

Suhakam wants powers to take cases to court
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The Human Rights Commission of Malaysia (Suhakam) will propose to the government to give Suhakam powers to take certain cases to court, especially the ones involving human right issues of certain individuals or institutions.

Suhakam chairman Hasmy Agam said the matter had been proposed to the government quite some time ago, but it did not receive encouraging response.

"So, we will take the proposal to the government's attention again and try to make up a framework... the problem is, it will probably involve an amendment to the Suhakam Act, which will not be easy," he told *Bernama* after visiting the Malaysian National News Agency's headquarters here today.

Hasmy said since the matter would take quite a while to materialise, Suhakam hoped that for a start, it could act as "Friends of the Court", where the commission would be invited to give its advice in cases involving human right issues.

Suhakam Vice-chairperson Professor Khaw Lake Tee said currently there were no legal provisions to allow Suhakam to intervene in court proceedings involving human rights cases.

Hasmy said Suhakam had been given the mandate to hear appeals from an individual or institution, but the commission, which was established in 1999, had no power whatsoever to take the cases to court.

Maybe one day

"We can (only) listen, investigate and make a report on a case and forward it to the relevant government agencies for further action, but we cannot take it to court... we don't have that power yet. May be one day the government will agree to give us the power to do so," he said.

Hasmy said many suggestions had been given by Suhakam to the government over the past 10 years and that about half of them had been given proper treatment.

However, he said proper action was not taken on the other half including the issue of the Internal Security Act, freedom of the press and assembly.

He said human rights involved everyone from children to the elderly and that Suhakam would strive to work closely with the media, like *Bernama*, to tackle the issues so that every Malaysian would understand his rights.

Hasmy said although Suhakam had been established for over 10 years and had been recognised by many as one of the available channels to lodge their complaints, there was much confusion about the commission's jurisdiction.

As such, he said, Suhakam should prioritise implementing the human rights agenda in the country.

Room to improve

In achieving the country's aspiration to become a developed nation by 2020, human right issues should be given priority as the level of progress in most of the developed nations, especially in Europe, were measured by the development in the area of human rights.

"When we reach 2020 as a developed nation, we hope that we are not only accepted in terms of GDP or per capita income achievements but human rights performance as well.

"This is where Suhakam can assist in trying to encourage the whole nation... by engaging the leadership, government and enforcement agencies, civil society and the media on the issue of human rights," he said.

He said whatever proposals to be made to amend the Internal Security Act (ISA) should be compatible with human rights standards.

The former veteran diplomat said that from his experience abroad, the issue of Malaysia's human rights could be further improved as its economic success was admired by many.

Customary land rights inquiry

On another matter, Hasmy said Suhakam plans to hold a national inquiry, for the first time, on the issue of customary land ownership rights of the indigenous people in Sabah and Sarawak and the Orang Asli in Peninsular Malaysia.

Hasmy said the time had come for this issue to be given attention as the issue was of concern to various quarters.

"We feel that in developing Malaysia into a developed nation by 2020...we should not marginalised or leave behind these (indigenous) groups," said.

Earlier, *Bernama* editor-in-chief Yong Soo Heong briefed the delegation on the national news agency. Also present was deputy editor-in-chief Zulkefli Salleh and senior officers from the agency's Editorial Department.

Hasmy said Suhakam was collecting data and material for the formation of a committee to hold the national inquiry.

"The inquiry may be held later this year or early next year, depending on how much of the required data and information have been gathered."

He said Suhakam would also be inviting experts on native customary land ownership rights including those with the legal background as well as academicians to assist the inquiry to achieve its objectives.

Also to be discussed during the inquiry would be issues related to occupational exploitation and education of the Orang Asli and other indigenous groups in the country, he said.

According to Hasmy, Suhakam might also hold a national inquiry on the rights of women and the elderly.