

**Suhakam joins call for review of ISA replacement law**  
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**By Anisah Shukry**

KUALA LUMPUR, April 16 — The newly-proposed security law to replace the Internal Security Act (ISA) must be reviewed to ensure it is in line with human rights principles, the Human Rights Commission of Malaysia (Suhakam) said today.

Suhakam highlighted that the Bill did not provide for judicial oversight in the extension of the detention period for up to 28 days, and expressed concerns over how it gave police the power to deny detainees immediate access to legal representation.

It added that the power to intercept communications under Clause 4(6) should be exercised through a court order rather than by the police, as it could “infringe personal liberty and the right to privacy”.

“The provisions in the Bill as well as the amendments to the other relevant laws must strike a balance between national security and fundamental liberties and human rights,” Suhakam Chairman Tan Sri Hasmy Agam said in a statement today.

“The Commission looks forward to further and continuing engagements with the government agencies... to ensure that obsolete and irrelevant laws are abolished and replaced by laws that are consistent with universally accepted human rights principles,” he added.

But he noted that certain provisions in the Bill were consistent with Suhakam’s recommendations from its 2003 report, such as for suspects to either be released or charged with specified security offences after having been detained for up to 28 days.

Hasmy also said that Suhakam will continue to monitor the implementation of the new law to ensure that it complies with international human rights principles and norms.

Putrajaya’s Security Offences (Special Measures) Bill 2012 has been met with growing criticism that it denies basic liberties, after being tabled in Parliament last week.

The Bar Council and the international civil liberties watchdog Human Rights Watch have warned that the Bill “could open the door to a range of future abuses.”

The ISA replacement law was tabled in the Dewan Rakyat last Tuesday, removing the government’s option to detain individuals without trial and providing a maximum detention of 28 days for investigation purposes.

Under the ISA, an individual believed to have committed a security offence can be detained for up to two years without trial, on orders from the home minister.

The Bill seeks to provide for “special measures” relating to security offences for the purpose of maintaining public order and security and for connected matters.

The new law also notably states that no individual can be arrested solely for his political belief or any political activity, as promised by Prime Minister Datuk Seri Najib Razak last year when announcing a raft of reforms aimed at increasing civil liberties.

But the Bill still allows any police officer to arrest and detain “any person whom he has reason to believe to be involved in security offences” without warrant for 24 hours for investigation.

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