

# Better a royal commission

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**PROHAM**, the Association for the Promotion of Human Rights, urges the government to establish a royal commission of inquiry to investigate the April 28 Bersih 3.0 incident.

Due to how the event unfolded and the differing interpretations on what transpired, it is appropriate that a truly independent body with adequate legal powers of investigations be established.

The panel appointed by the home minister, although comprising individuals who are not politicians or those serving in the administration, does not have the investigative powers, in contrast to a commission of inquiry established under the Commissions of Enquiry Act 1950.

Such an independent commission of inquiry would be perceived to be truly neutral, effective and independent.

It would have the powers to compel witnesses to appear before the hearing which will be deemed to be judicial proceedings.

In addition the commission would have the legal protection from any suits and the witnesses who give evidence would be protected from any suits or other civil proceedings in respect of such evidence.

If the government did not want this option of a royal commission, it could have explored the powers of the Human Rights Commission (Suhakam).

The newly established Enforcement Agency Integrity Commission is, however, limited by its Act to investigate misconducts of only enforcement agencies and thus will not be able to undertake a comprehensive investigation like Suhakam.

However, both these commissions have commissioners appointed by the king and have the legal powers to undertake an independent inquiry.

Proham regrets the government has missed a historical opportunity to show that Malaysia is committed to democratic reforms, good governance and the promotion of human rights. It could have shown its commitment to undertake an in-depth investigation in an open, transparent and credible way.

Proham calls on the government to review its announcement and instead use Suhakam or establish a royal commission.

The government owes it to the people to provide an independent inquiry process which will instil public confidence and do justice to the people.

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