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Session document

13 June 2001

B5-0433/2001 }
B5-0441/2001 }
B5-0451/2001 }
B5-0458/2001 }
B5-0467/2001 }
RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 50(5) of the Rules of Procedure by

- John Walls Cushman and Bernd Posselt on behalf of the PPE-DE Group
- Glyn Ford on behalf of the PSE Group
- Jules Maaten on behalf of the ELDR Group
- Patricia McKenna on behalf of the Verts/ALE Group
- Luigi Vinci on behalf of the GUE/NGL Group

replacing the motions by the following groups:

- Verts/ALE (B5-0433/2001),
- GUE/NGL (B5-0441/2001),
- ELDR (B5-0451/2001),
- PPE-DE (B5-0458/2001),
- PSE (B5-0467/2001),

on Malaysia

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PE 306.746}
PE 306.754}
PE 306.764}
PE 306.771}
PE 306.780} RC1

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European Parliament resolution on Malaysia

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 has deteriorated rapidly, largely because of Prime Minister Mahathir's determination to crush his political rivals,
- B. whereas the Internal Security Act (ISA) allows the Malaysian Government to order indefinite detention without charge or trial of any person suspected of acting in a manner prejudicial to national security and has frequently been used to arrest political opponents and human rights activists, while detainees have been subjected to physical abuse and to intense psychological pressure amounting at times to torture,
- C. whereas, in addition to the ISA, Article 149 of the Malaysian Constitution has given legitimacy to other laws used by the authorities to detain thousands of Malaysians without trial for alleged criminal offences, such as the Emergency (Public Order and Prevention of Crime) Ordinance of 1969 and the Dangerous Drugs (Special Prevention Measures) Act of 1985,
- D. whereas numerous Malaysian civil society organisations have for many years consistently called upon their government to abolish the ISA and to release immediately all those arrested under this Act,
- E. whereas, according to reports by SUHAKAM and other Malaysian and international organisations, over 40 people are currently being detained under the ISA, including at least eight detained on grounds of peaceful expression of their political or religious beliefs, and some people have been held in an unknown place of detention and been denied access to their families and lawyers,
- F. whereas on 2 June, according to international human rights organisations, a further four political activists (Mohamad Ezam Mohd Nor, Saari Sungib, Hishamuddin Rais and Tian Chua) were served two-year detention orders under the ISA solely for exercising their rights to legitimate political organisation and dissent,
- G. whereas the High Court of Malaya at Shah Alam, in setting free two ISA detainees under writs of habeas corpus on 30 May, called upon the Malaysian Parliament thoroughly to review the ISA,
- H. whereas the guarantee not to be detained in any way without a fair and public trial is a basic and fundamental human right,

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1. Deplores the fact that the Malaysian authorities continue to resort to the Internal Security Act to detain political opponents and human rights activists and by doing so deny them access to justice in an open court of law, and calls upon them to release these detainees, or else charge them and ensure that they are promptly and fairly tried;
2. Calls on the Malaysian authorities to fulfil their international human rights obligations and to guarantee Malaysia's citizens the right to freedom of expression and association, to adhere to the International Covenant on Civil and Political Rights and to adapt the Malaysian Constitution accordingly, to abolish the ISA and to enact laws which ensure fair and public trials for all detainees;
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 EU-Malaysia Partenariat, which will be held in Kuala Lumpur on 5-6 November 2001, and also to raise these questions at the next EU-ASEAN Ministerial meeting;
4. Instructs its President to forward this resolution to the Commission, the Council and the Parliament and Government of Malaysia.