

EXTERNAL

AI Index: ASA 28/01/98

5 January 1998

Further information on UA 407/97 (ASA 28/14/97, 22 December 1997) - Excessive force / Ill-treatment / Possible prisoners of conscience

MALAYSIA Enyang ak Gendung, aged 40

Indit ak Uma

Siba ak Sentu, aged 36

Untok ak Utom

Rolly ak Sylvester Nyelong, aged 13

Sylvester Nyelong ak Mudat, aged 36

Johan ak Jau, aged 19

Jau ak Minggang

Tingom ak Rangking, aged 60

Amnesty International has learned with deep regret that Enyang ak Gendung died in hospital from his injuries on 24 December 1997. He had been in a coma in intensive care after being shot by police officers on 19 December. On 27 December, a postmortem revealed a bullet lodged inside his head. Enyang ak Gendung was married with three children, aged between seven and 17 years.

Rolly ak Sylvester, who is a 13-year-old child, and Tingom ak Rangking were released from police custody on 23 December. The remaining detainees were released on 29 December. No charges have been laid against any members of the group, but all are due to appear at Miri Magistrate's Court on 22 January 1998.

Indit ak Uma, who was shot in the stomach, chest and wrist, and Siba ak Sentu, who was shot in the abdomen, were also detained by the police until their release on 29 December. Indit is reported to have returned to the hospital for treatment to his stomach wound which became infected while he was in detention.

Up to 22 other *Dayak Iban* from neighbouring communities are also reported to have been detained briefly before 23 December 1997. They were also released without charge but ordered to appear at the Magistrate's Court in Marudi on 22 January 1998.

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

- expressing deep concern at the death of Enyang ak Gendung after being shot by police officers on 19 December 1997;
- calling for an immediate impartial inquiry into the shooting of Enyang ak Gendung, Indit ak Uma and Siba ak Sentu and into the reports of ill-treatment;
- calling for the findings to be made public, and for those responsible to be brought to justice;
- calling for immediate steps to ensure that members of the police abide by the UN Code of Conduct for Law Enforcement Officials;
- seeking assurances that the *Dayak Iban* who are engaged in peaceful protests at the development of their land will be able to do so free from the threat of arbitrary arrest or ill-treatment.

APPEALS TO:

Chief Minister of Sarawak

YAB Datuk Patinggi Tan Sri Abdul Taib Mohamud

Chief Minister of Sarawak

Tingkat 14, Wisma Bapa Malaysia
Petra Jaya, 93502 Kuching, Sarawak, Malaysia
Telegrams: Chief Minister, Sarawak, Malaysia
Faxes: +60 82 440 506
Salutation: Dear Minister

Inspector General of Police
Tan Sri Rahim Noor
Federal Police Headquarters
Bukit Aman Police Station
50560 Kuala Lumpur, Malaysia
Telegrams: Inspector General, Bukit Aman, Kuala Lumpur, Malaysia
Faxes: +60 3 291 0707
Salutation: Dear Inspector General

COPIES TO:

Prime Minister
Dato' Seri Dr Mahathir bin Mohamad
Prime Minister and Minister of Home Affairs
Jalan Dato' Onn, 50502 Kuala Lumpur, Malaysia
Faxes: +60 3 255 6264 or +60 3 298 4172

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 February 1998.