



Bar Council president Dr Cyrus V. Das speaking at the seminar.

## Call to review laws on detention without trial

By Dorothy Chen  
and Joseph Lee

**Kuala Lumpur, Sun:** Participants at a Bar Council seminar on human rights yesterday asked the government to review and ultimately repeal laws which allow arrest and detention without trial and restrict the residence and movements of persons.

The argument was that such laws are contrary to the rule of law, violate human rights, had been used to repress political opposition and go against established religious, cultural and social values and norms.

Referring to the Internal Security Act, they said the government should at least reinstate judicial review of cases which had been removed through an amendment to the act in 1989.

Former deputy home affairs minister Datuk Dr Rais Yatim, at the seminar entitled *Detention Without Trial: Has the time for abolition come?* said the act should be repealed as there has been no real subversion in the country since the 1969 riots. If necessary, the government still has the power to proclaim a state of emergency by virtue of Article 150 of the Federal Constitution.

According to him, there are more than adequate laws such as the Emergency (Public Order and Prevention of Crime) Ordinance and the Dangerous Drugs (Special Preventive Measures) Act to book a person for wrongdoing.

These types of legislation which are connected with public order and the prevention of crime and include restricted residence, dangerous drugs, immigration confinement, police powers and the control over affairs of student activities often duplicate and overlap with the ISA and with each other.

Under the ISA, a person

may be detained by the police for up to 60 days on suspicion that he or she may be a subject for and proper to be detained under the authority of the home minister up to two years each time.

Two former ISA detainees, Parti Rakyat Malaysia president Dr Syed Husin Ali and Irene Xavier, spoke of their experiences.

The Bar Council's human rights committee member Cecil Rajendra said the abolition of the ISA was long overdue. The committee will issue a memorandum on this to the government and members of parliament in a few months.