

Where are Sosma safeguards, Suhakam asks Najib
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PM has yet to deliver on promise of an administrative committee to review the Act and its enforcement, says human rights commission.

PETALING JAYA: The Human Rights Commission of Malaysia (Suhakam) has reminded the prime minister of his promise to instal safeguards to prevent abuse of the Security Offences (Special Measures) Act 2012 (Sosma).

Noting the extension of the enforcement of the Act, Suhakam, in a statement today, reiterated the need to subject laws such as Sosma to proper checks and balances, including judicial oversight for every case of preventive detention under the Act.

“In the interest of transparency, Suhakam proposes that every year, a detailed report on the application of Sosma is submitted to Parliament by the ministry of home affairs.

“Suhakam holds the view that if such exceptional powers are to gain public consent, it is important that they be confined to their intended purpose.”

While asserting its continued objection to detention without trial, Suhakam reminded Prime Minister Najib Razak of his speech during the second reading of Sosma in Parliament in April 2012, where he promised to put in place provisions to prevent misuse of the Act.

“Several safeguards were mentioned, including the creation of an administrative committee to review Sosma and its enforcement as well as to provide recommendations for improvement.

“It was underlined that apart from government agencies, the president of the Bar Council and Suhakam would be included as members of the committee.

“Such a promise has not been actualised,” the statement said

Almost 1,000 people have been detained under the Act since it came into effect on July 31, 2012.

Sosma’s enforcement was extended for another five years, over the strenuous objections of opposition MPs, last night in Parliament. The opposition camp in particular said Sosma had been used against politicians.

The extension was passed with 93 votes for it against 77 votes rejecting it.

Deputy Home Affairs Minister Nur Jazlan Mohamed, in winding up the heated debate, denied that people had been unlawfully held under Sosma.

“The government is not cruel. We allow the Parliament to decide. If we had wanted to continue to detain people, we would not have this sunset clause,” he said.

Of the 989 people detained since 2012, 376 were released, 139 are undergoing trial, and 502 have been convicted and sentenced, he said.

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