

Cops should protect people's right to assemble
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The Human Rights Commission of Malaysia (Suhakam) regrets the high-handed manner in which the authorities dealt with the participants of the peaceful assembly who gathered at Masjid Negara on Dec 5, 2010 to hand over a memorandum to the Yang DiPertuan Agong Tuanku Mizan Zainal Abidin on the Selangor water issue.

In particular, the commission regrets the use of tear gas and water cannons to disperse the participants.

The commission had earlier advised the police to facilitate the assembly with adequate and appropriate traffic flow management along the routes involved.

The commission is very disappointed with the manner in which the police had handled the situation; instead of ensuring an orderly assembly, they erected roadblocks along most of the roads entering Kuala Lumpur, thereby causing traffic jams and inconvenience to the public.

The commission has consistently urged the government and the relevant authorities to urgently consider and implement the recommendations on freedom of assembly as expressed in the reports relating to the KESAS Highway and the KLCC "Bloody Sunday" public inquiries.

The commission reiterates its recommendations that in the event the police deems it necessary to control or disperse a crowd to avert any threat to public safety and security, proportionate and non-violent methods should be employed.

The commission is of the view that while the police has the ultimate responsibility and authority to decide on the applications for public assemblies, it should act fairly, independently and professionally in respecting the rights of all citizens.

Summary denial of any request for a permit without reason though legal, is not in line with the spirit and intent of such power as vested in the police under the Police Act. All enforcement agencies should practise transparency and independent control based on the principles of democracy and the rule of law.

The commission again strongly reiterates its stand that the people have the right to participate in peaceful public assemblies, as guaranteed by Article 10(1)(b) of the federal constitution.

Everyone has the right to freedom of opinion and expression and freedom of peaceful assembly and association as enshrined in Articles 19 and 20 of the Universal Declaration of Human Rights (UDHR).

The writer is Suhakam vice chairman.

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