, Parti Keadilan Nasional (PKN)**  
**Mohd Ezam Mohd Noor [m], National Youth Chief, PKN**  
**Haji Saari Sungip [m], PKN activist**  
**Hishamuddin Rais [m], media columnist and social activist**  
**Raja Petra Kamaruddin [m], Director of Free Anwar Campaign**  
**N. Gobala Krishnan [m], Secretary General, PKN Youth**  
**Abdul Ghani Harun [m], PKN Youth Central Committee member**  
**Badaruddin Ismail [m], human rights defender**  
**Dr Badrul Amin Baharom [m], PKN Youth leader**  
**Lokman Nor Adam [m], Executive Secretary, PKN Youth Wing**

---

Some of the ten detainees held without charge under the Internal Security Act (ISA) have been allowed visits from their families. Police were present during all or part of the visits, and the detainees were unable or unwilling to speak freely. Amnesty International believes the detainees may have been subjected to intense psychological pressure amounting to torture, and continues to be concerned for their safety.

Five of the detainees, Mohd Ezam Mohd Noor, Haji Saari Sungip, Raja Petra Kamaruddin, Dr Badrul Amin Baharom and Lokman Nor Adam, have been allowed visits from their families in recent days, but it is not clear whether further visits will be permitted. Some relatives reported that while the detainees did not show signs of physical assault, they were unable or unwilling to speak of their experience during interrogation.

The others, Badaruddin Ismail, Tian Chua, Hishamuddin Rais, N. Gobala Krishnan and Abdul Ghani Harun, have not yet seen their families. All ten detainees, most of whom have been held incommunicado for four weeks, continue to be denied access to their lawyers. The police also continue to refuse the Malaysian Human Rights Commission, *Suhakam*, permission to visit the detainees.

On 4 May, a High Court judge ordered Abdul Ghani Harun and N. Gobala Krishnan to be brought before the court after their lawyers challenged the legality of their arrest in a *habeas corpus* petition. However, their appearance in court has been delayed for at least one week after a Federal Court ruling on 8 May, which allows the police time to present their objections.

Nine of the detainees are opposition activists, whom Amnesty International believes have been arrested in an attempt to suppress legitimate peaceful dissent. The last detainee, Badaruddin Ismail, is a human rights defender, who was arrested after assisting families of detainees and documenting an official enquiry into police brutality.

#### **BACKGROUND INFORMATION:**

In the past, detainees held under the ISA have been forced to strip, deprived of sleep, food and water, told that their families would be harmed, and subjected to prolonged aggressive interrogation to coerce them to confess. ISA detainees are usually held in solitary confinement, in a windowless cell where they lose all sense of time. The interrogation procedure is designed to induce a feeling

of complete disorientation and dependence on the interrogators as the only point of human contact. Several former detainees have suffered mental breakdowns as a result of prolonged intense psychological pressure during interrogation. Others have been forced to make false confessions.

**FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or in your own language:**

- calling for the immediate and unconditional release of Badaruddin Ismail, who has been detained on account of his peaceful activities in defence of human rights;
- calling for the immediate and unconditional release of the other detainees named above, who have been arrested solely for their peaceful dissenting political activities;
- urging the authorities to guarantee that they will not be tortured or ill-treated in detention;
- calling for all the detainees to be allowed immediate and regular access to lawyers, families and medical attention;
- urging the authorities to grant immediate permission to the Malaysian Human Rights Commission, *Suhakam*, to visit the detainees;
- urging that the ISA be either repealed or amended so that it no longer allows for the detention without trial of those exercising their right to peaceful freedom of expression or assembly.

**APPEALS TO: (Please note that it can be difficult getting through to Malaysian fax numbers. Please be patient and keep trying):**

Minister of Home Affairs and Deputy Prime Minister

Dato' Abdullah Haji Ahmad Badawi

Menteri Dalam Negeri

Jalan Dato Onn,

50502 Kuala Lumpur

Malaysia

**Fax: + 60 3 230 1051 or + 60 3 230 1217**

**Email: tpm@smpke.jpm.my**

**Salutation: Dear Minister of Home Affairs**

Inspector General of Police

Tan Sri Norian Mai

Ketua Polis Negara

Ibu pejabat Polis Diraja Malaysia

Bukit Aman

50502 Kuala Lumpur

Malaysia

**Fax: + 60 3 22731326**

**Salutation: Dear Inspector General of Police**

**COPIES TO:**

Chairman, Human Rights Commission (SUHAKAM)

Ybhg. Tan Sri Musa Hitam

Suruhanjaya Hak Asasi Manusia Malaysia

29th Floor

Menara Tun Razak

Jalan Raja Laut

50350 Kuala Lumpur

Malaysia

**Fax: + 603 26125620**

**E-mail: [humanrights@humanrights.com.my](mailto:humanrights@humanrights.com.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 20 June 2001.