

MALAYSIA'S INTERNAL SECURITY ACT (ISA) DETAINEES



Mat Sah bin Mohammed Satray

WARNING: Some of the contents of this report deal with torture and may cause distress

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“I was flung hard on the cement floor and they pressed their knees on the back of my neck until I felt immense pain, and until my left cheek was pressed against the dirty cement floor. I was then pulled back up and pushed roughly into the prayer hall while handcuffed . . . My right ribs were flung hard on the floor until I felt short of breath and my cheek was on the floor. After that I was ordered to rise and the handcuffs were moved from the back to the front. I was ordered to sit cross-legged facing the wall and my head was hit against the wall.”¹

Mat Sah’s statement describing the physical abuse he was subjected to on one occasion by prison officials.

¹ IV. Physical Abuse and Ill-Treatment of ISA Detainees in Kamunting Detention Center. September 2005. Human Rights Watch. Cited 10-07-2007 < <http://hrw.org/reports/2005/malaysia0905/4.htm>>

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Mat Sah bin Mohammed Satray with his family.

Introduction

Assalaam alaikum wa rahmatullah wa barakatuh

Dear Brothers and Sisters

This campaign pack documents the injustice suffered by a Malaysian individual, Mat Sah bin Mohammed Satray, who has been detained since 2001 under the pretext of the Internal Security Act (ISA) of Malaysia.

The ISA is the primary piece of anti-terror legislation being enforced in Malaysia. It was enacted in 1960 during the country's bloody struggle against communist guerrillas. The ISA introduced preventive detention law into Malaysia. Under Section 73 (1) of the ISA, police may detain any person for up to 60 days, without warrant or trial and without access to legal counsel, on suspicion that "he has acted or is about to act or is likely to act in any manner prejudicial to the security of Malaysia or any part thereof or to maintenance of essential services therein or to the economic life thereof." Under section 8, after 60 days, the Minister of Home Affairs can then extend the period of detention without trial for up to two years, without submitting any evidence for review by the courts, by issuing a detention order, which is renewable indefinitely. (For more details please read about the ISA on page 18.)

Mat Sah's case is representative of the plight of many other innocent Malaysians who have been detained under the ISA. Many have been physically abused during the course of their detention. Despite the various human rights treaties which have been ratified by governments to protect the right of an individual not to be subjected to torture and the countless UN resolutions banning its use, this practice still continues, largely ignored by the international community. The right not to be tortured is non-derogable, meaning in all situations even in a state of emergency this right must be guaranteed.

The Letter Writing Campaign

IHRC's campaigns are mainly letter writing campaigns. We have found this to be an effective method of applying pressure to different governmental organisations, (national and international), bodies such as the United Nations, European Commission of Human Rights and other similar organisations. They are currently failing to exert pressure on member countries which have pledged to uphold human rights values.

Questions that have been asked in the past concerning the campaign have included:

- What difference will one letter make?
- Does it really work?
- Will we get in trouble writing the letters, since *they* will have our contact details?

It is true that one letter may end up being ignored by the recipient. At least the person who sent it will be able to answer on the Day of Judgement that s/he made a stand against injustice to try to help the prisoners. However letters sent in their hundreds cannot be ignored. One MP stated that if his constituency receives even five letters on the same topic, a meeting is convened to answer the question at hand. Of course this may be the policy of one of the "better" MPs, but the fact remains that hundreds of letters demanding to know why a certain prisoner of faith is being detained and tortured for no other reason than wishing to practice his/her religion must generate a response which can then be taken further.

In fact it was due to a sustained letter writing campaign that the Turkish journalist Gul Aslan, held for three years without charge in Bandirma prison was released in August 1999; the judge presiding over her trial stated that her case was an international embarrassment. Thousands of prisoners of faith have also been released in Bahrain, India and Nigeria after similar campaigns.

Huda Kaya, whilst held in Malatya Prison in July 1999, after participating in a rally against the hijab ban, wrote the following to IHRC:

“We are so proud to see that you are interested in the problems of Muslims in Turkey who are living the basic principle of Islam that only the momineen are brothers...Surely Allah loves those who fight in His way in ranks as if they were a strong and compact wall (Surah Saff-4/Holy Qur’an)...And again by using IHRC, I am sending salaam to all those valuable momineen brothers and sisters. WE ARE WAITING FOR YOUR LETTERS.”

Al-Hamdullillah, Huda Kaya and her daughters who faced the death penalty for participating in the rally were released from prison in December 1999.

Many people do feel slightly apprehensive about writing letters to different governmental organisations regarding IHRC’s various campaigns. Letter writing is a tool widely used by human rights organisations and is a fundamental basic right aligned to freedom of speech.

Model letters are provided for most of our campaigns, which can be sent directly or adjusted as necessary to include further details. We ask that if you do receive a reply to send **a copy of the letter sent (even if it is the model letter) and the reply to IHRC**. This is extremely important as it helps IHRC to monitor the situation with regards to the prisoner of faith and to improve upon the current model letters. Please also keep letters polite.

Letter writing campaigns take time to become established, but Insha’Allah further results will be obtained. However, the success of the campaign is dependent upon the number of people committing to it. More campaigners need to get involved, on a regular basis. The campaign can then be extended to include e.g. vigils and protests at different embassies to raise awareness and apply pressure on the authorities.

Why Campaign with the Islamic Human Rights Commission?

As Muslims, we have an undeniable responsibility to struggle against oppression and injustice, and to work for a world based on principles of equity and compassion. To do so, Muslims must first of all be aware of the current state of affairs in the world at large, an obligation that has been indicated by the Prophet Muhammad (SAW) as follows: "Whoever wakes up in the morning not thinking about the affairs of the Ummah (community) is not one of us." (Muslim)

The Qur'an clearly points out that Muslims must fight against oppression in all forms, be it against Muslim or non-Muslim: *"And what reason have you that you should not fight in the way of Allah and of the weak among the men, women and children (of) those who say: Our Lord! Cause us to go forth from this town, whose people are oppressors, and give us from Thee a guardian and give us from Thee a helper."* (Qur'an 4:75) This verse shows that Muslims have a responsibility to aid the oppressed regardless of the faith or ethnicity of both the oppressed and the oppressor.

Indeed, the Prophet (SAW) has clearly stated that refusing to struggle against oppression and injustice could be tantamount to becoming an oppressor and even exiting the fold of Islam. "Whoever goes along with an oppressor and strengthens his hands, knowing that he is an oppressor, has taken himself out of the fold of Islam." (from 'Aws ibn Sharahbil, by al-Bayhaqi in his *Shu'ab al-Iman*; cited in *Mishkat* (1381 AH), Vol. 2, p. 641:5136) "Whoever sees something wrong should use his strength to set it right; if he cannot, he should speak against it; and if he cannot it, he should at least consider it wrong in his heart; and this is the weakest of faith." (Muslim, from Abu Sa'id al-Khudri, Vol. 1, p. 69:78, *Kitab al-Iman*)

Thus, it is clear that genuine adherence to Islam inherently entails committed activism against all forms of injustice and oppression. This includes standing up against those who perpetrate and promulgate injustice regardless of whether they are Muslim or non-Muslim, and striving to protect the rights of all people from oppression once more regardless of ethnicity or religion.

The question then arises as to the best methodology we should implement to fulfil the obligation outlined above. Once more, the Qur'an and the Prophet (SAW) have made clear the best means of doing so. First of all, the Qur'an states that it is an obligation for Muslims to form groups or organisations through which they may exhort to what is right and denounce wrong: *"Let there be among you a group that invites to the good, enjoins what is right and forbids what is evil, and they are those who are successful."* (Qur'an 3:104) In other words, Muslims should form structured organisations through which they can call upon all relevant parties to implement justice and avoid injustice - the Islamic Human Rights Commission (IHRC) strives to be just such an organisation. This is a universal obligation that Muslims have been commanded to fulfil by Allah (SWT) in relation to all individuals, communities and groups, both Muslim and non-Muslim without exception. This therefore necessarily includes calling on international organisations such as the United Nations and NATO; national organisations such as human rights groups and think-tanks; governments and non-governmental organisations; state and non-state institutions; and so on, to implement justice and avoid injustice. It is the obligation of Muslims to make significant contact with all such national and international bodies to encourage and exhort them to practice justice, and finally to denounce and condemn any of their unjust practices.

Indeed, the Prophet (SAW) has quite specifically highlighted the merits of speaking out directly to the perpetrator or supporter of oppression. This is done by condemning their oppressive behaviour, recommending to them the most just practice in relation to this behaviour, and calling upon them to reform their behaviour according to justice by implementing this recommendation. The Prophet (SAW) stated: "The best Jihad is the word of truth spoken in the presence of a tyrant ruler" (narrated by Ahmad). Indeed, this sort of direct activism against oppression may not necessarily be literal and physical. Research and campaigning through writing in order to fulfil the obligation outlined above has also been highly praised by the Prophet (SAW), and therefore must include contacting relevant groups and organisations to demand that they adhere to justice. This

has been directly alluded to in the statement of the Prophet (SAW) quoted above: "Whoever sees something wrong should use his strength to set it right; if he cannot, he should speak against it..."

The next question with regards to methodology is how to call upon these groups, bodies and organisations in an effective and convincing manner. It is well known that when the Prophets (AS) fulfilled their mission to preach the message of Islam to the different communities to which they came, they did so deliberately in a language and terminology which they could best understand. In other words, they gauged the intellectual and rational background of their listeners and tailored their preaching so that listeners were able to comprehend the Prophets' message.

This has even entailed utilising the ideology of the listeners in such a way as to use the concepts and terminology which they are already familiar with, to prove a correct concept. For example, the Qur'an relates that Prophet Ibrahim (AS), in conversation with his people, utilised the concepts and terminology of the paganist worldview to prove the Islamic worldview. (*Qur'an* 6:75-79, 7:80-83, 41:47)

In a similar fashion, it is possible to highlight the unjust practices of governments, organisations and individuals using concepts and terminology that they understand - such as the prevailing human rights discourse - so as to prove their unjust nature. The objective of doing so would simply be to demonstrate their hypocrisy in failing to adhere to the very humanitarian principles which they themselves claim to uphold, by pointing out the discrepancy between their behaviour and the basic rights of human beings.

Where the Divinely-ordained rights of human beings correlate with rights recognised internationally, it makes sense to call upon national and international bodies to implement such rights. This would serve greatly to help fulfil our Islamic responsibility to struggle against global injustice and oppression, to protect the intrinsic rights of Muslims worldwide, and to promote justice and equity. In this way, we would be pressuring existing international instruments to act in accordance with justice. As the Prophet stated in a famous hadith: "The similitude of the believers is like a single body. If any part of it complains of an injury, the entire body responds." Campaigning with IHRC can help make this response effective.

There are many examples proving that Muslim pressure can have an impact. For example, the Zionist Lord Michael Levy was temporarily sidelined from his position as Tony Blair's Middle East envoy. This occurred in the wake of the Foreign Office having received up to over a thousand letters from IHRC campaigners. Lord Levy's sidelining was widely reported in the press by newspapers such as the *Times* and the *Independent*. Although Lord Levy was later returned to his position, it remains clear that this sort of pressure can work.

Similarly, when a number of Turkish Sisters were jailed for undertaking a peaceful protest against the ban on Hijab in schools and universities, IHRC volunteers were asked to send letters to several organisations and leaders, including Mary Robinson, the then UN High Commissioner for Human Rights. The Turkish sisters, who had the death sentence levelled against them, were soon released when the UN intervened under pressure from IHRC campaigners to prevent them from being killed.

Another recent example is that of Oxfam, when it announced that it will not renew its contract with pro-Zionist Starbucks after immense pressure from various human rights groups led by IHRC.

Yet another example is that of the recent success in the case of Mirza Tahir Hussain whose imminent death sentence was commuted owing to great efforts by many governmental bodies and co-ordinated by IHRC.

There are many other examples. Campaigning can work if enough consistent, determined and widespread pressure can be imposed on political leaders and organisations. IHRC believes that it

is our responsibility to call these leaders and organisations to account for their policies and actions, and to exhort them to act in accordance with justice.

Mat Sah bin Mohammed Satray

Introduction

Mat Sah bin Mohammed Satray has been held in Malaysia under the Internal Security Act (ISA) since 17 April 2002. Under this law, a person can be held for up to 60 days without a warrant or recourse to trial or access to legal counsel, merely on the basis of suspicion. After the 60 day period ends, the detainee's case is referred to the Home Secretary who can extend the detention period for two more years which is then renewable indefinitely (for more information, please read about the ISA on page 18).

Policemen raided and searched his house in Taman Keramat, Kuala Lumpur, for more than 4 hours before taking him away together with some of the family's belongings.

He was sent to the Police Remand Centre (PRC) at Kampung Batu, and was kept there for 55 days. On 12 June 2002, he was transferred to the Kamunting Detention Centre in the state of Perak where he remains incarcerated.

Mat Sah was captured because he was 'perceived to be a threat to the country.'² Initially, he was accused of being a member of Kumpulan Militan Malaysia (KMM), a militant group. Thereafter, the Malaysian authorities dropped this charge against him and accused him of being a member of Jemaah Islamiyyah (JI), another militant group.

He has been held in solitary confinement for the past five years, without charge or trial.

Background

Mat Sah Bin Mohammad Satray was born in June 1963 in Kuala Lumpur. After completing his education, he went on to join *Dewan Bahasa dan Pustaka*, a semi – government institution, which publishes books for schools and higher learning institutions in Malaysia. As an institution, where 90 percent of the staff is Muslim, the management organised weekly Islamic classes, as part of the welfare activities for the workers. Many Indonesian scholars used to deliver lectures during these classes, including Abu Bakar Bashir and Iqbal Abdul Rahman. Mat Sah soon joined the study group formed by Abu Bakar Bashir.

Abu Bakr Bashir, an influential Muslim scholar in Southeast Asia, is alleged to be the spiritual leader of Jemaah Islamiyyah (JI), an organization reportedly dedicated to establishing an Islamic state in Southeast Asia. However, he himself denies any involvement with a terrorist organization. He was arrested in relation to the Bali bombings of 2002 but was later acquitted of being involved in the incident as there was not sufficient evidence against him. He was also acquitted of the charge of being JI's spiritual leader. He has repeatedly denied all charges against him and has denounced the Bali bombings as a "brutal act."³ He states that he is 'just a simple preacher.'⁴

Nevertheless, on the night of 17 April 2002, Mat Sah was arrested on the suspicion of involvement in a terrorist organization. Twelve police officials raided his house and abducted him. They also seized a few CD games belonging to his son, his wife's mobile phone and a file of Islamic notes, a camera and a computer. They left at around 4:30 am.

² Othman, Norlaila. 'Riot at Kamunting: The real story' March 17, 2005. Aliran Monthly Vol 24 (2004): Issue 11/12. Cited 2007-07-10 <<http://www.malaysia-today.net/Blog-e/2005/03/riot-at-kamunting-real-story.htm>>

³ 'Profile: Abu Bakar Ba'asyir'. 14 June 2006. BBC News 24. Cited 10-07-2007 < <http://news.bbc.co.uk/go/pr/fr/-/1/hi/world/asia-pacific/2339693.stm>>

⁴ ibid

Mat Sah's wife, Norlaila Othman and his thirteen-year-old son, Suhaib, were shaken by the incident. Norlaila stated in an article she wrote for Malaysian magazine, *Aliran Monthly*, in 2004,

"My son began to cry when the van with my husband inside cruised out of our sight. I held my tears and didn't cry at all. I consoled my son, and later he slept on my lap. The next day, my friends came to my house and they said that my eyes were swollen. I learned about the allegations hurled at him from the mainstream media. On the first day of his arrest, he was alleged to be a member of the so-called... [KMM], but after 60 days, he was alleged to be a... (JI) member!"⁵

Life in Detention

Prison Conditions

Most of the ISA detainees are held at the Kamunting Detention Centre, Perak. A 2005 Human Rights Watch (HRW) report on ISA detainees gives a good description of the prison facility and its conditions. The report states that at the time of its writing, none of the international and Malaysian human rights groups were being allowed to visit this detention facility hence reports about the conditions of the detainees comes from their families and lawyers, who have limited access, and the Human Rights Commission of Malaysia, SUHAKAM.⁶

According to the HRW report, the detainees are housed in 'dormitory style blocks, which are surrounded by a grassy compound.'⁷ They have permission to move in designated areas of the compound. Detainees charged with 'similar offences'⁸ are kept together.

Mat Sah was also kept in such dorms with 6 to 7 other inmates, for the first four years of his detention. The dorms had wooden beds with pillows and an inch thick mattress for each detainee. There were no windows and no lamp. The dorms were locked from the outside.

In 2003, detainees had restricted access to facilities, such as newspapers and books. They were allowed to meet family once a week for half an hour, with no more than two persons at a time. Visitors could only interact with the detainees from behind a wire mesh barrier and could only bring fruit and books.

After SUHAKAM protested and negotiated leniency in the prison conditions and the detainees pressurized the prison authorities, by mid-2004, the restrictions were comparatively relaxed. Timings for the detainees' cell blocks to be left open were increased from 7:00 pm to 10:00 pm. Wire mesh barriers during family meetings were removed and family members were allowed to bring food for the detainees on special occasions. The detainees were also allowed to make handicrafts such as pencil and jewellery cases and tissue boxes, using miscellaneous items approved by the prison officials, which their families would sell to the public.

However, this leniency was short-lived, as after the appointment of a new director at Kamunting Detention Centre, restrictions were re-imposed.

Kamunting Detention Centre Incident

⁵ Othman, Norlaila. 'Riot at Kamunting: The real story' March 17, 2005. *Aliran Monthly* Vol 24 (2004): Issue 11/12. Cited 2007-07-10 < <http://www.malaysia-today.net/Blog-e/2005/03/riot-at-kamunting-real-story.htm>>

⁶ IV. Physical Abuse and Ill-Treatment of ISA Detainees in Kamunting Detention Center. September 2005. Human Rights Watch. Cited 10-07-2007 <http://hrw.org/reports/2005/malaysia0905/4.htm#_Toc115078906>

⁷ IV. Physical Abuse and Ill-Treatment of ISA Detainees in Kamunting Detention Center. September 2005. Human Rights Watch. Cited 10-07-2007 <<http://hrw.org/reports/2005/malaysia0905/4.htm>>

⁸ *ibid*

The HRW report revealed an incident of ‘...physical abuse, ill-treatment and humiliation of more than 25 detainees in Kamunting Detention Center in December 2004’⁹, when unannounced security checks were carried out on cell blocks T2B and T4, which accommodate detainees alleged to be members of JI.

On December 8 2004, prison officials from the Prison Security Unit (UKP) conducted an unexpected security check of T2B. The detainees reportedly resisted the inspection, and hence were severely beaten by the guards. This beating extended onto the detainees of T4 who were inspected next, even though they did not offer any resistance and complied with the guards’ orders. According to the HRW report, prison guards ‘armed with batons, shields and riot gear mistreated handcuffed detainees.’¹⁰ Some detainees were beaten so much that they bled, some suffered bone fractures and some were humiliated: they were told to strip naked and beaten on the buttocks. Some were spat on and verbally abused.

Norlaila Othman, describes what happened on 9 December 2004 when UKP officials raided block T4 a second time, where her husband was held,

“All...detainees had their hands handcuffed behind them. All of them were instructed to bend down and each was held by his beard by a UKP officer. They were forced to walk in a single file to another block. Along the way, they were kicked, beaten, punched and spat on by more than 50 UKP officers including some of the wardens. The UKP officers also took the detainees’ belongings comprising books, badminton racquets, clothes, shoes, family pictures, letters, magazines, AIM [Abolish ISA Movement] handouts and also dry food. At the time of writing, their belongings have not yet been returned to them.

Not only were they treated like a flock of sheep, most of them were elbowed, punched and choked. They were also verbally abused with words like “*babi dalam kandang*” (pig in the sty). Even though they didn’t resist, they were kicked and punched a number of times. The kicking and beating was done so hard that some of them suffered from bruises and slipped disc.

One UKP personnel choked my husband [Mat Sah] while another elbowed him hard, throwing him to the floor. All the time, my husband had his hands handcuffed behind his back.”¹¹

Mat Sah states in an interview conducted by HRW,

“I was flung hard on the cement floor and they pressed their knees on the back of my neck until I felt immense pain, and until my left cheek was pressed against the dirty cement floor. I was then pulled back up and pushed roughly into the prayer hall while handcuffed . . . My right ribs were flung hard on the floor until I felt short of breath and my cheek was on the floor. After that I was ordered to rise and the handcuffs were moved from the back to the front. I was ordered to sit cross-legged facing the wall and my head was hit against the wall.”¹²

According to the HRW report, Malaysian authorities justified their actions by saying that during their search of the prison cells they discovered weapon-like items, such as ‘foldable knives, scissors, metal rods, and badminton rackets turned into weapons’, hence coercion had to be

⁹ ‘Malaysia: ISA Detainees Beaten and Humiliated’ 27-09-2005. Human Rights Watch. Cited 10-07-2007 <<http://hrw.org/english/docs/2005/09/28/malays11788.htm>>

¹⁰ ‘Malaysia: ISA Detainees Beaten and Humiliated’ 27-09-2005. Human Rights Watch. Cited 10-07- 2007 <<http://hrw.org/english/docs/2005/09/28/malays11788.htm>>

¹¹ Othman, Norlaila. ‘Riot at Kamunting: The real story’ March 17, 2005. Aliran Monthly Vol 24 (2004): Issue 11/12. Cited 2007-07-10 <<http://www.malaysia-today.net/Blog-e/2005/03/riot-at-kamunting-real-story.htm>>

¹² IV. Physical Abuse and Ill-Treatment of ISA Detainees in Kamunting Detention Center. September 2005. Human Rights Watch. Cited 10-07-2007 < <http://hrw.org/reports/2005/malaysia0905/4.htm>>

used to 'overcome violent and threatening detainees.'¹³ However, the detainees claimed that the items that were confiscated had been approved by the authorities and were being used by the detainees to make handicrafts.

Detainees who sustained injuries during the incident were denied immediate medical attention. Mat Sah suffered a fractured rib on 9 December 2004; however he was not taken to the hospital till 13 December 2004.¹⁴

Further, HRW's report states at the time of writing of their report, none of the prison officials involved in the incident were subjected to disciplinary action.¹⁵

Restrictions on Family Visits Reimposed

After the incident, the authorities tightened the prison's conditions further. According to the HRW report, the frequency of the visits was decreased. Some wives of the detainees complained that whenever they visited before the incident, there used to be no barrier separating them from their husbands; they could sit close to them and spend a meaningful time together. Their sons could play with them.

After the incident, they could only communicate with their husbands through a small hole in 'a wire mesh and fiberglass partition' which is '3-4 feet above ground level and is the size of a 50 sen coin.'¹⁶

When Mat Sah's wife visited him after the incident, she was really saddened by the new restrictions, she stated in her article,

"I held my tears as I saw my son reach out and place one of his fingers through a 20 sen-size hole on the sheet of fiberglass that separated us during our meeting. I counted 26 small holes altogether and as we talked, I had to ask my husband to repeat the sentences two or three times as I couldn't hear his voice clearly. He also asked me to do the same. I came, hundreds of kilometres from KL to this place but we were allowed to meet for 45 minutes only.

Normally, during our visit, my son and I would be able to shake my husband's hands (salam) and later my son would climb on his back. My husband would take a few paces up and down and both of them would giggle happily. Nothing separated us during our previous meeting. But today, 19 December 2004, our meeting was not a normal one. We were denied everything. I felt as if I was in a prison. Over the last two weeks everything was quite fine, but on this day, after the reported 'riot', he was treated by camp authorities like a prisoner - not as the detainee that he was."¹⁷

Punishment

As punishment, many of the detainees from T2B and T4 blocks were subjected to solitary confinement and their conditions were made harsher.

¹³ 'I. Summary'. September 2007. Human Rights Watch. Cited 10-07-2007 <http://hrw.org/reports/2005/malaysia0905/1.htm#_Toc115078901>

¹⁴ ibid

¹⁵ ibid

¹⁶ ¹⁶ IV. Physical Abuse and Ill-Treatment of ISA Detainees in Kamunting Detention Center. September 2005. Human Rights Watch. Cited 10-07-2007 <<http://hrw.org/reports/2005/malaysia0905/4.htm>>

¹⁷ Othman, Norlaila. 'Riot at Kamunting: The real story' March 17, 2005. Aliran Monthly Vol 24 (2004): Issue 11/12. Cited 2007-07-10 <<http://www.malaysia-today.net/Blog-e/2005/03/riot-at-kamunting-real-story.htm>>

Edmund Bon, the detainees' counsel, and his colleagues visited the Kamunting Detention Centre on 14 June 2005. They published a report based on their observation and on the reports they received from the detainees. According to their report, 12 of the T2B detainees were housed in 'punishment cells',¹⁸ they were only allowed out of their cells from 7:00 am to 11:00 am, they were not provided with lights or mattress in their cells but only a 1 x 2 foot air vent with metal bars. Further, they were required to shave their heads and moustaches every 2 weeks. They were given a 'punishment diet'¹⁹ and were denied warm water. They were also prevented from praying in jamaat (congregational prayers).

Eight of the T4 detainees, were placed in individual cell blocks, unlike the dormitories.²⁰ According to Edmund Bon, these detainees were singled out because they used to bring forward their complaints to prison officials, lawyers, the press and SUHAKAM by writing letters etc. and hence, were branded as the 'vocal group.'²¹ They are kept handcuffed, even when they are taken for medical assistance.

In addition to the unfair conditions mentioned above, Edmund Bon's report states that the detainees' letters were also being '...censored...re-written and photocopied...before being sent'²², letters meant for the detainees were taking too long to arrive and detainees were not being informed of the death of family members. Every detainee had the general complaint that they '...are being treated like convicts rather than administrative detainees who are unconvicted [sic].'²³

The report also stated that '...over 300 children and 100 wives [were] being affected by the continued detention of the fathers/husbands.'²⁴

Solitary Confinement

In February 2006, Mat Sah's wife forced her way in to see the Malaysian Prime Minister, Abdullah Badawi, in a small village in the state of Negeri Sembilan, but only managed to pass a letter onto him urging him to release Mat Sah and the other ISA detainees. The Prime Minister gave a promising reply but three days after this incident, Mat Sah was put in solitary confinement which continues till today.

Mat Sah has been put in a room which is 10' x 8' wide and 12' high. The room has no lamp, no fan and no window. The room has a toilet attached to it. If he wishes to breathe fresh air, he has to stand on his bed, made of bricks, and peep through the ventilation which is covered by an iron net and measures 1' x 10'. He can not read at night because there is no lamp in the room. Further, mosquitoes have made his nights worse and he describes it as sleeping in hell. During daytime, the room is too hot because of poor airflow and absence of windows and Mat Sah feels as if he is staying in a hot oven; only when rain falls does the room become cooler.

Mat Sah has been under severe stress and tension due to his prison conditions and the strict routines established by the camp authorities. Everyday, at 7 am, the door of his cell is unlocked and he is allowed to step out of his room till 11 am. Then from 11 am to 4 pm, he is ordered to return to his cell. From 4 pm to 7 pm, Mat Sah is allowed to walk around the building where he is

¹⁸ Bon, Edmund Nik Mohamed Ikhwan and Maria, Joachim. Report on visit to ISA detainees. 14-06-2005. The Malaysian Bar. Cited 10-07-2007 <<http://www.malaysianbar.org.my/content/view/1458/133/>>

¹⁹ ibid

²⁰ Othman, Norlaila. 'Riot at Kamunting: The real story' March 17, 2005. Aliran Monthly Vol 24 (2004): Issue 11/12. Cited 2007-07-10 <<http://www.malaysia-today.net/Blog-e/2005/03/riot-at-kamunting-real-story.htm>>

²¹ ibid

²² Bon, Edmund Nik Mohamed Ikhwan and Maria, Joachim. Report on visit to ISA detainees. 14-06-2005. The Malaysian Bar. Cited 10-07-2007 <<http://www.malaysianbar.org.my/content/view/1458/133/>>

²³ ibid

²⁴ ibid

kept. Then, from 7 pm till 7 am the next day, he is locked in his cell again. He is always kept alone and not allowed to mix with other detainees.

Health Conditions

Before his detention, Mat Sah used to wear spectacles of a low power for both his eyes. But now, his eyes have become weaker and the power of his spectacles has doubled, due to the deteriorating prison conditions. Further, he had a minor problem in his left knee due to an accident he had been involved in at the age of 20. He had to seek help from a doctor of Taiping Hospital, not far from the camp. After several visits he was advised by the doctor to have a few therapy sessions at the hospital in April 2006. But by July 2006 his knee had become worse and he lost feeling around it. He also felt difficulties with his left leg. A doctor advised him to buy a brace for his knee, which would cost RM100.00. The prison authorities refused to cover the cost for the brace; so his wife had to pay the costs.

Religious Freedom

Mat Sah is allowed to pray 5 times a day in his cell, but he is not allowed to attend congregational prayers (*jamaah*) with other detainees. Also, he is not allowed to pray in the mosque for Friday prayers. He is allowed to read Quran in his cell, but he can only do that during daytime since there is no lamp in his cell.

Mat Sah's Case

From day one to the second year of his detention, Mat Sah believed the words of his captors, that if he remained submissive, he would be released quickly. However, soon he realized that the reality was otherwise. A low profile group of ISA detainees, *Al Maunah*, was not released upon the end of its two year detention, while a group of 6 *Reformasi* (reformist) detainees, one of the most defiant groups, which also included Saari Sungib (Abu Urwah), was released immediately as soon as its two year detention period ended in 2003.

Hence, in September 2003, Mat Sah and 9 other detainees accused of being members of JI, filed a habeas corpus case with the assistance of a legal firm. The hearing of the case was scheduled for February 2004.

Further, 31 detainees including those who filed habeas corpus applications released a press statement declaring that they were innocent of the accusations of establishing a 'pan-Islamic state'.²⁵ They stated, "We categorically deny the accusation and state that it is false, trumped-up and a story concocted by the police and the authorities."²⁶ Instead, they asserted that they were 'devout Muslims...engaged in Islamic activities under the freedom-of-religion provisions in Malaysia's constitution.'²⁷ They further mentioned that no evidence had been presented against them in court to substantiate the authorities' claims.

They rejected any claims of their involvement with "any purported secret organization such as... [JI]."²⁸ They stated that the authorities could not prove that it exists, as initially they were all accused of being members of KMM, only later they were accused of belonging to JI. Hasyim Muzadi, chairman of Indonesia's largest Islamic organization, Nahdlatul Ulama, also stated in an interview with Herald, "...I've never heard of JI, and the people I meet have never heard of JI

²⁵ Netto, Anil. Malaysia: ISA detainees demand a hearing. 27-09-2003. Asia Times Online. Cited 10-07-2007

<http://www.atimes.com/atimes/Southeast_Asia/EI27Ae01.html>

²⁶ *ibid*

²⁷ *ibid*

²⁸ *ibid*

either...They must prove it. The Government has to announce who is the head, who is the secretary and what is the structure."²⁹

The detainees were also angry at the fact that an alleged JI leader was released whereas they, who were being claimed to be followers, were still in prison.

The detainees' counsel, Edmund Bon stated, "Their spirits [the detainees] are very high, in the sense that they want to clear their names and defend themselves."³⁰

However, the outcome of Mats Sah's and his co-applicants' hearing, scheduled for February 2004, was contrary to their expectations; their application was rejected by Judge Kadir Musa from Kuala Lumpur High Court. According to the prosecution, the detainees were alleged to have participated in meetings and training exercises in preparation for jihad against the government. However, the government was unable to provide any evidence to substantiate this charge.

Thereafter, in April 2004, Mat Sah along with the detainees from block T4 who were singled out and beaten in the December 2004 incident, submitted a report on the alleged mistreatment they faced at the hands of the police officials during their initial days of detention at the PRC. Later, three of the detainees' wives including Norlaila filed complaints at the *Dang Wangi* police station.³¹

In May 2004, when news of the inhumane treatment of Iraqi prisoners at the hands of the US soldiers at Abu-Gharib surfaced, Mat Sah and the rest of the above-mentioned detainees drew and publicized sketches of the kind of torture they were reportedly subjected to at PRC. According to Norlaila's article, these sketches were rejected by Deputy Internal Security Minister Noh Omar as 'naughty boys' drawings.'³²

The pressure created by Mat Sah and his co-applicants' worked to some extent. On 28 May 2004³³, states Norlaila, the Kamunting Detention Centre was opened for all the reporters to visit for the first time to prove that the detainees were not tortured. However, block T4, which housed Mat Sah and his other colleagues was not made accessible to the public, instead only Noh Omar visited its detainees.

On 11 June 2004, according to Amnesty International's report, eight of the ISA detainees, including Mat Sah, were taken to a PRC in Kuala Lumpur and interrogated about their alleged links with 'Islamist militant organizations.'³⁴ The detainees were not informed of this transfer. They were reportedly questioned by 'Special Branch police officers who tried to make them confess that they were members of... (JI).'³⁵

The next day, all of these eight detainees and two others had their detention extended for two more years, under the pretext of the ISA.

Later, defence lawyers for Mat Sah and his colleagues made an appeal to the Federal Court in July 2004, regarding their unfair detention but it was also rejected.

²⁹ Moore, Mathew. 'Challenge to the US: prove JI exists'. Herald Correspondent in Jakarta. 09-09-2003. The Sydney Morning Herald Online. Cited 10-07-2007 <<http://www.smh.com.au/articles/2003/09/08/1062902001916.html>>

³⁰ Netto, Anil. Malaysia: ISA detainees demand a hearing. 27-09-2003. Asia Times Online. Cited 10-07-2007 <http://www.atimes.com/atimes/Southeast_Asia/EI27Ae01.html>

³¹ Othman, Norlaila. 'Riot at Kamunting: The real story' March 17, 2005. Aliran Monthly Vol 24 (2004): Issue 11/12. Cited 2007-07-10 <<http://www.aliran.com/oldsite/monthly/2004b/11b.html>>

³² *ibid*

³³ *ibid*

³⁴ 'Malaysia Nasharuddin Nasir: detained without trial in the "War on Terror". 20-08-2004. Amnesty International. Cited 10-07-2007 <<http://web.amnesty.org/library/Index/ENGASA280102004>>

³⁵ *ibid*

Thus, over the years they had been in detention, Mat Sah and his group of colleagues had gradually built their reputation as a 'vocal' group which stood up for their rights. Therefore, according to their lawyers and family members, they were specifically targeted during the December 2004 incident.

Current Conditions

In early June 2006, the detention of eight men accused of being members of JI was extended by two more years.³⁶ Mat Sah was one of them.

Mat Sah has been under solitary confinement for the past five years. His family, especially his son, really misses him as he feels he has grown up without the company of his father.³⁷

Mat Sah is allowed to write to his family. He writes letters to them, once in two weeks. All letters from his wife are scanned. His family can visit him weekly. His wife and son visit him every month but a thick-glass window separates them from each other during their meeting and they can only communicate with each other through intercom. The duration of the visit is fixed for 45 minutes. Further, their conversations are tapped during their meetings. Families are allowed to bring three books for the detainees and are prohibited to bring food or money in the form of cash. However, money in the form of postal orders is allowed.

In the last few months, Mat Sah lost three teeth due to the prison conditions in which he is detained. He also had to get a new pair of glasses made as his eyesight had weakened. His wife, Norlaila, has had to cover all such expenses.

According to Norlaila, families of the detainees have suffered a lot because of their husbands' imprisonment. Many wives of the detainees were forced to look for jobs and start earning after their husbands were arrested. Norlaila states in her article,

'Most of these wives are fulltime homemakers. Without proper qualifications and experience, it's hard for them to get jobs in the open market. Some of them got involved in direct-selling or small-time catering to earn a livelihood. Some of these wives received money from the Welfare Department but it was too little to meet their daily needs. Furthermore, it is not easy for the wives to receive aid from the Welfare Department, as they have to undergo a series of interviews with the officers-in-charge.'³⁸

She further states,

'...GMI's Family Support Group shows that only 20 per cent of wives have a stable income. About 80 per cent or 60 families are facing serious financial problems. At least 500 children are suffering from lack of a father's love and attention. This year alone, two detainees' sons were warded at HUKM due to mental illness.'

In addition, family members and close family friends who tried to support the detainees 'were considered to have links to terrorists,'³⁹ hence they had no choice but to offer help quietly and cautiously. Some wives were reportedly harassed by Special Branch officers.⁴⁰

Norlaila sums up her feelings by stating,

³⁶ 'Malaysia: Detainees Held Without Charge or Trial' 20-06-2006. Human Rights Watch. Cited 10-07-2007.

<<http://hrw.org/english/docs/2006/06/19/malays13583.htm>>

³⁷ Email received by IHRC from Ms Norlaila Othman on 16 May 2007.

³⁸ Othman, Norlaila. 'Riot at Kamunting: The real story' March 17, 2005. Aliran Monthly Vol 24 (2004): Issue 11/12. Cited 2007-07-10 <<http://www.aliran.com/oldsite/monthly/2004b/11b.html>>

³⁹ *ibid*

⁴⁰ *ibid*

'In this case, I felt really sick with the ISA owner [sic]. They took my husband away for more than five years...And since the past 5 years, he had never been brought to court to face any trial, to prove his guilty. They put him in the camp and for that period of time, he did not lead a normal life. I'm sure, the detention made him sick and unhealthy. And when he was sick, the authority did not take enough action to maintain his good health. Finally, the detainee had to ask help from the family members... [for his illnesses].'⁴¹

⁴¹ Email received by IHRC from Ms Norlaila Othman on 16 May 2007.

The Internal Security Act

The Internal Security Act is the primary piece of anti-terror legislation being enforced in Malaysia. It was enacted in 1960 during the country's bloody struggle against communist guerrillas. The ISA introduced preventive detention law into Malaysia. Under Section 73 (1) of the ISA, police may detain any person for up to 60 days, without warrant or trial and without access to legal counsel, on suspicion that "he has acted or is about to act or is likely to act in any manner prejudicial to the security of Malaysia or any part thereof or to maintenance of essential services therein or to the economic life thereof." Under section 8, after 60 days, the Minister of Home Affairs can then extend the period of detention without trial for up to two years, without submitting any evidence for review by the courts, by issuing a detention order, which is renewable indefinitely. In June 1989, the ISA was amended to exclude any judicial review of the grounds of detention made under section 8 of the ISA. Thus detainees held under this section are not only denied a fair and public trial, they are also denied their minimum right to an effective opportunity to be heard promptly by an independent Judiciary which may decide on the lawfulness of their detention and may order their release if their detention were to be found unlawful. Now, courts may only examine and review technical matters pertaining to the ISA arrest.

The ISA also allows for restrictions on the freedom of assembly, association and expression, and freedom of movement, residence and employment. It allows for the closing of schools and educational institutions if they are used as a meeting place for an unlawful organization or for other reasons deemed detrimental to the interests of Malaysia or the public.

Although the stated aim of the legislation is to combat terrorism, numerous human rights groups have claimed that it is politically motivated and used as an instrument to silence dissent, and control public life and civil society. It was enacted in the context of a civil emergency and was intended for a very narrow, specific purpose, i.e. to round up alleged "communist insurgents". Since 1960, thousands of people such as trade unionists, student leaders, labour activists, political activists, religious groups, academicians, and NGO activists, have been arrested under the ISA. Many political activists have been detained for over a decade. The ISA is consistently used against people who criticise the government and defend human rights. The questioning often has nothing to do with the offences alleged but the apparent aim is to turn them against their political allies.

Some individuals have been arrested and detained on grounds that do not satisfy the criteria of being prejudicial to the national security of the country, and the detentions as such were contrary to the purpose of the ISA. For example, individuals have been detained under the ISA for allegedly counterfeiting coins, falsifying documents and human trafficking. These situations could have been dealt with under the relevant laws creating the relevant criminal offences. Other examples of arbitrary detention include the arrest and detention of individuals for the collateral or ulterior purpose of gathering of intelligence that was wholly unconnected with national security issues and the arrest and detention of a director of a bank who was believed to have caused the bank to suffer substantial losses. The right of a person not to be subjected to arbitrary arrest or detention is enshrined in article 9 of the UDHR.

The U.S. State Department's Country Report on Human Rights Practices issued on March 4, 2002, was highly critical of Malaysia's continued use of the ISA and noted that it "seemed intended to prevent the detainees, against whom there are no criminal charges, from exercising internationally recognised rights of free speech, political expression and assembly". Currently, the ISA is being used to detain religious leaders and activists as well as key leaders of the pro-reform movements and opposition political parties.

In 1987, the ISA was used to arrest President Mahathir's political opponents. In 1990, it was used against politicians in Sabah and East Malaysia. In November 1997, 10 people were arrested for allegedly spreading Shi'ite teachings deemed detrimental to national security. The ISA was used in 1998 to arrest Deputy Prime Minister Anwar Ibrahim and six of his political supporters. Anwar

was the primary leader of opposition to Mahathir, and was sentenced to 15 years imprisonment following convictions in 1999 and 2000 in politically motivated trials for sodomy and corruption and abuse of power. In 2004, an appeal court reversed the sodomy conviction and he was released.

In April 2001, a senior figure in the opposition Keadilan (National Justice) party, Ezam Mohamed Noor, was arrested with 9 other leading politicians under the ISA. They were accused of plotting a violent rebellion against the state and held for weeks without charge and without access to family or lawyers. Ezam was ordered to be detained for a further 2 years in a remote detention centre in Kamating, North Malaysia. In August 2001, 10 suspected militants were arrested and detained under the ISA on suspicion of belonging to the Malaysian Mujahideen Group (KMM). The following month, 6 more were arrested on the same grounds. On the 14 April 2002, 14 more suspected KMM members were arrested under the ISA. A further 6 men were arrested in October. Most of the individuals held since August 2000 are alleged to be members or supporters of the opposition party, Parti Islam se Malaysia (PAS). In November 2003, 15 detainees who were arrested under the ISA amid accusations of subversive activities, were held for over 3 years and then released on grounds that they no longer posed a threat to national security. In the last year several 'madrasahs' i.e. religious schools, have been closed down using ISA upon the pretext that they may be fomenting terrorism. Largely affected however have been schools run under the infrastructure of the PAS whom the government accuses of subversive activities.

Former detainees have testified about being subjected to severe physical and psychological torture while in detention. This includes but is not limited to physical assault, forced nudity, sleep deprivation, 24 hour interrogation, death threats, and threats of harm, including rape, to family members. The detention cells are acutely small with no air or light. The whole detention is designed to humiliate and frighten the detainees. This often leads to the signing of state-manufactured "confessions". During the trial of Anwar Ibrahim, members of the police told the court the process of "extracting confessions" under duress was called "turning over" and suggested it was standard police practice. The right of a person not to be subjected to inhuman or degrading treatment or punishment is enshrined in article 5 of the UDHR.

The ISA is immoral and cruel. It condones violence, torture and humiliation. It is contrary to fundamental principles of international law, including the right to liberty, freedom from arbitrary arrest, to be informed of the reason for your arrest, the presumption of innocence, and the right to a fair and open trial in a court of law. It allows for arbitrary arrest and indefinite detention without trial. Due to the 1989 amendment, the provision for judicial review has been removed. This gives absolute power to the Minister of Home Affairs to detain people at his will. There is no clear definition or criteria to determine which individuals pose a threat to security. Consequently, the executive has permanent, unfettered discretion to determine, according to their subjective interpretation, who, what and when a person might pose a potential threat to national security or public order. In April 2003, the Malaysian government's own Human Rights Commission (SUHAKAM), recommended abolishing the ISA and replacing it with a new anti-subversion law. In doing so, it added its voice to the many Malaysian human rights groups, the Malaysian Bar Council, and international human rights groups, which have called for its repeal.

According to Human Rights Watch's (HRW) latest report, by the end of 2006, more than 90 people had been detained under the ISA.⁴² Further, most of them have been held for the past four years '...without trial or any judicial review of the merits of their detention.'⁴³

⁴² 'Malaysia Events in 2006'. Human Rights Watch. Cited 10-07-2007
<<http://hrw.org/englishwr2k7/docs/2007/01/11/malays14870.htm>>

⁴³ 'Malaysia: Detainees Held Without Charge or Trial' 20-06-2006. Human Rights Watch. Cited 10-07-2007
<<http://hrw.org/english/docs/2006/06/19/malays13583.htm>>

Brad Adams, director of Human Rights Watch's Asia Division, states while commenting on the condition of the ISA detainees, "Those held under the ISA are defined as a group that has virtually no rights, so it is hardly surprising that prison guards treat them as less than human."⁴⁴

For more information on the ISA, please read Briefing: Anti-Terrorism Legislation in South East Asia⁴⁵ and Detained Without Trial – Abuse of ISA Detainees in Malaysia.⁴⁶

Abolish ISA Movement (AIM)

The AIM which is better known in Malaysia as Gerakan Mansuhkan ISA (GMI) is a coalition consisting of 83 organisations made up of non-governmental organisations, political parties, human right bodies, labour unions, women and student movement. It was launched on 30 April 2001 when 10 human rights activists (reformist or reformasi) were detained on unproven charges.

Norlaila Othman joined GMI's struggle after her husband's abduction. Currently she is a member of GMI's Family Support Group committee, providing support to the families of detainees.

The two main objectives of GMI are to work towards the abolishment of ISA and to demand for the release of all ISA detainees on the premise that no one should be detained without trial. In order to achieve these objectives, the GMI has launched several campaigns to create public awareness through press statements, exhibitions, demonstrations, forums, intellectual discourses, signature campaigns, publishing of books, distribution of pamphlets etc. Other key elements employed for the publicity of the GMI campaign include lobbying at the national and international level, filing legal proceedings, establishing the Family Support Centre, communicating with the media, fund-raising etc.

Since then the GMI has been successful with support from the public:

1. All 10 *reformasi* activists have been released. The Federal Court made a landmark decision on the habeas corpus case filed by 6 *reformasi* activists on 6 September 2002. It declared that the detention of these activists was *mala fide* and illegal.
2. SUHAKAM or *Suruhanjaya Hak Asasi Malaysia* (Malaysia's Human Rights Commission) has vehemently proposed for the review of the ISA and has appealed for it to be replaced with a law that will protect the rights of detainees.
3. All *Al-Maunah* ISA detainees have been released.
4. All KMM ISA detainees have been released (last six were released recently on 18 October 2006, just less than a week before *Eid ul Fitr* – Muslim religious holiday).
5. Many of the JI ISA detainees have been released (11 were released recently on 18 and 19 October 2006).

At the time of this writing, around 40 ISA detainees, alleged to be JI militia men, are still suffering in Kamunting Detention Centre. Some 30 other detainees are also detained without trial there.

⁴⁴ 'Malaysia: ISA Detainees Beaten and Humiliated'. 27-09-2005. Human Rights Watch. Cited 10-07-2007 <<http://hrw.org/english/docs/2005/09/28/malays11788.htm>>

⁴⁵ 'Briefing: Anti-Terrorism Legislation in South East Asia'. 03-02-2004. Islamic Human Rights Commission. Cited 10-07-2007 <<http://www.ihr.org.uk/show.php?id=973>>

⁴⁶ 'Detained Without Trial Abuse of Internal Security Act Detainees in Malaysia'. September 2005 Vol. 17, No. 9(C). Human Rights Watch. Cited 10-07-2007 <<http://hrw.org/reports/2005/malaysia0905/index.htm>>

Address for material to be sent to Mat Sah bin Mohammed Satray

You can write letters of support to Mat Sah at the address below:

Mat Sah bin Mohammed Satray
 ATP 2558/02
 Tempat Tahanan Perlindungan
 Kamunting
 34009 Taiping
 Perak Darul Ridzuan
 Malaysia

Instructions for sending model letters to organisations, authorities etc.

Please send the model letter with chosen insertions to the addresses below. Use the relevant insertion according to the recipient of the letter. Addresses for the recipients are given immediately after the model letters, on page 24.

Model Letters for Mat Sah bin Mohammed Satray

Letter 1 – General Letter

Name
 Address

Date

Name of Recipient
 Address of Recipient

Dear [Name of Recipient],

Re: Appeal for the immediate release of ISA detainee Mat Sah bin Mohammed Satray

I am writing to urge you to work for the immediate release of Mat Sah Satray who has been detained under the Internal Security Act (ISA) since 17 April 2002. Under this law, a person can be held for up to 60 days without a warrant or recourse to trial or access to legal counsel, merely on the basis of suspicion. After the 60 day period ends, the detainee's case is referred to the Home Secretary who can extend the detention period for two more years which is then renewable indefinitely.

Mat Sah is being currently held at the Kamunting Detention Centre in the state of Perak. He and several other ISA detainees have been accused of being members of Jemaah Islamiyyah (JI) and of participating in subversive activities against the government. Mat Sah and his detainees have repeatedly denied these allegations and no evidence has been produced to substantiate the allegations. All of Mat Sah's legal appeals have been rejected. Hence, he can be held without charge indefinitely without ever being given his day in court.

I am also deeply concerned whether he and the other ISA detainees are being treated in accordance with international human rights standards. Human Rights Watch has documented in detail how detainees in Kamunting Detention Centre have been abused, beaten and humiliated by prison guards during security checks. Currently, many detainees are being held in small cells with no lighting or windows. Some, like Mat Sah are being kept in solitary confinement under a strict regime where he is not allowed to pray in congregation or attend Friday prayers.

INSERT APPROPRIATE PARAGRAPH

Most importantly, I request you to strongly urge the Malaysian authorities to abolish the ISA as this law is a blatant violation of international human rights standards. Many innocent people have been held under the ISA for more than a decade and have been treated inhumanely.

I look forward to hearing from you soon on this matter,

Yours sincerely,

[Name]

Insertions

Recipient Name: Ms Louise Arbour, UN High Commissioner on Human Rights

INSERTION

I urge you to pressurize the Malaysian government to uphold the rights of the detainees, including Mat Sah. Please ensure the appropriate working groups in your office act upon this matter.

Recipient Name: Minister of Foreign Affairs in Your Country. For UK: Rt. Hon. David Miliband MP, Foreign and Commonwealth Office

INSERTION

I urge you to make representations with your Malaysian counterparts on behalf of Mat Sah and the rest of the ISA detainees. Your department has committed itself to promoting human rights and in the circumstances this has been a clear travesty of justice, where the detainees' human rights have been abused.

Letter 2 – Addressed to the Malaysian Government

Name
Address

Date

Name of Recipient
Address of Recipient

Dear [Name of Recipient],

Re: Appeal for the immediate release of ISA detainee Mat Sah bin Mohammed Satray

I am writing to strongly urge you to immediately release Mat Sah bin Mohammed Satray, who has been detained under the Internal Security Act (ISA) since 17 April 2002. He is currently being held at the Kamunting Detention Centre in the state of Perak. He and several other ISA detainees have been accused of being members of Jemaah Islamiyyah (JI) and of participating in subversive activities against the government. However, no evidence has been produced to substantiate these allegations.

Mat Sah and all the other ISA detainees must be given recourse to a fair trial in conformity with international standards of due process and access to full legal representation and family members. If no evidence is found against a detainee, he/she should be released without delay, as holding them indefinitely merely on the basis of suspicion is a blatant violation of due process.

I am also quite concerned about the fact that the ISA detainees have been physically abused and harassed in the past and are being forced to live in small cells and under strict regimes. I ask that you ensure that Mat Sah and the rest of the ISA detainees are treated according to the international human rights standards. Human rights organizations and NGOs should be given immediate and full access to the Kamunting Detention Centre.

Most importantly, I strongly urge you to abolish the ISA under which many such innocent people have been held in the past and are still being currently detained without charge, or legal representation, merely on the basis of suspicion.

I look forward to hearing from you on this matter,

Yours sincerely,

[Name]

Addresses for Mat Sah bin Mohammed Satray's Model Letters

- Ms Louise Arbour
Office of the United Nations
High Commissioner for Human Rights
UNOG-OHCHR
1211 Geneva 10, Switzerland

Fax: + 41 22 917 9022
Email: tb-petitions@ohchr.org
- Rt. Hon. David Miliband MP
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

Fax: +44 20 7839 2417
Email private.office@fco.gov.uk
- HE Dato' Abed Aziz bin Mohammed
Malaysian High Commission
45 Belgrave Square
London SW1X 8QT

Email: mwlondon@btinternet.com
- Mr. Syed Hamid Albar
Ministry of Foreign Affairs of Malaysia
Wisma Putra
No. 1, Jalan Wisma Putra
Precint 2
62602 Putrajaya
Malaysia

Fax : +60 3 8889 1717
- Mr. Abdullah bin Haji Ahmad Badawi
Prime Minister of Malaysia
Ketua Setiausaha Sulit Kepada Perdana Menteri,
Pejabat Perdana Menteri,
Blok Utama, Bangunan Perdana Putra,
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