

## **S'wak comes under fire for barring PKR leaders**

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PETALING JAYA: PKR urged the Sarawak state government not to breach the Immigration Act and Federal Constitution in view of some of its leaders being denied entry into the state.

In a statement today, PKR vice president N Surendran criticised the state government for recently barring three of its top leaders, namely Saifuddin Nasution, Tian Chua and Rafizi Ramli, from entering the state.

“This was an arrogant, unconstitutional and undemocratic act by the state government and new Chief Minister Adenan Satem,” the Padang Serai MP said.

He added that in barring the PKR leaders into the state, the state had deliberately breached section 67 of the Immigration Act 1959 and 1963.

“Section 67 states that Sarawak cannot deny entry where the sole purpose of the persons seeking entry is to engage in ‘legitimate political activity.’

“The trio had tried to enter Sarawak to campaign for the Balingian by-election. It is shocking that the Sarawak BN government has no hesitation to act in such a lawless manner, in disregard of the clear provisions of the Immigration Act,” Surendran explained.

Surendran added that the largest state in Malaysia also breached Article 9(2) of the Federal Constitution which guarantees freedom of movement within the Federation.

“Although Sarawak has the power to deny entry to West Malaysians, this power must be exercised strictly within the limits of the Federal Constitution as prescribed in Article 9(3) of the Constitution and the Immigration Act.

“The real purpose of immigration control, as stated by the Cobbold Commission in 1962, was to prevent the sparsely populated East Malaysia to be overwhelmed by an influx of West Malaysians. It was never the intention for immigration controls to be misused to prevent legitimate political activity.” he stressed.

Surendran alleged that Barisan Nasional (BN) was using the Immigration Act to prevent Pakatan Rakyat from campaigning effectively in the Balingian state seat by-election.

He urged Prime Minister Najib Tun Razak, Adenan and BN to stop underhand and illegal tactics, and to allow for a free and fair by-election.

“(It is) in blatant disregard of the electoral process. Tian Chua, Rafizi and Saifuddin are leaders of PKR, which has fielded a candidate in the by-election.

“They had an absolute right under our laws to enter Sarawak and participate in the election

campaign,” he added.

### **LFL: Federal Constitution is supreme**

Meanwhile, Adenan Satem’s administration was put under the spotlight by Lawyer for Liberty (LFL) for banning PKR leaders into the state.

“This is not the first time members of the opposition or civil society critical of the Sarawak government were barred from entering the state. This practice of barring political opponents is clearly politically motivated, irrational and a blatant abuse of immigration powers and the 18-point agreement made between Sarawak and Malaya before the formation of Malaysia in 1963.

“The Federal and Sarawak governments must be reminded that Malaysia is a country where the Federal Constitution is supreme and every Malaysian citizen has the freedom of movement into Sarawak, limited only to the lawful and reasonable exercise of discretion for reasons of security, public order, public health and the punishment of offenders. Needless to say, these reasons are not applicable to the MPs who were denied entry,” LFL executive director Eric Paulsen said in a statement.

Paulsen added that both Sarawak’s and Sabah’s 18 and 20-point agreements do not supersede the Federal Constitution and the common practice of arbitrarily banning political adversaries is a direct conflict with the freedom of movement guaranteed by the constitution.

“We call upon the Sarawak government to stop barring all activists and opposition leaders from entering the state, as such a policy is clearly aimed at only serving the interest of the Federal and state governments and should be jettisoned for a more progressive and genuine policy that serves the interests of Sarawak and the nation as a whole,” he said.

Yesterday, Tian Chua and Rafizi, who accompanied Anwar, were denied entry into the state as they landed on the 2.30pm flight from Kuala Lumpur. Anwar was however allowed in.

Earlier in the morning Saifuddin was prohibited from entering Sarawak. He arrived at the Sibu Airport only to sent back.

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