

DAP Boycotts Bersih 3.0 Probe Panel
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Mohammad Hanif Omar has dismissed allegations that as head of the investigation panel into the violence during the Bersih 3.0 rally, would result in biased findings saying that he has always acted fairly and impartially in previous enquiries and police investigations. The former Inspector-General of Police (IGP) said there would be no conflict of interest as the panel would be dealing with facts.

The question at hand is not whether he has been fair and impartial before or that he was the former IGP. The fatal flaw was that he had already taken a partisan stand against Bersih by claiming that communist sympathizers were involved and supporting Prime Minister Najib Abdul Razak's allegation that the rally was an attempt to overthrow the government.

In actual fact, by making such wild allegations, he should be a potential witness to the investigation panel rather than be a member.

Hanif's presence of the panel is a clear cut case of conflict of interest. For example, if a panel were to be set up to discuss whether to grant a sports betting license to other companies, then Hanif would definitely not qualify due to conflict of interest, because as deputy chairman of Genting he would be a potential rival. As his affiliations are publicly known, his participation in such a panel would be untenable.

Hanif is first and foremost disqualified from serving on the investigation panel due to this conflict of interest as not only is the police being accused, he has publicly condemned Bersih thereby revealing his prejudice and bias against the rally.

Finally, by linking Bersih to communism, Hanif is still fighting yesterday's long-concluded wars, making the outcome of these investigations a foregone conclusion. Following his perverse logic, then Malaysia should not have signed the peace agreement with the Communist Party of Malaya on 2.12.1989.

DAP thereby declares a full boycott of the independent panel into violence during the Bersih 3.0 rally so long as Mohammad Hanif Omar is a chairman and member as he has compromised his impartiality by publicly condemning Bersih 3.0 as communist-linked and an attempt to overthrow the government.

DAP supports the Bersih steering committee's suggestion that the panel would be better served by United Nations rapporteur Frank La Rue, who had offered to probe the matter, and his colleague Maina Kiai, as well as the National Human Rights Commission (Suhakam).

DAP also agrees with the Malaysian Bar Council that the independent panel lacks any legal framework and no features as legal immunity for those involved in the proceeding as well as lacking legal power to call or subpoena witnesses or call for the production of documents.

For these reasons and Mohammad Hanif Omar's presence in the independent panel to probe incidents of violence during the Bersih 3.0 rally has raised deep public concerns that the investigation will either be a whitewash of police brutality on peaceful demonstrators, a massive cover-up of the sufferings of the victims or a pretext to justify BN's wild lies that Bersih 3.0 was a coup d'état attempt.

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