

PKR: Suit against Bersih 'legally unsound'
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The government's civil suit against Bersih's steering committee members "has no legal basis whatsoever" and should be withdrawn, said PKR.

It's vice-president N Surendran said the suit for damages against Bersih co-chairperson Ambiga Sreenevaasan and nine others under section 6(2)(g) of the Peaceful Assembly Act (PAA) 2012 was "politically motivated, legally unsound and morally wrong".

Section 6(2)(g) and the other provisions of the PAA 2012 do not create any civil right of action arising from any breach of the provisions of the Act.

"As such, the government's suit has no legal basis whatsoever.

"The intent of the PAA was to facilitate and govern the conduct of public assemblies," said Surendran (above) in a statement today.

The government filed their suit on May 15 for alleged damages incurred during the Bersih 3.0 protest on April 28.

The rally for clean and fair elections on April 28 that saw over 100,000 gather in Kuala Lumpur, had proceeded peacefully until the participants were called to disperse at around 2.30pm.

Police began firing tear gas at those remaining when a small group breached a barricade section closing of Dataran Merdeka, resulting in a chaotic situation that the government has tried to blame on Bersih.

Bersih participants and some observers however argue that the ensuing violence was provoked by excessive police action.

BN using rakyat's funds?

The human rights lawyer said the Act cannot be interpreted to impose "onerous new statutory duties and civil liabilities" on those who exercise their right to assemble.

He called the government's suit "absurd, unconstitutional and undemocratic" and proof that PM Najib Razak's administration has never intended to allow Malaysians any freedom to assemble peacefully.

Surendran also called the legal action a "serious misuse of government resources and funds" by the ruling party.

Calling for the suit to be withdrawn, he said, "The government must also reveal the extent of the involvement of Najib and his cabinet in the decision to file this civil suit using public funds and

resources.”

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