

MALAYSIA

PURPOSE

The purpose of this memorandum is to take stock of the current human rights situation in Malaysia and to state the Canadian Government's position concerning it.

BACKGROUND

The history of the Malaysian Federation since it achieved independence in 1963 is fraught with incidents stemming from disparities in the political interests and cultural and religious values of its various ethnic groups. On a few occasions these incidents have resulted in bloody confrontations between rival communities. In 1969, for example, racial incidents degenerated into violent rioting that resulted in hundreds of deaths and brought the country to the brink of civil war. These incidents involved primarily members of the Malay community, the largest ethnic group, and members of the Chinese community, the second-largest ethnic group.

Recently the Malaysian Government, claiming that increased racial tension between these two communities might give rise to further violent incidents and jeopardize the country's internal stability, invoked the Internal Security Act (ISA) authorizing it to arrest and detain 105 individuals for preventive purposes. Most of those arrested are Chinese and belong to or are militant members of social and political organizations whose opinions oppose government policy on a number of issues. A number of MPs, including Mr. Lim Kit Siang, leader of the main opposition party, have been arrested and most are still being detained. Some Malay and Indians are also under arrest.

Under the terms of the ISA, the arrested individuals may be detained without trial for up to two years. However, on the advice of a consultative committee chaired by a magistrate, the Minister of the Interior must decide whether detention in excess of an initial 60-day period is actually necessary.

By December 3, ninety individuals were still in detention, while 26 others had been released. Eight others applied for writs of habeas corpus and were denied. In conjunction with the arrests, the authorities have also banned the distribution of four publications.