

The ISA: End the undeclared emergency already!
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As long as the Internal Security Act is in place, Malaysia is deemed to be under martial law.

gust 110310 s arutchelvanThis is because when the last state of emergency was revoked on July 31, 1960, the ISA was enacted the following day and has since served as the instrument of control of a de facto emergency.

Saying this today, the 50th anniversary of the ISA, Parti Sosialis Malaysia (PSM) secretary-general S Arutchelvan called for the end of a law that had outlived its purpose but remains as a tool to curb dissent, to arrest and detain without trial, to humiliate and to deny the right to defence.

"It has been used against leftist, politicians, trade unions, academicians, students, NGO leaders, environmental activist, mother tongue activist, religious organizations, bloggers and many others. It cuts across race, religion and nationality.

"It has been used by all the previous prime ministers to remain in power. ISA is a threat to democracy and human rights. It is a weapon used to curb dissent and it is designed to be used on anybody at anytime," said the activist in a statement today.

"As long as ISA is there, this country is deemed to be under "martial law," he added.

Pretext to suppress dissent

NONEMeanwhile, the World Organisation Against Torture (OMCT), the International Federation for Human Rights (FIDH) and Malaysian rights group Suaram also today called for the repeal of the ISA and the release of all persons held under the draconian act.

Since the act was implemented, they said in a joint-statement, it has facilitated serious human rights abuses, including torture and ill-treatment.

While it has been invoked against those deemed "prejudicial to the security of Malaysia" or threatening the "maintenance of essential services" or "economic life", the ISA served as the pretext to suppress human rights defenders and dissent by citizens peacefully expressing their religious and political beliefs, they said.

While the government made some promising moves early last year when it released some 40 ISA detainees and announced amendments would be studied to the law, the subsequent arrests under the same act and the lack of consultations with civil society in the amendments process indicate the government's lack of sincerity, they said.

NONE"OMCT, FIDH and Suaram thus strongly reiterate their call to the Government of Malaysia to take the necessary steps to repeal the ISA and all other detention-without-trial laws in order to respect fundamental rights and freedoms.

"While the government has announced that the ISA would be amended, OMCT, FIDH and Suaram strongly note their position that all detention-without-trial laws must be repealed and not amended, even more as they deal with the various offences covered by other existing legislations which are more in line with international human rights standards as compared to the draconian ISA, EO and DDA.

“OMCT, FIDH and Suaram further urge the government to immediately release all remaining individuals detained under the ISA and other detention-without-trial laws in the absence of valid legal charges and judicial process consistent with international legal standards, or if such charges exist, bring them before an impartial and competent tribunal and guarantee their procedural rights at all times.”

NONEThe groups also called for the government and police force to end to the continued crackdown on the Malaysian civil society in general, and on peaceful expressions of protest against the draconian law.

“Noting the harsh crackdown on the anti-ISA rally which was held exactly one year ago (which saw 589 persons, including juveniles, arrested by the police), our organisations strongly call upon the Malaysian government to authorise the candlelight vigils that will be held against the ISA, on 1st August 2010, in several cities and towns nationwide and condemn any form of repression of the upcoming peaceful protests.”

OMCT, FIDH and Suaram also expressed gravest concerns over the other laws which have provided for indefinite detention without trial, such as the Emergency Ordinance 1969 (EO) and the Dangerous Drugs Act 1985 (DDA).

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