

4 June 2001

AI Index ASA 28/012/2001 - News Service Nr. 96

Malaysia: Minister orders two-year detention of opposition prisoners of conscience

The four Malaysian opposition activists put behind bars for two years by government order, under the Internal Security Act, are prisoners of conscience and should be released immediately, Amnesty International said today.

"Denied their right to liberty, to be presumed innocent and to be given a trial, these men join the ranks of all those other prisoners of conscience around the world who pay a high personal price in the struggle to assert fundamental freedoms for all," the organization said.

Malaysian Minister of Home Affairs Abdullah Badawi on Sunday signed two-year detention orders for four opposition activists arrested in late April with six others under the Internal Security Act (ISA). The four detainees included opposition party Keadilan vice-president Tian Chua, youth chief Mohamad Ezam Noor and supreme council member Saari Sungip, and prominent social activist and media columnist Hishamuddin Rais.

The four were transferred to the Kamunting detention camp after undergoing Special Branch (security service) police interrogation for nearly two months while held in unknown locations and denied access to their lawyers. There are fears that, along with five other opposition activists and a human rights defender also arrested in late April under the ISA, the detainees were subjected to intense psychological pressure amounting to ill-treatment or torture.

During the 1999 trial of former Deputy Prime Minister Anwar Ibrahim for alleged abuse of power, Special Branch police officers

described interrogation techniques employed to break down and "neutralise" ISA detainees. Over many years Amnesty International has documented cases of ISA detainees being stripped, held in isolation in windowless cells, and subjected to prolonged, aggressive questioning designed to induce disorientation and, amid a climate of intimidation and repeated threats of indefinite detention without trial, a dependence on the interrogators as the only point of human contact.

Following prolonged pressure by domestic human rights groups and the international community, all were eventually allowed family visits and on 29 April the Human Rights Commission of Malaysia (*Suhakam*) was also given access – all under police supervision. A full account of the detainees' treatment has yet to emerge.

Of the six other ISA detainees arrested in late April, three including a human rights activist, remain in police custody, one was released on 3 June and two were set free after the High Court in Shah Alam heard their *habeas corpus* petition and declared their detention unlawful on 30 May.

The decision of the Shah Alam court represented a rare case of the Malaysian judiciary reaching out to shield ISA detainees from the powers of the state and to assert fundamental rights enshrined in the Malaysian constitution and in international human rights law. Amnesty International now fears that the government's subsequent appeal against the court's ruling and its issuing of detention orders shows a determination to extinguish this beacon of hope.

Amnesty International believes that the recent detentions were politically motivated, and targeted primarily against the political activities of the *Keadilan*. It notes that no evidence supporting government claims that the detainees planned violent demonstrations to

overthrow the state have been made public or presented before the courts. The organisation adds its call to those of Suhakam and a broad coalition of Malaysian civil society groups for the immediate release of the ISA detainees and for the repeal or, at a minimum, the amendment of the ISA to bring it in line with international human rights standards.

Under the ISA police can detain without charge or trial any person deemed a threat to national security or economic life of Malaysia for up to 60 days for investigation. The Minister of Home Affaris can then issue detention orders of up to two years, renewable indefinitely.

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