

EXTERNAL

AI Index: ASA 28/15/96

EXTRA 195/96

Human rights defenders: Threat of arrest 19 December 1996

MALAYSIAParticipants in planned forum on alleged police abuses

The Malaysian Government has threatened to use the Internal Security Act (ISA) to detain without charge or trial members of 10 local non-governmental organizations (NGOs) who plan to hold a forum on 12 January 1997 (postponed from 15 December 1996) to discuss cases of alleged abuses of police power.

Amnesty International would consider anyone arrested in this context to be a prisoner of conscience, detained in violation of their right to meet peacefully to express their opinion about issues of legitimate public interest.

On 18 December 1996 Prime Minister Mahathir Mohamad labelled local NGOs's 'traitors' and accused them of seeking to damage Malaysia's international reputation.

The 10 NGOs are: Aliran, Centre for Peace Initiatives (CENPEACE), Centre for Orang Asli Concerns (COAC), Centre for Community Development (CDC), Democratic Action Party's Socialist Youth (DAPSY), Suara Rakyat Malaysia (SUARAM), Tenaganita, Suara Warga Pertiwi (SWP), the Malaysian Bar Council's Human Rights Committee, and the Jawatankuasa Peneroka Bandar (JSPB).

BACKGROUND INFORMATION

The ISA allows the Minister of Home Affairs to order the detention without charge or trial of any person suspected of threatening the national security or economic life of Malaysia. The Executive can issue two year detention orders, renewable indefinitely.

In 1987 over 100 people including prominent politicians, trade unionists, Chinese educationalists, Islamic teachers and church and community workers were arrested and accused of provoking racial and religious tensions. At least 40 were given two-year detention orders and adopted as Amnesty International prisoners of conscience.

Since then the number of ISA detainees held for political reasons has declined and in early 1996 the government announced that all remaining ISA detainees were held for identity and travel document forgeries. However the government has rejected calls to repeal the Act and between May and June 1996, 18 former members of the banned *Al Arqam* Islamic sect were arrested under the ISA. Nine were subsequently served 2-year detention orders for "acting in a manner prejudicial to the security of Malaysia". They are prisoners of conscience (see UA 127/96, ASA 28/08/96, 22 May 1996 and updates).

Concern that the ISA and other restrictive legislation will be increasingly used against Malaysian NGO members seeking to peacefully express their opinion on domestic and international human rights issues have grown since 58 local participants attending the second international Asia Pacific Conference on East Timor (APCET 11) held in Kuala Lumpur in November 1996 were temporarily detained under the Police Act. The conference had been forcibly broken up by youth members of the United Malay National Organisation (UMNO)-led ruling coalition after government officials stated that the gathering could damage Malaysian-Indonesian relations (see EXTRA 176/96, ASA 28/13/96, 12 November 1996 and update).

As with the APCET conference, Malaysian NGOs assert that the planned forum on alleged police abuses constitutes a legal gathering because it is by invitation only and not held in public. There is now real concern that the government may nevertheless move to block the proposed forum by invoking the ISA and so prevent discussion on an issue of legitimate public concern through detention without trial.

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

- expressing serious concern about the Government of Malaysia's threatened use of the Internal Security Act (ISA) to detain without charge or trial members of 10 local NGOs seeking to hold a forum to discuss allegations of abuses of police power;
- urging that the NGO's be allowed to meet peacefully to express their opinion about issues of public concern free from intimidation and fear of arrest;
- welcoming reports of continued dialogue between the police and concerned Malaysians regarding cases of alleged abuses of police power as a valuable means to uphold the police force's traditions of public service;
- calling for a review of the Internal Security Act (ISA) so that the rights of the individual and the rights of the community can be balanced through courts of law and not through Executive action.

APPEALS TO:

Prime Minister and Minister of Home Affairs

Dato' Seri Dr Mahathir bin Mohamad

Prime Minister's Department

Jalan Dato' Onn

50502 Kuala Lumpur, Malaysia

Faxes: +603 298 4172

Telegrams: Prime Minister Mahathir, Kuala Lumpur, Malaysia

Salutation: Dear Prime Minister

COPIES TO:

Deputy Minister of Home Affairs

Datuk Megat Junid Megat Ayub

Jalan Dato' Onn

50502 Kuala Lumpur, Malaysia

Faxes: +60 3 230 1051

Inspector General of Police

Tan Sri Rahim Noor

Buki Aman Police Station

Kuala Lumpur, Malaysia

Faxes + 60 3 291 0707

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 12 January 1997.