

Najib announces repeal of ISA
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Prime Minister Najib Razak will abolish the Internal Security Act and amend a number of laws which have long been criticised as overt attempts to stifle democracy.

In a special televised address late this evening, the eve of Malaysia Day, Najib announced the following:

- * Abolition of Internal Security Act (ISA) 1960, which allows detention without trial.
- * Three Emergency declarations to be lifted.
- * Amendments to freedom of assembly laws, which will recognise Article 10 of the Federal Constitution but will be "strongly" against street demonstration.
- * Annual renewal of publishing permits for newspapers will be replaced with a one-off licence, which can be withdrawn.
- * Repeal of Banishment Act 1959 and revision of Restricted Residence Act 1933.

"As I had promised in my maiden speech when I first took over the post of prime minister on April 3, 2009, the Internal Security Act 1960 (ISA) would be studied comprehensively. In relation to that, I am glad to announce on this historical night, that the ISA will be abolished," Najib said.

najib special address malaysia day 150911 "To prevent subversive acts, planned terrorism and criminal acts to preserve public order and safety, two new suitable laws will be formulated, based on the spirit and under the umbrella of Article 149 of the federal constitution.

"In principle, the Acts will be aimed at preserving peace, harmony of the people and the country."

The ISA, which is a preventive detention law, was enacted soon after Malaya obtained independence.

While initially the draconian law was used against the communists, it was often abused by the government to muzzle political dissidents.

'We hear the pulse of the people'

Over the years, many key politicians were nabbed under the law which empowers the home minister to detain them for up to two years - and which can be extended indefinitely thereafter.

"Realising the reality that Malaysia has changed, feeling the pulse, apprehension and aspirations of the rakyat who want a Malaysia that has a more open and dynamic democracy, where opinions, ideas and concerns are given more attention.

"(We must do so to) stand on par with other democratic systems in the world, based on the universal philosophy of from the people, by the people, for the people. The government, under Section 3 Article 150 of the federal constitution, will table to both parliamentary bodies a motion so that all three proclamations of emergency are lifted," said Najib.

With the lifting of the Emergency declarations, it means that the ISA-type Emergency Ordinance (EO) will also lapse.

Apart from the six PSM leaders who were detained for one month in July, there are currently about 6,000 held in detention under EO.

Publishing permits for newspapers will remain, but the permits will not have to be renewed every year.

"A comprehensive review (of laws no longer relevant) will involve the Restricted Residence Act 1933 and the Printing Presses and Publications Act 1984, where the annual licences will be abolished and replaced with licences that will be issued until they are cancelled," Najib said.

"The government will also review Section 27 of the Police Act 1967, to take into account Article 10 of the federal constitution on the freedom of assembly, on the principle that it would be against street demonstrations.

"However, the permission to assembly will be given through methodologies which will be decided later, but it will consider international norms."

Polls looming?

The reforms announced today follow years of intensive campaigns to broaden Malaysia's democratic space, particularly the abolishment of the ISA.

The Najib administration did not apply the ISA on any dissident, while his predecessor Abdullah Ahmad Badawi had applied the ISA on one opposition figure, a blogger and a journalist, back in September 2008.

But the most notorious use of the ISA was in 1987, when 106 people were nabbed under Operasi Lalang (Weeding Operation) during the Mahathir Mohamad administration.

Leading human rights watchdog Suaram estimates that about 10,000 people have been detained under the ISA without trial since its inception in 1960.

Although most people were detained for two years, there are records of some being detained for more than 20 years.

Najib's announcement today comes at a time when his approval rating, at 59 percent, hit a record low since a record high of 72 percent in May last year.

He is pressed to deliver on reform promises made when he took office in April 2009 as he attempts to improve BN's position in the coming general election, expected to be called within the next six months.

Critics have claimed that tangible reforms have hitherto been moving at a glacial pace and the announcements today are likely to improve his image.

Human rights activists and opposition parties are expected to claim victory over the reforms but this is unlikely to go down well with conservative factions within BN.