

Sept 6, 2009, Sun - Give the people more freedom, says a commissioner. We are a free country, says a minister.

FROM the beginning, a very limited amount of authority was invested in Suhakam by the government, says Prof Emeritus Tan Sri Dr Khoo Kay Kim, who has served on the commission since 2004.

We are meant to assist by investigating, reporting and making recommendations to the government. But we don't have the authority to act, and the government is not required to listen to our recommendations. If what we recommend does not coincide with what the government deems to be politically effective, our voice gets ignored.

For example, Suhakam has always maintained that peaceful assembly should be allowed as a human right. But if the government deems such assemblies a threat to security, they cannot be held.

Suhakam's work is hampered in other ways, too, he adds.

Last week we had a meeting about the case of Teoh Beng Hock (the political aide who was found dead after being questioned by the Malaysian Anti-Corruption Commission). But the constitution is such that we can't do anything while the case is being investigated.

I recall that in 2007, we were investigating a case in Terengganu which involved the police shooting at protesters. Everything was going well until the executive intervened and charged the people who had been shot.

Dr Khoo is concerned that political agendas will get in the way of development. If Malaysia is to be more progressive, the government needs to take human rights seriously. At the moment the executive arm of the government dominates over the legislative and judicial arms and tries to control everything.

Some say tight control is necessary for the government to stay in power. I believe that if it gives the people more freedom, it will win back a lot of support.

Minister in the Prime Minister's Department Datuk Seri Nazri Aziz maintains that the government's stand on human rights and Suhakam is consistent.

If your judgment of human rights in Malaysia is about our laws, then you can't say the situation has improved over the last 10 years. The ISA and the Sedition Act are still in place. But I certainly feel Malaysia is experiencing greater freedom now than ever (before).

My problem is not with laws, but with the abuse of power by authorities, let's say, the police. In such cases, we are all against it. But overall, I believe the human rights situation in Malaysia is not that serious. We are a free country.

Nazri feels it is not necessary to debate Suhakam's annual reports in Parliament. We don't need to have a special session just to discuss this. At any time MPs are free to raise specific human rights issues and they can be debated in Parliament.

But he is concerned about the possible downgrading of Suhakam's status by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).

Of course, we are concerned, and we acted very quickly to make amendments to the Suhakam Act earlier this year.

The improvement of human rights is an on-going process and the government is not rigid. We are prepared to listen to suggestions from Suhakam and the people to ensure that the commission can function effectively and independently.