

EXTERNAL

AI Index: ASA 28/13/96

EXTRA 176/96

Prisoners of conscience

12 November 1996

MALAYSIARajendran Devaraj

Tan Swee Ann

Liew Say Hian

Tan Chin Hong

Chan Kok Wah

Tan Soon Kiat

Chua Tian Cheng

Chin Woon Kong

Yap Swee Seng

Dr. Nasir Hashim

V. Selvam

Steven Gan, journalist

Dr. Kua Kia Soong, academic and former opposition parliamentarian

Sivarasa Rasiah, lawyer

Amnesty International is concerned that the 14 Malaysian human rights activists named above remain in police custody, following the arrest of more than 100 participants at the second Asia Pacific Conference on East Timor (APCET II) - a peaceful private gathering organized to discuss the human rights situation in East Timor - which took place in the Malaysian capital Kuala Lumpur on 9 November 1996.

The group of activists, which includes a lawyer, a journalist, a former parliamentarian and a number of students, are being held at Dang Wangi Police Station in Kuala Lumpur. Some are reported to be on hunger-strike. Some are understood to be undergoing interrogation by Special Branch police officers.

All were arrested for "refusal to disperse" under legislation which carries with it a penalty of up to one year's imprisonment. Amnesty International is concerned that all members of the group have been detained solely in connection with their peaceful human rights activities and by reports that they have been denied access to lawyers. It is not clear at this stage whether charges will be laid against any members of the group.

A further five detainees in addition to those named above, including two men reported to be in poor health, have been informed that they will be released on 12 November.

BACKGROUND INFORMATION

A few days before APCET II, the organizers met with the Malaysian Deputy Minister of Home Affairs, who is reported to have confirmed that the conference constituted a legal gathering as it had been organized as a private function and therefore did not require a police permit under Malaysian law. Nevertheless he urged the organizers to cancel the conference on the grounds that it could damage Malaysian-Indonesian relations.

On 9 November, the day of the conference, more than 100 alleged youth members of the United Malays National Organization (UMNO) ruling coalition, calling themselves the Malaysian People's Action Front, forced their way into the conference room, shouting verbal abuse, jostling the participants, overturning chairs and ripping down banners. Eyewitnesses report that they huddled together in fear while the attack continued. Suspicions that the authorities had sanctioned the attack were strengthened by reports that police did not intervene

until more than one hour after the alleged UMNO youth protesters had entered the building.

Police detained a total of 106 conference participants for "failure to disperse". Seven alleged UMNO youth members are also reported to have been arrested and later released on police bail. A number of the local participants, including several women, were also released after being held overnight. Amnesty International is concerned by reports that they were denied access to lawyers and medication was refused when requested.

Forty-eight foreign participants were also released and deported from the country. Amnesty International is gravely concerned that the foreign nationals include eight Indonesians and one East Timorese who were deported to Indonesia, despite the country's history of prosecuting individuals for allegedly criticizing the Indonesian Government while overseas, or for providing information to groups or individuals outside the country. One of their number, Johannes Princen, an Indonesian human rights lawyer, is believed to have been summonsed for questioning on 14 November by the Indonesian Attorney General's office. Indonesian Armed Forces Chief, General Feisal Tanjung, was quoted today in the Indonesian newspaper *Republika* as saying that all Indonesians who attended the conference would be questioned.

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

- expressing concern at the continued detention of 14 people for their participation in a lawful and peaceful human rights conference;
- urging that the group be immediately and unconditionally released;
- urging the Malaysian Government to ensure that those peacefully expressing their right to freedom of expression can do so free from intimidation and arrest.

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 or 238 3784

Telegrams: Prime Minister Mahathir, Kuala Lumpur, Malaysia

Salutation: Dear Prime Minister

COPIES TO:

Deputy Minister of Home Affairs

Datuk Seri anwar Ibrahim

Pejabat Perdana Menteri

Jalan Datuk Onn

50502 Kuala Lumpur, Malaysia

Faxes: +603 256 2666

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 December 1996.