

Suhakam to probe police violence during Bersih 3.0
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A public inquiry into unnecessary use of force by police during the Bersih 3.0 rally is to be held by the Malaysia Human Rights Commission (Suhakam).

Upon serious consideration, it decided to hold a public inquiry into the matter, Suhakam said in a statement today.

It announced that the panel would be chaired by law professor and commission vice-chairperson Khaw Lake Tee (right), along with commissioners Mahmood Zuhdi Abdul Majid and Detta Samen as the other members.

This is the same panel that conducted the Bersih 2.0 public inquiry.

“This decision takes into account Suhakam’s own monitoring of the event of April 28, and a number of other pertinent factors, including the submission of complaints, reports and memoranda from members of the public, human rights and professional groups, as well as civil society members to the commission relating to the matter, which all call for an independent inquiry.

'Suhakam can no longer wait'

“The commission had wanted to (wait for the independent panel), but can no longer await the release of the terms of reference of the independent panel established by the government as they have yet to be finalised,” it said.

Last Friday, former inspector-general of police Mohd Hanif Omar (left) confirmed that the panel had yet to obtain the terms of reference from the Home Ministry.

Hanif said the terms may be out after Home Minister Hishammuddin Hussein had been briefed by the ministry.

Despite this, Suhakam said the commission was obliged to carry out its own public inquiry pursuant to its mandate as provided under the Human Rights Commission of Malaysia Act 1999.

Suhakam also announced its terms of reference for the public inquiry:

To determine whether there were any violations of the human rights of any person or part during and after the public assembly on April 28, 2012;

If violations of human rights did occur, the panel will determine:

How such violations came about;

What administrative directives and procedures, or arrangements contributed to the violations; and
Which person or agency was responsible for such violations; and

Recommend measures to be taken to ensure that such violations do not recur.

June 4 submission deadline

Suhakam called on members of the public to submit evidence and information on allegations of, among others, the violence used by the authorities during and after the public assembly on April 28.

Members of the public and those from the media who had witnessed any acts or incidents relating to the allegations of human rights violations, or who believe that they may be able to provide relevant information, or documentary submission such video or photographic recordings, could do so.

They have until noon on Monday June 4, 2012, to submit the documentation or evidence.

Suhakam's announcement today came in light of the announcements by the coalition for clean and fair elections Bersih and the Bar Council that they would boycott the panel headed by Hanif.

They have argued that the panel headed by Hanif does not have legal immunity to call witnesses and questioned Hanif's impartiality, especially after he said saw communist elements in the rally.

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