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Malaysia: All incidents of police brutality must be investigated

The conviction of former Inspector-General of Police Abdul Rahim Noor for beating former Deputy Prime Minister Anwar Ibrahim is a step toward justice but scores of other incidents of Malaysian police brutality continue to be ignored, Amnesty International said today.

“If a prominent figure such as Anwar Ibrahim can be subjected to such a violent attack by the highest ranking police officer in the country, what safeguards are there for ordinary Malaysians who find themselves in police custody?” Amnesty International asked.

The former police chief was given a two month prison sentence and then released on bail, pending his appeal against the sentence. During yesterday’s trial the original charge against him of “causing grievous hurt” was amended to a lesser offence carrying a maximum sentence of one year in prison.

Despite Abdul Rahim Noor’s conviction, the organization remains deeply concerned that the Malaysian authorities have consistently failed to investigate other serious allegations of assaults in police custody. Amnesty International believes that bringing perpetrators to justice is essential if fundamental human rights are to be respected.

“The prosecution of Abdul Rahim Noor must send an unequivocal message to law enforcement officials that no one is above the law and that torture and ill-treatment of people in their custody will not be tolerated under any circumstances”.

Several associates of Anwar Ibrahim were imprisoned after being forced by police to confess to having had sexual relations with him. They have made credible, consistent allegations of torture or ill-treatment in police custody, saying they were blindfolded, stripped naked, slapped, subjected to humiliating verbal abuse, forced to simulate homosexual acts and threatened with indefinite detention.

Peaceful demonstrators, protesting at the imprisonment of Anwar Ibrahim and calling for political reform in Malaysia, have also been subjected to violent assaults by the police. No independent investigations are known to have been initiated into any of these violations and no police officers have been brought to justice. The Malaysian Bar Council and domestic human rights groups have expressed deep concern over a rise in reports of serious assaults in police custody.

Malaysian opposition politicians and non-governmental organizations have expressed serious concerns that the two month prison sentence may be regarded by many Malaysians as unequal to the seriousness of the offence, and that public confidence in the justice system will be weakened.

Background

Prisoner of conscience and former Deputy Prime Minister of Anwar Ibrahim was arrested on 20 September 1998 and after an unfair trial was later sentenced to six years in prison on politically motivated charges of abuse of power. After being held incommunicado for nine days, he appeared in court with visible signs of assault, including a swollen eye and a bruised arm. Prime Minister Mahathir claimed the injuries could have been “self-inflicted”.

An initial internal police inquiry found that Anwar Ibrahim’s injuries were inflicted by a police officer but failed to identify the perpetrator. However, in January 1999 the Inspector-General of Police, Abdul Rahim Noor, resigned, assuming responsibility for Anwar Ibrahim’s injuries but later claiming that he had been “provoked” into assaulting him.

Anwar Ibrahim testified to a Royal Commission of Inquiry that he had been severely beaten around the neck, face and head while blindfolded and handcuffed. The Royal Commission, which found that the blows to Anwar Ibrahim’s head could potentially have been lethal, recommended that charges of attempting to cause grievous hurt be brought against Abdul Rahim Noor. He pleaded not guilty to the original charge of “causing grievous hurt”, which carried a sentence of up to seven years’ imprisonment, but changed his plea to guilty when the prosecution reduced the charge against him to that of “causing hurt”.

A second trial of both Anwar Ibrahim and his adopted brother Sukma Darmawan on charges of sodomizing Anwar Ibrahim’s former driver began in June 1999 and is continuing. Early in the trial, Sukma Darmawan testified that his previous “confession” to having been sodomized by Anwar Ibrahim had been coerced after severe police ill-treatment. The judge accepted the police’s denial of any abuse and ruled that the confession had been made voluntarily. The trial continues.

Several other close associates of Anwar Ibrahim, including his former private secretary Mohamed Azmin Ali, academic Dr. Munawar Anees and fashion designer Mior Abdul Razak, have also claimed they were tortured or ill-treated by police to force them to confess to having had sexual relations with Anwar Ibrahim. In several of the cases, instead of carrying out impartial investigations into their complaints, the authorities have lodged perjury charges against the complainants.

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