

4 June 2001

Further information on UA 94/01 (ASA 28/006/2001, 11 April 2001) and follow-ups (ASA 28/007/2001, 26 April 2001, ASA 28/009/2001, 9 May 2001 and ASA 28/010/2001, 1 June) - 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
Badaruddin Ismail [m], human rights defender
Dr Badrul Amin Baharom [m], PKN Youth leader
Lokman Nor Adam [m], Executive Secretary, PKN Youth Wing

The Minister of Home Affairs has ordered Tian Chua, Mohd Ezam Mohd Noor, Haji Saari Sungip and Hishamuddin Rais to be detained for two years without charge or trial.

The Minister reportedly said today that, according to police investigations, the four men had acted in a manner prejudicial to national security and stability. No evidence supporting this claim has been made public, nor have the men been allowed to consult with their lawyers or given the opportunity to defend themselves before a court of law. Amnesty International remains concerned that they may have been subjected to prolonged, intense psychological pressure amounting to torture during nearly 60 days' interrogation by the police.

The four men were transferred to Kamunting detention camp, in the state of Perak, on the evening of 2 June. They have been allowed visits by their families.

Raja Petra Kamaruddin was released unconditionally on 2 June, three days after N. Gobalakrishnan and Abdul Ghani Harun were released on the orders of a High Court judge, who ruled that their detention was unlawful. The fate of the three remaining in police custody - human rights defender Badaruddin Ismail, Dr Badrul Amin Baharom and Lokman Nor Adam - has not yet been revealed.

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

- expressing deep regret that the Minister of Home Affairs has ordered that Tian Chua, Mohd Ezam Mohd Noor, Haji Saari Sungip and Hishamuddin Rais be detained without charge or trial for two years;
- urging that they be released immediately and unconditionally, as they are prisoners of conscience, detained solely for their peaceful dissenting political activities;
- urging that Badaruddin Ismail, Dr Badrul Amin Baharom and Lokman Nor Adam also be released immediately and unconditionally;
- expressing concern that the ISA violates fundamental human rights, as set out in the Universal Declaration of Human Rights, including the right not to be subjected to torture or other cruel, inhuman and degrading treatment, the right to a fair and public trial and the right to be presumed innocent until proved guilty according to law;

- urging that the ISA be 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:

Minister of Home Affairs and Deputy Prime Minister

Dato' Abdullah Haji Ahmad Badawi

Menteri Dalam Negeri

Jalan Dato Onn,

50502 Kuala Lumpur

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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

Ibupejabat 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

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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 16 July 2001.