

Gov't rebuffs Suhakam's freedom of assembly plans
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The government does not intend to repeal laws to allow freedom of assembly, snubbing recommendations by the Human Rights Commission of Malaysia (Suhakam) in its annual report.

The reaction to the Suhakam proposal comes in the footsteps of the stern actions already being taken by the government to clamp down on the planned July 9 Bersih 2.0 rally.

In the Government's Response to the 2010 Suhakam Annual Report distributed to parliamentarians on Monday, de facto Law Minister Mohd Nazri Abdul Aziz (left) said that "for the time being", sections under the Police Act that limit freedom of public assembly are to be retained.

Suhakam had argued that the Police Act 1967 is in contradiction to the rights enshrined under the federal constitution and international human rights declarations.

Among others, the statutory body called on the government to do away with pertinent sections such as Section 27, which allows police full powers to regulate assemblies.

"However, the Home Ministry is working together with the Attorney-General's Chambers to amend the provision in Section 27 and harmonise it with provisions accorded by the federal constitution.

"While Article 10(1)(b) of the constitution guarantees all citizens the right to peaceably assemble, Article 10(2)(b) states that laws to limit such freedom can be introduced if it appears that it will be abused or adversely affect safety and public order," Nazri said.

This was because certain assemblies could trigger violence or untoward incidents, or even obstruct traffic, he explained, adding that as such, assembly permits issued under Section 27 of the Police Act were a preventive measure to avoid any of above.

Nearly 100 people have been arrested and dozens of others called in for questioning by the police in a nationwide crackdown in the run-up to Bersih's July 9 rally for electoral reform.

'We are already free, but...'

Authorities have declared the much-anticipated rally illegal and have vowed to do all they can to prevent it from taking place.

Even all Bersih paraphernalia, including banners, T-shirts and other items, been declared illegal.

In the annual report, Suhakam also urged the government to respect the right to freedom of expression as guaranteed by Article 10 of the federal constitution.

The commission asked for the formation of an independent media council and appealed to allow the media to self-regulate.

However, the government stated that the freedom of expression as guaranteed by the constitution has never been sanctioned by the government.

Nazri reiterated that the people were free to air their views or criticisms through the media - electronic or print - as long as they did not conflict with the laws of the land.

He cautioned that Malaysia is a multi-racial country with various religions and cultures and therefore, in line with other provisions in the constitution, laws such as the Printing Presses and Publications Act 1984, Official Secrets Act 1972 and Sedition Act 1948 were enacted to ensure that freedom was not abused to

the detriment of national safety and unity.

Suhakam had initially hoped that its annual report this year would be tabled for debate in the Dewan Rakyat. However, it has failed in its efforts time and again - ever since the commission tabled its first report in 2001.

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