

PUBLIC

AI Index: ASA 28/06/00

EXTRA 41/00

Arbitrary

MALAYSIATian Chua, *Parti Keadilan Nasional* (PKN) Vice-President

Roslan Kassim, PKN Information Chief

Mohd Ezam Mohd Nor, PKN Youth Chief

N. Gopalankrishnan, PKN Supreme Council member

Abdul Malek Hussain

Mohd Hafiz Hashim, aged 17

At least 46 others

At least 50 people, among them four leading members of the opposition *Parti Keadilan Nasional* (National Justice Party), have been arrested in connection with a 15 April demonstration, and a magistrate has remanded them in custody for further questioning. Amnesty International fears they are at risk of serious ill-treatment in detention, and is concerned at this seemingly arbitrary decision to hold them for further questioning.

At least six are reported to have been assaulted and denied access to medical treatment. According to a news report, one detainee who appeared in court today told the magistrate that he had been beaten round the head with a truncheon and punched all over his body. The detainees have had only limited access to their lawyers and have not been allowed to see their families since their arrest. Many of those arrested at similar demonstrations in the past have been assaulted by the police.

Tian Chua, a PKN leader and well-known social activist, who has been arrested a number of times and assaulted by police following his participation in other illegal demonstrations, suffers from asthma and is currently on daily medication for food poisoning.

Roslan Kassim, arrested the day before the demonstration, was ordered detained for seven days, reportedly on suspicion of inciting others to attend an illegal assembly. All the others, arrested over the weekend, were remanded in custody for up to six days, except 17-year-old Mohd Hafiz Hashim, who was remanded in custody for three days.

BACKGROUND INFORMATION

Demonstrators had planned to march through the capital, Kuala Lumpur, on 15 April, to mark the first anniversary of the jailing of former Deputy Prime Minister Anwar Ibrahim. Prisoner of conscience Anwar Ibrahim was sentenced to six years' imprisonment after an unfair trial on politically motivated charges of "abuse of power".

The Malaysian authorities announced a ban on the rally and positioned hundreds of police around the capital, some armed with M16 rifles. Several hundred peaceful protesters gathered during the day, chanting slogans and calling for "*reformasi*" (reform). They were dispersed with tear gas and water cannon spraying water laced with chemicals.

The Malaysian Police Act outlaws attendance at any unauthorized gathering of more than three people. Offenders may be punished with fines and imprisonment of up to one year. Since 1998 unprecedented public demonstrations in support of Anwar Ibrahim have been suppressed with force and more than 1,200 people have been arrested. Many of those arrested were assaulted in custody and face trials during 2000 for illegal assembly.

RECOMMENDED ACTION: Please send faxes in English or your own language:

- expressing concern that those named above have been detained solely for exercising their right to peaceful assembly, and urging that they be immediately and unconditionally released;
- expressing concern at reports that some have been assaulted in custody and urging that they not be ill-treated in any way;
- urging that all those detained in connection with the 15 April demonstration be allowed immediate and continuing access to relatives, independent lawyers and medical attention;
- calling for all reports of ill-treatment in police custody to be fully and independently investigated and for those responsible to be brought to justice.

APPEALS TO:

Minister of Home Affairs

Dato' Abdullah Haji Ahmad Badawi
Ministry of Home Affairs (Menteri Dalam Negeri)
Jalan Dato Onn,
50546 Kuala Lumpur
Fax: + 60 3 2301 217 / + 603 230 1051

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

Datuk Dr. Rais Yatim
Law Division
Prime Minister's Department, Block 1
Federal Government Administration Centre
62502 Putrajaya, Selangor
Malaysia
Fax: + 60 3 8888 3424

COPIES TO:

Chairman, Human Rights Commission

Ybhg. Tan Sri Musa Hitam
Pengerusi Suruhanjaya Hak Asasi Manusia
Kementerian Luar Negeri
Wisma Putra
50602 Kuala Lumpur
Fax: + 603 2425043

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

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 15 May 2000.