

Hindraf leaders sue gov't over unlawful arrest
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Lawyers and Hindu Rights Action Force (Hindraf) leaders P Uthayakumar and M Manoharan today filed suits against Prime Minister Najib Abdul Razak and five others over their arrest under the Internal Security Act in 2007 and detention for 514 days in Kamunting, Perak.

Uthayakumar (wearing tie), who is also Human Rights Party leader and Manoharan, who is Kota Alam Shah assembly person, are each seeking RM100 million from six defendants for their unlawful detention.

The other defendants are former premier Abdullah Ahmad Badawi, Home Minister Hishammuddin Hussein, former inspector-general of police Musa Hassan, the commandant of the Kamunting detention camp where they had been detained, and the government.

The two lawyers filed the suit today to coincide with International Human Rights Day, which falls tomorrow.

They were arrested on Dec 13, 2007, after they organised the Hindraf rally in the heart of Kuala Lumpur to highlight the plight of the Indian community, which they say is being marginalised by the government.

It was during his detention that Manoharan won the March 8, 2008, general election and according to the lawyer, this proves he was no threat to national security as alleged. As a result of this, he had to take his oath of office while in detention in Kamunting, near Taiping.

The government had publicly alleged that Hindraf leaders were linked to the Liberation Tigers of Tamil Elam (LTTE) in Sri Lanka, accusations they had strongly denied.

The Hindraf group claimed that they were merely fighting for the human rights of Malaysians, particularly the Indian community, which faced persecution, threats, isolation and discrimination from Umno and BN-led government.

As a consequence of the defendants' action in detaining them, Uthayakumar and Manoharan (right) said, they had to bear pain, losses and damages, for which they were seeking general, exemplary and aggravated damages.

Uthayakumar claimed that as a result of his detention, he had to close his law firm in Mutiara Bangsar, as his practice suffered a 95 percent drop.

Following this, both of them sought RM100 million in general damages each, special damages to be assessed by the court, interests and costs of the action.

Uthaykumar denied medical treatment

Uthayakumar also claimed that he was denied his diabetes medication while in detention, and he had to be warded at the Taiping Hospital instead of being taken to the National

Heart Institute to enable him to undergo a heart examination.

The lawyer also claimed that his left leg suffered a fracture, as a result of walking in the detention camp, which he said was improperly maintained.

A total of 80 police reports were also filed against the government during this time, but despite this, Uthayakumar said, he continued to be persecuted.

He and Manoharan claimed that 2.5 million people from the Indian community had sought, and even held campaigns, for their release, but the plaintiffs continued to be detained without trial.

Uthayakumar said as a lawyer, he has had many clients who complained of being discriminated, but the draconian Internal Security Act (ISA) was the penultimate in discriminating the civil rights of the people in the country, resulting in unlawful detention of the citizens.

He maintained that the claims he had made about ethnic cleansing were correct as the Indian community was forced to move out when Putrajaya and Bukit Jalil were developed.

Manoharan: Najib delayed release

Manoharan said Najib was personally named because as prime minister, he had delayed their release. The two were released from the Kamunting detention camp in May last year.

NONEThe Kota Alam Shah assemblyperson said this was the first suit where Najib (left) was personally named.

Manoharan said despite being released in May, an order not to move out of the Travers area had been slapped on Uthayakumar, while he had been ordered not to move out of Klang.

The order against Uthayakumar was lifted in July this year, while that against Manoharan was lifted in September.

Manoharan said since Najib became prime minister, he had pledged to review the controversial ISA law, but nothing had been done so far.

"It is certainly a cruel legislation that should be removed and in light of International Human Rights Day (Dec 10), we are again calling for the repeal of this law," he added.