

Using EO on Bersih a low point in Najib's tenure
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The right of citizens within a democratic society should be respected by all parties especially the State in ensuring fundamental human rights are exercised in an environment where there is collective responsibility.

Over the past week we have seen the attempts from various quarters to restrict democratic rights. These actions include the arrest, the banning of t-shirts, the declaration that Bersih is an illegal movement.

In addition the personal attacks on Ambiga Sreenevasan (Bersih chair) questioning her integrity and sincerity by main stream media, the reference to communist threat and violent overthrow of the government are unfounded accusations. These actions can be read as creating a situation of political tension and reducing public confidence in the way the Federal government is addressing the situation.

July 2, 2011 can be noted as a dark day for human rights during the Najib administration with the rearrest of Sungai Siput MP Michael Jeyakumar Devaraj and six others under the Emergency Ordinance (Public Order and Prevention of crime) EPOPCO after being held in remand for 7 days.

EPOPCO is a preventive detention law similar to the Internal Security Act, which enables the police to hold the arrested people for 60 days and subsequent through the minister's order a further detention for two years.

The Royal Police Commission in 2005 recommended "that EPOPCO be repealed because it has outlived its purpose and in some instances has facilitated the abuse of some fundamental liberties" (page 310). The use of this law or any preventive legislation is clearly a violation of human rights.

Proham calls on the Home Affairs Minister and the Inspector General of Police (IGP) not to use preventive legislation but charge any suspect or accused person in the court of law, consistent with Malaysia's move to be a developed nation by 2020

Proham calls on the IGP to release MP Michael Jeyakumar and the five others whom the police had already remanded for seven days or charge them in open court

Proham calls on the prime minister who has a very strong commitment to moderation and rational response to national concerns to provide strong political leadership in bringing about a 'win-win' situation for human rights and community harmony through a mediation process among the various leaders

Proham feels there is still time for the prime minister and his administration to provide a conducive framework and environment for citizens to exercise their constitutional rights by expressing their views and concerns for a free and fair elections.

The statement is jointly issued by Simon Sipau, Navaratnam, Michael Yeoh & Denison Jayasooria of the human rights NGO Proham. If he does that, I will salute him for his statesmanship.