

**Suhakam Wants Government To Review Section 114A Of Evidence Act**  
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KUALA LUMPUR, Aug 25 (Bernama) -- The Human Rights Commission of Malaysia (Suhakam) wants the government to review, amend or even repeal Section 114A of the Evidence (Amendment) (No.2) Act 2012, saying it goes against a fundamental principle of law that a person is considered innocent until proven guilty.

Suhakam chairman Tan Sri Hasmy Agam said the new law also violated the human rights principle of freedom of expression as enshrined in Article 19 of both the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR).

"While the presumption of fact under Section 114A is rebuttable, a person against whom presumption is applied may lack the time, resources and more importantly, technical expertise in relation to the Internet environment, to prove the contrary in order to rebut the presumption," he said in a statement here Saturday night.

He said that in contrast, the prosecution may be better equipped to prove the guilt of the accused, as they were authorised to compel any potential witness, the technical expertise and resources to assist in the investigation.

He added that Section 114A may have the potential and negative effect of discouraging expression, dissemination and sharing of ideas, news and information via the Internet, thus limiting and impinging on freedom of expression.

"The Commission looks forward to engaging with the Attorney General's Chambers and other stakeholders in the review of the Act, as well as in the drafting of any new law to ensure that they are consistent with universally accepted human rights principles," Hasmy said.

Minister in the Prime Minister's Department Datuk Seri Mohamed Nazri Aziz on Thursday had said that the government would not seek to review the law.

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