

UA 166/01 Fear of torture or ill-treatment / incommunicado detention / prisoners of cons

MALAYSIAKhairul Anuar Ahmad Zainuddin, student, aged 24

Khairul Anuar Ahmad Zainuddin is at grave risk of torture following his arrest today (5 July). His arrest also increases fears of a government crackdown against students calling for political reform.

Khairul Anuar Ahmad Zainuddin is a student of electrical engineering at the *Institut Kemahiran Mara* (IKM). He was arrested in Kuala Lumpur under the Internal Security Act (ISA), as he accompanied six student activists who had been told to present themselves at a police station in connection with their alleged participation in a peaceful demonstration against the ISA which took place outside the National Mosque on 8 June. Police reportedly later took Khairul Anuar Ahmad Zainuddin to his residence and seized a computer and some printed materials.

Under the ISA, any person suspected of 'threatening national security' can be arrested and held incommunicado in unknown locations for up to 60 days for police investigation. Denied access to lawyers, independent doctors or relatives they are at grave risk of physical and psychological torture or ill-treatment as Special Branch (state security) police attempt to coerce confessions and to elicit information. The Home Minister can sign subsequently detention orders of up to two years, renewable indefinitely, without charge or trial.

BACKGROUND INFORMATION

In April 2001, 10 political activists, most of them senior members of the opposition party *Keadilan* (headed by Dr Wan Azizah, wife of imprisoned former deputy Prime Minister Anwar Ibrahim), were detained under the ISA. After prolonged interrogation in incommunicado detention, five *Keadilan* members and another activist were given two-year detention orders on the grounds of allegedly seeking to overthrow the government by 'militant means', including violent street demonstrations. No evidence supporting these claims were made public. They are prisoners of conscience.

Fears grew that government action against dissenting political activity would move from *Keadilan* to other sympathetic groups, especially as a broad coalition - including opposition parties, non-governmental organizations and student groups - launched a peaceful campaign for the release of the ISA detainees.

Student groups supportive of '*reformasi*' (political and social reform) and campaigning for the abolition of the ISA are now at heightened risk of arbitrary detention without trial, of being charged and imprisoned for exercising their right to peaceful assembly, and of expulsion from their universities or colleges for engaging in unauthorized political activity.

Government statements attacking dissident students increased during June and university authorities were urged to take disciplinary measures against students engaging in unauthorized political activity. IKM authorities informed Khairul Anuar Ahmad Zainuddin and other students that they had to answer charges of being involved in a workshop intended to encourage reformists to 'overthrow the government via street demonstrations'. In addition, *Universiti Teknologi Mara* (UiTM) authorities arbitrarily expelled one student for allegedly participating in the 8 June anti-ISA demonstration, while students from other

universities face disciplinary actions for selling anti-ISA badges, printing leaflets and issuing press releases without authorisation. The Education Ministry has informed private educational institutions that they should not accept such students expelled from state universities.

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

- calling for the immediate and unconditional release of Khairul Anuar Ahmad Zainuddin who has been detained solely for his peaceful political activities;
- urging the authorities to guarantee that he will not be subjected to physical or psychological torture or ill-treatment in detention;
- calling for the authorities to allow immediate and regular access to lawyers, families and independent medical attention;
- urging that the ISA be repealed or amended, so that it no longer allows for the detention without trial of those exercising their right to peaceful freedom of expression or assembly;
- urging the authorities not to penalize students for exercising their right to engage in peaceful political activity.

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

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: + 603 26125620

E-mail: 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 16 August 2001.