

PUBLIC

AI Index: ASA 28/030/2003

27 November 2003

Further information on UA 334/03 (ASA 28/028/2003, 14 November 2003)
treatment/Fear of forcible return

Fear of torture or ill-

MALAYSIA	Rusli bin Abas (m)]	
	Muhamad Hanafiah bin Abdullah, (m)]	
	Sauri bin Sabran, (m)] names previously unknown
	Muhamad Iqbal bin Yusri (m)]] to Amnesty International
	Saba Sabirin bin Mudadia (m)]	
	Zulkifly bin Basyah (m)]	
	one woman and her 13-month- old child (names unknown)		

The eight asylum seekers named above are no longer facing imminent forcible repatriation to Nanggroe Aceh Darussalam (NAD) province in Indonesia, where they would be at risk of serious human rights violations.

The eight are reportedly still being held at Langkap Detention Camp in Perak state. After meetings with detainees and officials during a visit to the camp, representatives of the Malaysian Human Rights Commission (Suhakam) announced that the authorities had agreed to suspend the deportations 'indefinitely' on humanitarian grounds. However, their ultimate fate remains undetermined.

Seven of the detainees had reportedly been ill-treated, including incidents of physical and mental pressure, in order to coerce them into agreeing to repatriation. Investigations into these allegations are said to be continuing.

BACKGROUND INFORMATION

The eight asylum seekers were among the group of more than 200 asylum seekers from NAD detained by police in two separate incidents outside the office of the United Nations High Commissioner for Refugees (UNHCR) in Kuala Lumpur in August 2003, while they waited to lodge asylum claims (see UA 247/03, ASA 28/021/2003, 19 August 2003 and follow-up). Following the arrests, the asylum seekers were transferred to the Langkap Detention Camp.

Amnesty International is concerned that conditions at Langkap and other detention camps in Malaysia may not meet international standards for the treatment of detainees. In addition to periodic reports of ill-treatment, overall conditions have been reported to be harsh with instances of overcrowding, unsanitary facilities and lack of adequate food and medical care. There have also been reports of deaths from preventable diseases.

The organization remains gravely concerned at the risks facing asylum seekers who may be forcibly returned to the Indonesian province of NAD. A military emergency was declared in NAD province on 19 May 2003, and has resulted in renewed military operations against the armed opposition group, the Free Aceh Movement (GAM). There are allegations of grave human rights violations, including extrajudicial executions, "disappearances" and torture in the province in the context of the military operations.

Many thanks to all who sent appeals. Amnesty International will continue to monitor this case. If possible, please send a final round of appeals, to arrive as quickly as possible, in English or your own language:

- welcoming the authorities' decision to suspend the forcible return of the eight asylum seekers from Nanggroe Aceh Darussalam (NAD) province in Indonesia;

- welcoming the authorities' facilitation of the visit to Langkap detention camp by representatives of the Malaysian Human Rights Commission (Suhakam);
- calling for regular access to the camps by Suhakam and other independent experts to assist the authorities in ensuring that international standards for people in detention, including access to adequate food, shelter and medical care are fully respected;
- urging the authorities to ensure that all those seeking asylum continue to have full access to representatives of the office of the United Nations High Commissioner for Refugees (UNHCR) to enable them to apply for asylum if they wish to do so.

APPEALS TO:

Prime Minister

Dato= Abdullah Haji Ahmad Badawi
 Prime Minister=s Department, Block 1
 Federal Government Administration Centre
 62502 Putrajaya, Selangor
 Malaysia

Telegram: Prime Minister, Putrajaya, Selangor, Malaysia

Fax: + 60 3 8888 8344 / 3530 (faxes may be switched off outside office hours, eight hours ahead of GMT)

Salutation: Dear Prime Minister

Inspector General of Police

Datuk Seri Mohd Bakri Omar
 Ketua Polis Negara
 Ibupejabat Polis Diraja Malaysia
 Bukit Aman
 50502 Kuala Lumpur, Malaysia

Telegram: Inspector General of Police, Ketua Polis Negara, Kuala Lumpur, Malaysia

Fax: + 60 3 2273 1326 (please keep trying)

Salutation: Dear Inspector General of Police

Director of Immigration Department of Perak State

Dato' Haji.Ishak Bin. Haji. Mohamed
 Tingkat 1 dan 2, Bangunan Sri Kinta,
 Jalan Sultan Idris Shah
 30000 Ipoh, Malaysia

Telegram: Director, Immigration Department of Perak State, Ipoh, Malaysia

Fax : + 60 5 2558386

Salutation: Dear Director

COPIES TO:

Chairman of Malaysian Human Rights Commission

Tan Sri Abu Talib Othman
 Suruhanjaya Hak Asasi Manusia Malaysia (Suhakam)
 29th Floor
 Menara Tun Razak
 Jalan Raja Laut
 50350 Kuala Lumpur, Malaysia

Fax: + 60 3 2612 5620

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 9 December 2003.