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Urgency on the present situation in Malaysia

Tabled by John Cushnahan, Johanna Maij-Weggen and Bernd Posselt on behalf of the EPP-ED group
Pursuant to Rule 50

The European Parliament,

- having regard to its previous resolutions on the situation in Malaysia,
- having regard to Article 5 of the Federal Constitution of Malaysia which guarantees all Malaysians the right to liberty of their persons,
- A. whereas the human rights situation in Malaysia continues to deteriorate rapidly, largely because of Prime Minister Mahathir's determination to crush his political rivals under the alleged pretext of fighting terrorism,
- B. whereas the Internal Security Act (ISA), which allows for indefinite detention without charge or trial of any person suspected of acting in a manner prejudicial to national security, was reported by Malaysian and International human rights organizations, increasingly used by the Malaysian government in the name of fighting terrorism with at least 50 already arrested since the terrorist attacks of September 11th.
- C. whereas six political prisoners (Tian Chua, Mohd Ezam Mhd Noor, Shaari Sungip, Hishamuddin Rais, Badrulamin Bahrom, Lokman Adam) who are currently detained under the ISA at the Kamunting Detention Camp for exercising their rights to legitimate political organization and dissent, launched a hunger strike on 10-21 April 2002 to demand for their immediate release or be charged in court, has been largely ignored by the government,
- D. whereas the High Court of Malaysia at Shah Alam, in setting free two ISA detainee two ISA detainees under the writs of habeas corpus on 30 May 2001, called upon the Malaysian Parliament to thoroughly review the ISA,
- E. whereas the guarantee not to be subjected to detention without trial a basic and fundamental human right,
 1. Calls on the Malaysian government to respect international human rights obligations and to guarantee its citizens the right to freedom of assembly, expression and association, to abolish the ISA and other laws that allow for detention without trial, and to adopt the recommendation of the Malaysian Human Rights Commission in ratifying the International Covenant on Political and Civil Rights, the International Covenant of Economic, Social and Cultural Rights and the Convention Against Torture,
 2. Regrets that the representations from the United Nations Special Representative for Human Rights has received no response from the Malaysian government and calls on the Malaysian government to fulfill its obligation of being a member of the United Nations Commission on Human Rights to allow for the requested visit,
 3. Calls on the European Union and its Member States to put pressure upon the Malaysian government to respect human rights and invites the Council and the Commission to raise these questions during the next Asia Europe Meeting and EU-ASEAN Meeting;
 4. Instructs the Committee on Human Rights to send a fact finding mission to Malaysia to investigate the condition of the political detainees, the detention center and the violations of their fundamental rights,
 5. Instruct its President to forward this resolution to the Commission, the Council and the Parliament and Government of Malaysia.