

PUBLIC

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Fear of torture or ill-treatment

27 September 2002

MALAYSIA

Wan Min Wan Mat (m), aged 42, former university lecturer

On 27 September, Malaysian police arrested Wan Min Wan Mat, a former lecturer at Malaysia Technology University (*Universiti Teknologi Malaysia*), under the Malaysian Internal Security Act (ISA). It is not known where he is being held and whether he has access to family or legal representation. Amnesty International is concerned that he is at risk of torture and ill-treatment.

The police claim that Wan Min Wan Mat is a local leader of the Malaysian Militant Group (*Kumpulan Militan Malaysia*, KMM). It is reported that the KMM has links with the Islamist group *Jemaah Islamiyah* (JI), which is said to have plans to create a regional Islamic state through the use of force.

BACKGROUND INFORMATION

The ISA is a draconian law which allows the police to detain without warrant anybody deemed a threat to the national security or economic life of Malaysia for up to 60 days for investigation. The Minister for 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 cited the 11 September attacks on the World Trade Centre and the Pentagon in the USA as justification for maintaining the ISA.

In the past, detainees arrested under the ISA have been held in incommunicado detention. Former detainees have testified that they were forced to strip, physically assaulted, subjected to sleep deprivation and prolonged aggressive interrogation to coerce confessions. Some were also threatened with indefinite detention. When held under the ISA in 1998, former Deputy Prime Minister Anwar Ibrahim was subjected to a potentially fatal assault while being interrogated by the then Inspector General of Police.

Domestic and international human rights organizations have repeatedly called for the repeal of the ISA, as it violates fundamental human rights and has been used as a tool to suppress peaceful political, academic and social activities perceived as threats by the authorities. It has been used to detain scores of prisoners of conscience, including prominent politicians, trade unionists, teachers, religious activists and community workers. It has also been used as a threat against the legitimate activities of non-governmental organizations.

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

- calling for Wan Min Wan Mat to be charged with a recognizable criminal offence and given a trial that complies with international standards, or else released immediately;
- urging the authorities to provide guarantees that he will not be tortured or ill-treated in detention;
- calling for him to be given immediate access to lawyers, families and independent medical attention;
- urging that the ISA be repealed or amended to include fundamental rights set out in the Universal Declaration of Human Rights such as the right to a fair and public trial and the right to be presumed innocent until proven guilty according to law.

APPEALS TO (Please note that it can be difficult getting through the Malaysian fax numbers. Please be patient and keep trying):

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

652-2 Putrajaya, Selangor

Malaysia

Fax:

+ 60 3 8886 8014

Telegram:

**Minister of Home Affairs, Ministry of Home Affairs,
Selangor, Malaysia**

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Salutation: Dear Minister of Home Affairs

COPIES TO:

Chairman, Human Rights Commission (SUHAKAM)

Abu Talib Othman

Suruhanjaya Hak Asasi Manusia Malaysia

29th Floor

Menara Tun Razak

Jalan Raja Laut

50350 Kuala Lumpur

Malaysia

Fax:

+ 60 3 261 25620

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 8 November 2002.