

Joint Press Statement by eight (8) Civil Society Groups

The Coroner's Inquest has failed in dispensing justice to Gunasegaran and his family.

WE, the undersigned organizations, are deeply appalled by the "Open Verdict" of the Coroner presiding at the inquest of R. Gunasegaran who died in police custody on July 16, 2009.

As many as three witnesses have testified at the inquest that Gunasegaran had been kicked and beaten by a police officer until he was unconscious, and the second autopsy has found a 28cm long, 8cm width and 5cm depth scar on his chest.

We cannot believe that such a heavy physical assault and the resultant severe scars on Gunasegaran were not given the due consideration as the most probable cause of death. The coroner's open verdict is simply unconvincing! We strongly criticize the dismissal of eye-witnesses' testimony. The coroner's inquest has apparently failed in dispensing justice without fear or favour, to Gunasegaran and his family.

Given that the authorities have tried to defer giving a copy of the post-mortem report to Gunasegaran's family last year, and that the police officer "forgot" to report the death of Gunasegaran, we feel that the authorities are trying to cover up something.

The public's confidence in our enforcement agencies is not only at a new low, but indeed in "CRISIS".

- When Selangor Chief Police officer Khalid Abu Bakar accused Aminul Rasyid who was shot in Shah Alam as a criminal, he lied;
- When the MACC said they did not have Teoh Beng Hock's mobile phone, but the investigating officer told us later that the mobile phone was seized from MACC officer, they lied;

- When the first autopsy report on the death of A.Kugan indicated that "he died as a result of pulmonary edema and did not highlight any of the physical trauma suffered by Kugan", and then the second autopsy pointed out "Kugan was tortured, starved before dying", the pathologist

lied.

How can the public continue to trust our enforcement agencies if they tend to abuse their power at the expense of Malaysians' life and cover up by lies! We are frustrated over these violations of human rights cases. We urge the government to sincerely investigate the death of all suspected tortured victims and clean up the enforcement agencies by enacting a comprehensive human right act in order to reclaim the public's confidence.

The act must be able to bring to an end the state-sponsored torture and prevent the recurrence of cases such as Gunasegaran, Teoh Beng Hock, A. Kugan, Aminul Rasyid and others.

We also demand the Independent Police Complaints and Misconduct Commission (IPCMC) be immediately established to oversee our police force as the most glaring cases of merciless shooting and deaths in custody involve police officers.

Late yesterday evening, we were informed that Selvachandran Krishnan, a key witness at the Gunasegaran Inquest has been beaten up and arrested by the police in front of his wife. The police told her that he would be detained for 60 days. We condemn the arbitrary and violent

arrest of Selvachandran.

We demand an explanation from the new IGP Tan Sri Ismail Omar on the reasons for the arrest. Selvachandran must be released immediately and the police must issue an open apology to the family.

Endorsing organizations:

1. *Malaysians for Beng Hock*
2. *Saya Anak Bangsa Malaysia [SABM]*
3. *Suara Rakyat Malaysia (SUARAM)*
4. *Civil Rights Committee of KLSCAH (CRC-KLSCAH)*
5. *Youth Section of KLSCAH (YS-KLSCAH)*
6. *Malaysia Youth & Students Democratic Movement (DEMA)*
7. *Persatuan Kesedaran Komuniti Selangor (Empower)*
8. *Civil Society Committee of LLG Cultural Development Centre*
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