

AI INDEX: ASA 28/09/96
7 JUNE 1996 -- FOR IMMEDIATE RELEASE

MALAYSIA: FERNANDEZ TRIAL -- A THREAT TO FREEDOM OF SPEECH

Amnesty International today called on the Malaysian authorities to withdraw all charges against Irene Fernandez, who faces up to three years in prison because of her work in defence of human rights.

Ms Fernandez is due to be tried on Monday, charged under the Printing Presses and Publications Act, following the publication of a report on alleged human rights violations in camps for detained migrants. The report, issued by *Tenaganita*, a women's non-governmental organization (NGO), details a pattern of abuse in the camps including deaths from malnutrition, the denial of medical treatment, ill-treatment and sexual abuse.

"The Malaysian government's treatment of Irene Fernandez is nothing short of scandalous," Amnesty International said. "The authorities should welcome her valuable human rights work, instead of trying to jail her and prevent the discussion of issues of legitimate public concern. All charges against her should be dropped immediately."

Ms Fernandez, the Director of *Tenaganita*, was questioned by police on a number of occasions before being arrested in March 1996 and charged with "maliciously publishing false news". She is currently on bail, with her trial set to begin on 10 June.

This trial is another example of the government using legislation to threaten and intimidate people who expose human rights violations. NGO workers, politicians and other individuals are all vulnerable to prosecution and imprisonment by a government which appears unwilling to respect internationally recognized rights to freedom of expression.

"In the light of the authorities' own admission that 71 detainees have died in the camps since 1992, the government should immediately conduct a full and impartial inquiry into these deaths and the reports of ill-treatment and make the findings public," Amnesty International said.

BACKGROUND INFORMATION

Tenaganita's report was compiled on the basis of interviews conducted with over 300 migrant workers of mainly Bangladeshi, Indonesian or Filipino nationality after their release from detention as alleged illegal immigrants at various camps in Malaysia. It details a pattern of abuses in the camps, including deaths reportedly from malnutrition, beri-beri and other treatable illnesses.

Medical treatment is claimed to have been denied to those who were sick. The majority of former detainees are also said to have been suffering from dehydration and malnutrition on their release. Many reportedly complained of ill-treatment during their detention, claiming that they had been beaten or forced to stand in the sun for hours if they asked for water. Others said that female detainees had been subjected to sexual abuse.

In September last year, after the release of *Tenaganita*'s report, the Malaysian Ministry of Home Affairs announced that a visitors' panel would be appointed to study conditions in the camps. However, to Amnesty International's knowledge the visitors' panel has only made one visit to a detention centre so far and has not yet published any findings. The organization is particularly concerned that the visitors' panel does not have the authority to investigate the causes of the 71 deaths, and is not mandated to examine the allegations of sexual abuse and other ill-treatment.

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