

PUBLIC

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To: Health professionals
From: Medical office / Asia Program
Date: 24 October 2001

***Further information on
MEDICAL LETTER WRITING ACTION***

**Ill-health of six prisoners of conscience held under Internal Security Act
Malaysia**

[Original action: Fear of psychological torture of 10 detainees, 21 May 2001, ASA 28/010/2001; also see two urgent actions sent to the health professional network: ASA 28/013/2001, 4 June 2001 and ASA 28/015/2001, 14 June 2001)

Key words ill-health / prisoners of conscience

Summary

Amnesty International has received information that the six prisoners of conscience held under the Internal Security Act (ISA) - Tian Chua, Mohd Ezam Mohd Noor, Haji Saari Sungip, Hishamuddin Rais, Badrul Amin Baharom and Lokman Nor Adam - have not been eating prison meals since 11 September 2001 in protest at their poor treatment at Kamunting Detention Camp. They have lost weight, are growing weaker and some have additional health problems. Amnesty International is calling for their immediate release as prisoners of conscience and for appropriate medical care, and for the provision of nutritious food necessary to restore their health.

Recommended actions

Please write letters in English or in your own language and use professionally-headed paper if you use this in your profession,

- calling for the immediate and unconditional release of Tian Chua, Mohd Ezam Mohd Noor, Haji Saari Sungip, Hishamuddin Rais, Badrul Amin Baharom and Lokman Nor Adam, who have been detained solely for their peaceful political activities at Kamunting Detention Centre;
- expressing concern at reports of ill-health of Tian Chua, Mohd Ezam Mohd Noor, Haji Saari Sungip, Hishamuddin Rais, Badrul Amin Baharom and Lokman Nor Adam;
- urging the authorities to provide each of the prisoners with appropriate medical care according to international standards such as the *Standard Minimum Rules for the Treatment of Prisoners* of the United Nations and for access to doctors of their choice;
- expressing concern at the segregation of the detainees, a measure which is discriminatory and punitive;

- urging the authorities to ensure that the prisoners are provided with food of the nutritional value required to restore their health;
- urging that the Internal Security Act be either repealed or amended so that it no longer allows for the detention without trial of those exercising their right to peaceful freedom of expression or assembly and that it is consistent with international standards.

If you receive no reply from the government or other recipients within two months of dispatch of your letter, please send a follow up letter seeking a response, referring to your previous letter(s). Please do not be discouraged by the possible lack of replies to your letters. Your letters are noticed. Please check with the medical team if you are sending appeals after 15 January 2002, and send copies of any replies you do receive to the International Secretariat, att: medical team.

Addresses

Minister of Home Affairs and Deputy Prime Minister

Dato' Abdullah Haji Ahmad Badawi
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 65202 Putrajaya, Selangor
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 Salutation: Dear Minister of Home Affairs

Minister of Health

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 Salutation: Dear Minister of Health

Minister in Prime Minister's Department with responsibility for legal affairs

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 Salutation: Dear Minister

Copies

Please send copies of your letters to:

Chairman, Human Rights Commission (SUHAKAM)

Ybhg. Tan Sri Musa Hitam
 Suruhanjaya Hak Asasi Manusia Malaysia
 29th Floor
 Menara Tun Razak
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 50350 Kuala Lumpur
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 E-mail: humanrights@humanrights.com.my

and to diplomatic representatives of Malaysia accredited to your country.

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MEDICAL CONCERN

**Ill-health of six prisoners of conscience held under Internal Security Act
Malaysia**

Amnesty International has received information that the six prisoners of conscience held under the Internal Security Act (ISA) - Tian Chua, Mohd Ezam Mohd Noor, Haji Saari Sungip, Hishamuddin Rais, Badrul Amin Baharom and Lokman Nor Adam - have not been eating prison meals since 11 September 2001 in protest at their poor treatment at Kamunting Detention Camp. They have lost weight, are growing weaker and some have additional health problems. Amnesty International is calling for their immediate release as prisoners of conscience and for appropriate medical care, and for the provision of nutritious food necessary to restore their health.



Poor treatment including segregation from other prisoners

The six prisoners of conscience began their boycott of prison meals in protest at their segregation from other prisoners in the camp - a facility reserved specifically for those detained without trial under the ISA. Each prisoner is only allowed contact with one fellow detainee. They are held in pairs in blocks which would normally hold about twenty detainees. Those who are Muslims have not been allowed to join in Friday prayers. Around 70 other ISA detainees are crowded into the remaining three cell blocks. In September 2001 the six men wrote to the Minister of Home Affairs asking for an explanation for their segregation, but have received no response. They are also protesting at the authorities' refusal to allow them to meet with their relatives and lawyers in private - all such meetings are reportedly monitored by the prison officers - and at the poor quality of the prison food. Currently most of the six prisoners are only eating fruit provided by their families once a week, in addition to dried snacks bought from the prison canteen.



Health problems

The detainees are reported to be suffering from the following health problems and are not receiving proper medical care:

- Lokman Nor Adam reportedly has blood in his urine and is suffering from high blood pressure;
- Tian Chua is reported to look sick and is not able to walk steadily. He also suffers from asthma;
- Mohd Ezam Mohd Noor is reported to have a high uric acid level;

- Haji Saari Sungip and Hishamuddin Rais are reportedly suffering from migraines.



The *Standard Minimum Rules for the Treatment of Prisoners* include a call for appropriate medical care and nourishing food:

20. Every prisoner shall be provided by the administration at the usual hours with food of nutritional value (..);

22. (..)

(2) Sick prisoners who require specialist treatment shall be transferred to specialized institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishings and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners, and there shall be a staff of suitable trained officers.

(3) The services of a qualified dental officer shall be available to every prisoner.

(..)

24. The medical officer shall see and examine every prisoner as soon as possible after his admission and thereafter as necessary, with a view particularly to the discovery of physical or mental illness and the taking of all necessary measures (..)

25.(1) The medical officer shall have the care of the physical and mental health of the prisoners and should daily see all sick prisoners, all who complain of illness, and any prisoner to whom his attention is specially directed.

(2) The medical officer shall report to the director whenever he considers that a prisoner's physical or mental health has been or will be injuriously affected by continued imprisonment or by any condition of imprisonment.



26.(1) The medical officer shall regularly inspect and advise the director upon:

(a) The quantity, quality, preparation and service of food (..).

Amnesty International is calling on the prison authorities to comply with international standards in the provision of medical care and nutritious food.

Background information

In April 2001 Malaysian police arrested nine political activists - most of them leading members of the opposition party Keadilan - and a human rights defender under the Internal Security Act (ISA), which allows for indefinite detention without charge or trial. The detainees were held incommunicado for up to sixty days and subjected to prolonged police interrogation. When they eventually were allowed brief family visits, police officers were present and the detainees were unable or unwilling to speak freely. Amnesty international believed that the detainees may have been subjected to intense psychological pressure amounting to torture. Four of the detainees were released in May and June 2001, while the Minister of Home Affairs ordered the above six prisoners of conscience to be detained for two years without charge or trial. The authorities have accused the men of acting in a manner prejudicial to national security by plotting to overthrow the government by violent means. These claims have not been substantiated by the authorities.



Amnesty International is calling for the immediate and unconditional release of the above prisoners, who have been detained solely for their peaceful political activities. The organization is also urging government authorities

that the Internal Security Act 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. The ISA violates many fundamental rights including the right to a fair and public trial and the right to be presumed innocent until proved guilty according to law. It has also been used by the authorities as a "license to torture". During the first 60 days of detention, ISA detainees are held in solitary confinement in small windowless cells and denied access to lawyers and relatives. In the past physical assaults were common and today many ISA detainees continue to be forced to strip, deprived of sleep, food and water, told that their families would be harassed, and subjected to prolonged aggressive interrogation to coerce them to confess. Several former detainees have suffered mental breakdowns as a result of prolonged intense psychological pressure. Others have been forced to make false confessions.