

Bersih: No compromise on rally venue
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By Shazwan Mustafa Kamal

KUALA LUMPUR, April 5 — Election watchdog Bersih 2.0 said today it will carry on with its planned April 28 rally at Dataran Merdeka here despite the government insisting the "sit-in" is illegal.

Minister in the Prime Minister's Department Datuk Seri Nazri Aziz said yesterday the historic square, where the Malayan flag was hoisted for the first time after independence, was not a lawful gathering point under the recently passed Peaceful Assembly Act.

But Bersih 2.0 chairman Datuk Ambiga Sreenevasan (picture) stressed that the group would not change the venue for its third rally, and that "many events have been held there before."

"That is the plan. We have not considered any other place," she told The Malaysian Insider.

Ambiga has predicted a massive voter backlash for the Najib administration if it cracks down on the April 28 rally.

Pointing to international condemnation of the crackdown against Bersih's rally last year, she said yesterday a similar outcome was likely if the government again used a high-handed approach to stop the planned gathering.

Today, Ambiga also claimed that despite it being passed in Parliament recently, the Peaceful Assembly Act has not been given an "effective" enforcement date as of yet.

"It has not been given an effective date, not that it has not been enforced although I appreciate the police have been abiding by the spirit of it. Therefore the exclusion of Dataran is not in effect yet," she said.

"In any event we oppose the Peaceful Assembly Bill as it violates the Federal Constitution," added the former Bar Council president.

She warned the government against giving the Act an enforcement date just to stop Bersih from having its April 28 rally, saying that it would then be in "bad faith."

Ambiga however said Bersih would wait for the government's response on the matter before taking any further action.

Election reform movement Bersih confirmed yesterday it will hold its third rally for free and fair elections on April 28.

Co-chairman Datuk A. Samad Said said "Bersih 3.0" was necessary to warn Malaysians that the country was about to face its "dirtiest" polls to date.

The 84-member coalition said it was disappointed with the Parliamentary Select Committee on electoral reforms that was formed following the July 9, 2011 rally for free and fair elections which saw tens of thousands flood into the streets of the capital.

Datuk Seri Najib Razak's administration was widely condemned for a clampdown on the demonstration where police fired water cannons and tear gas into crowds in chaotic scenes which resulted in over 1,500 arrested, scores injured and the death of an ex-soldier.

The prime minister then announced a raft of reforms to give Malaysians more freedom including allowing public gatherings based on international norms while taking a firm stand against street demonstrations.

But the Peaceful Assembly Bill that was tabled in Parliament drew condemnation from the opposition and civil society for being more repressive than existing regulations.

Ambiga had said it was "shameful that Burma can propose a more democratic law," referring to Myanmar's military-dominated Parliament which passed a law last year allowing citizens to protest peacefully with five days' notice instead of the 10 required here.

The Peaceful Assembly Act states that the home minister may gazette "designated places of assembly" where organisers need not notify authorities in advance of a planned rally.

But gatherings can be held anywhere outside a 50m radius of a prohibited place as long as police are given 10 days' advance notice.

The list of prohibited places includes dams, reservoirs, water catchment areas, water treatment plants, electricity generating stations, petrol stations, hospitals, fire stations, airports, railways, land public transport terminals, ports, canals, docks, wharves, piers, bridges, marinas, places of worship and kindergartens and schools.

St Mary's Cathedral is just under 50m from Dataran Merdeka.

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