

Case MYS 080704
Suspicious death in police premises

The International Secretariat of OMCT requests your **URGENT** intervention in the following situation in **Malaysia**.

Brief description of the situation

The International Secretariat of OMCT has been informed by Asian Human Rights Commission (AHRC), member of the OMCT network, of the case of **Mr Mageswaran a/I Ramasamy**, aged 29 year old, found hanging in the toilet of the Petaling Jaya Police Headquarters, Malaysia.

According to the information received, on 17th June 2004, Mageswaran a/I Ramasamy allegedly went to the Petaling Jaya Police Headquarters to file a police report. Seven hours after, at about 10:00 pm, Mageswaran a/I Ramasamy's body was discovered hanging in toilet of the police station. There was a wound about one inch long on Mageswaran a/I Ramasamy's lower right abdomen, which had been stitched up.

According to the same information, rapidly, Assistant Commissioner of Police (ACP) Osman Bakar publicly stated that there was no murder and this was a case of suicide. Mageswaran a/I Ramasamy's family members have been disturbed by this speedy conclusion reached by the police. Nevertheless, no investigation has been undertaken to explain the suspicious circumstances of the death.

On 2nd July 2004, a joint memorandum was submitted to the Inspector General of Police by about eight non-governmental organisations, calling for an immediate independent and impartial investigation and a post-mortem into the death of Mageswaran a/I Ramasamy. The group also called for the immediate suspension of ACP Osman Bakar and other police officers suspected to be involved in this event.

OMCT expresses its grave concern over this event. OMCT remains worried about the numerous cases of death in prisons. According to the statistics released in the Dewan Rakyat (the Lower House of Parliament) on 10 October 2003, 237 inmates died last year, which is an average of 19.75 deaths per month. From January to until July 2004, there have been 188 deaths in prisons, which is a monthly average of 26.86 deaths per month.

Action requested

Please write to the authorities in Malaysia urging them to:

- i. Order a thorough and impartial investigation into the circumstances of this event in order to bring those responsible to trial and apply the penal and/or administrative sanctions as provided by law;
- ii. Guarantee that adequate reparation is provided to Mageswaran a/I Ramasamy's family;
- iii. Guarantee the respect of human rights and the fundamental freedoms throughout the country in accordance with national laws and international human rights standards.

Addresses

Dato' Seri Abdullah Hj. Ahmad Badawi, Prime Minister, Block D1, Parcel D, Pusat Pentadbiran Putrajaya, 62502 Putrajaya, Selangor, MALAYSIA, Fax: + 603 8886 8014, E-mail: abdullah@kdn.gov.my

Tan Sri Abdul Gani Patail, The Attorney General of Malaysia
The Attorney General's Office, Level 8, Block C3, Federal Government, Administrative Centre,
Malaysia, Tel: 603 - 8885 5000, Fax: 603 - 8888 9378

Datuk Seri Mohd Bakri Omar, Inspector General of Police, Ketua Polis Negara, Ibupejabat Polis
Diraja Malaysia, Bukit Aman, 50502 Kuala Lumpur, MALAYSIA, Tel: +603 2273 1326, Fax: +603
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Tan Sri Abu Talib Othman, Chairperson, Human Rights Commission of Malaysia (SUHAKAM), 29th
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Fax: +603 2612 5620, E-mail: humanrights@suhakam.org.my

Please also write to the embassies of Malaysia in your respective country.

Geneva, July 8th, 2004

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.