

Police, KL City Hall fueled Bersih 3.0 chaos, panel finds
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A government panel has confirmed that Malaysian police used excessive force against yellow-shirted supporters of last year's Bersih 3.0 peaceful rally that descended into chaos in Kuala Lumpur.

Sources in the panel headed by former police chief Tun Hanif Omar also faulted the Kuala Lumpur City Hall for their flimsy excuses in disallowing rally organisers to use Dataran Merdeka for the gathering and Syarikat Prasarana Negara Berhad (SPN) for stopping government-owned buses and trains from getting into the city.

The panel was set up by the government to investigate police on allegations of brutality against demonstrators and reporters in the rally on April 28, 2012. It handed over a 500-page report of its deliberations to Home Minister Datuk Seri Ahmad Zahid Hamidi on Wednesday.

Speaking to The Malaysian Insider on condition of anonymity, a source said the panel had criticised police for its high-handedness in dealing with the rally participants after they had breached the cordon at Dataran Merdeka.

The report chronicled the events before, during and after the rally that was held to demand for free and fair elections.

Investigations over the past year had led panelists to the conclusion that the police resorted to violence upon provocation.

"Before 3pm, the police behaved professionally," said the source, adding that this information was sourced from 70 videos submitted by the police force to the panel.

"But after 3pm, when some demonstrators took down the barricade at Dataran Merdeka, all hell broke loose."

Police charged after the demonstrators, chasing them down at various places in the city centre. And most of those targeted were clad in the now-famous yellow Bersih T-shirts.

"The police had its shortcomings but have learnt their lesson based on what happened during Bersih 3.0," said another source.

This, said the source, was evident in the recent Black 505 rally organised by opposition parties to protest alleged electoral fraud.

KL City Hall was also taken to task for its poor handling in the run-up to the event when they offered flimsy excuses why Dataran Merdeka could not be used, the source added.

"City Hall could have handled it better and avoided the mess.

"The panel concluded that City Hall did not give any valid reasons why Dataran Merdeka could not be used. The panel had to accept those reasons because City Hall is the authority in charge of the historic site," said the source.

The panel also criticised the government-owned SPNB for its handling of buses and trains that link suburbs to the city centre.

"On that day, trains and buses stopped running into the city, in an obvious move to discourage Bersih 3.0 supporters from turning up in the city centre," said the source.

The 500-page report encompassed the actions of different parties including the media, an institution that the panel felt had failed to protect its reporters.

"Most editors just told their reporters to stay safe but there were no guidelines on what they should do when things turned out the way that it did," said the source.

The panel also raised concerns over the lack of awareness the members of the public have towards the law and the potential risks of demonstrations.

The sources revealed that although the investigation had cited 45 witnesses, the panel did not rely on their testimonies alone.

"The panel studied news reports, blogs and the social media. Police were called to confirm reports," one source said.

The panel, however, was boycotted by the opposition and Bersih 3.0 organisers, who were unhappy with its terms of reference.

The opposition maintained the panel did not have legal power and credibility to summon any witness.

And the fact that panel chairman Hanif had made biased comments on how the Bersih 3.0 rally was being planned by communists added to the panel's lack of credibility.

However, opposition members participated in a similar hearing on Bersih 3.0 held by the Human Rights Commission of Malaysia (Suhakam).

The lack of participation from the public was also one of the reasons why the panel had to resort to sourcing eyewitness accounts online.

"The findings were not as thorough as we hoped because many witnesses refused to show up," said the source, adding that prior to publishing its report, the panel also looked at the report published by Suhakam.

While the sources interviewed felt the report was fair, they were not sure if the government is going to take up the proposals made by the panel.

It was also reported that the Cabinet will decide if the advisory panel's report will be made public. - July 12, 2013.

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