

AG 'upbeat' over meeting with Suhakam
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The Human Rights Commission (Suhakam) is to meet with the attorney-general today to discuss the new laws that will replace the Internal Security Act (ISA).

Announcing this, Suhakam chairperson Hasmy Agam (left in photo) said Abdul Gani Patail was "upbeat" about the meeting and had indicated that the commission's earlier recommendations would be included.

"He said they are going even further than our recommendations made on the Act in 2003," Hasmy told reporters.

"I would say he sounded upbeat ... maybe he just wants to create a good ambience for discussion, but we are hopeful."

The premier had, on Sept 15, announced that the ISA would be repealed. Reports since then have suggested that this could take place in March.

'Do it before GE13'

Speaking to reporters at Suhakam's headquarters in Kuala Lumpur, Hasmy said that all seven commissioners will be present at the meeting located at the Attorney-General's office at 4pm.

Hasmy said Suhakam will not be making any public statements about the content of the meeting, and does not discount the possibility of several other meetings with the AG on the matter.

"We hope that all our recommendations are taken on board and the new laws will not be a case of putting old wine in new bottles," he said.

The chairperson added that while Suhakam is willing to give the government space to prepare for the abolition of the Act, it is "ideal" if it can be done before the next general election.

Prime Minister Najib Abdul Razak can call for snap polls anytime between now and March 2012.

"We hope the abolition can be done expeditiously as the people have been waiting for this for a long time," he said, while commending the premier for listening to the public.

EO implication

He said the commission also does not recommend that the new laws mirror Western security laws, as such law may also not be compliant to universal human rights standards.

"We recognise the need for a security law, but any new law must comply with the universal declaration of human rights, if not 100 percent but as much as possible," he said.

The commission said it might also mull legal implications of lifting the proclamation of Emergency, which Najib also announced on September 15, with the AG.

In particular, the commission is concerned about its impact on the Emergency Ordinance 1969 which also allows for detention without trial for up to two years.

"It could be part of the discussion as it relates to the security laws," he said, noting that the invitation yesterday was specifically on the matter of the Internal Security Act.

Suhakam had in 2003 drafted amendments to the Act as recommendation to the government which had then announced its intention to review the law which allows for detention without trial.

The commission mooted the following:

- * The police may only detain for the purpose of investigation on the basis that there are reasonable grounds to believe that the person in question has committed, abetted, conspired or attempted to commit one or more designated offences stipulated in the new law.

- * The detention period for investigation should not be more than 24 hours.

- * If after 24 hours it is found that more time is required for investigation, the police obtain an order from a High Court judge, and not a magistrate.

- * The High Court may provide an order of further detention of up to seven days, provided that the total maximum detention period without trial is 29 days.

This judge must decide on the detention period upon perusal of the police investigation diary, similar to section 119 of the Criminal Procedure Code.

- * Upon expiration of the 29 days in total from date of arrest, the police must either release or charge the detainee for one of the offences designated under the new law.