

UA 256/01

Fear of t

**MALAYSIAKhairuddin Saad, aged 30, religious teacher**  
**Zulkifli, aged 30, religious teacher**  
**Mohamad Zulkifli, aged 35, religious teacher**  
**Mohd Zulkifli Mohd Zakaria, aged 32, religious teacher**  
**Mohd Salleh Said, religious teacher, aged 30**  
**Hazami Ishak, aged 33, businessman**

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The six men named above, most of them religious teachers at Islamic schools, were arrested by Malaysian police on 10 October 2001, reportedly "on suspicion of having acted in a manner that could jeopardize national security". They are being held incommunicado at unknown locations under the Internal Security Act (ISA), which allows for indefinite detention without charge or trial. They are at risk of torture or ill-treatment during police interrogation.

The authorities have accused the six of involvement in a local militant Islamic group, allegedly called *Kumpulan Mujahidin Malaysia* (KMM), the "Malaysian Mujahedin Group", which the authorities claim is responsible for a series of crimes including bank robberies, a murder and the bombing of a church and a temple. No concrete details about the group have been made public. However, according to the authorities, KMM members have undergone religious and military training in Afghanistan and plan to overthrow the Malaysian government by force in order to set up an Islamic state.

#### **BACKGROUND INFORMATION**

Under the ISA, the police may detain without warrant any person deemed a threat to the national security or economic life of Malaysia for up to 60 days for investigation. The Minister of Home Affairs can then extend the period of detention for up to two years, without reference to the courts, by issuing a detention order, which is renewable indefinitely. The Malaysian Government has recently cited the 11 September attacks on the World Trade Centre and the Pentagon in the USA as justification for maintaining the ISA.

Those detained under the ISA are denied access to lawyers and are held in solitary confinement. Many detainees have been physically assaulted, forced to strip, deprived of sleep, food and water, told their families would be harmed, and subjected to prolonged aggressive interrogation to coerce them to confess. The detainees' vulnerability is increased by their knowledge that no judicial or legal intervention is permitted and that family visits are entirely at the discretion of their interrogators.

Nine other men arrested in August 2001, most of them leading members of Malaysia's main opposition party, the *Parti Islam SeMalaysia* (PAS), were recently ordered to be detained for two years without trial under the ISA, after the authorities claimed they had links to the KMM. No evidence against them has been made public.

The ISA has been repeatedly criticized by domestic and international human rights organizations, as it violates fundamental human rights and has been used as a tool to suppress peaceful political, academic and social activities that the authorities perceive as threats. Over 4,000 people have been detained under the act since the 1960s.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:**

- urging the authorities to guarantee that the six men named above will not be subjected to physical or psychological torture, or other ill-treatment, while they are in custody;
- calling for them to be allowed immediate and regular access to lawyers, their families and independent medical attention;
- urging the authorities to charge them with a recognizably criminal offence and bring them before a court of law, or else release them;
- expressing concern that the ISA violates fundamental human rights, as set out in the Universal Declaration of Human rights, including the right not to be subjected to torture or other cruel, inhuman and degrading treatment, the right to a fair and public trial and the right to be presumed innocent until proved guilty according to law.

**APPEALS TO:**

Minister of Home Affairs & Deputy Prime Minister  
Dato' Abdullah Haji Ahmad Badawi  
Ministry of Home Affairs (Menteri Dalam Negeri)  
Aras 13, Blok D1  
Parcel D, Pusat Pentadbiran Kerajaan Persekutuan  
65202 Putrajaya, Selangor  
Malaysia

**Fax: + 60 3 8886 8014**

**E-mail: [tpm@smpke.jpm.my](mailto:tpm@smpke.jpm.my)**

**Telegram: Minister of Home Affairs, Ministry of Home affairs, Selangor, Malaysia**

**Salutation: Dear Minister of Home Affairs**

Inspector General of Police  
Tan Sri Norian Mai  
Ketua Polis Negara  
Ibupejabat Polis Diraja Malaysia  
Bukit Aman  
50502 Kuala Lumpur  
Malaysia

**Fax: + 60 3 22731326 (please note this number is not always available)**

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

**Salutation: Dear Inspector General of Police**

**COPIES TO:**

Chairman, Human Rights Commission (SUHAKAM)  
Ybhg. Tan Sri Musa Hitam  
Suruhanjaya Hak Asasi Manusia Malaysia  
29th Floor  
Menara Tun Razak  
Jalan Raja Laut  
50350 Kuala Lumpur  
Malaysia

**Fax: + 60 3 26125620**

**E-mail: [humanrights@humanrights.com.my](mailto:humanrights@humanrights.com.my)**

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