

11 November, 2020

Stop Harassment against UMANY

Gabungan Bertindak Malaysia (GBM) stands in solidarity with our member organisation, University Malaya Association of New Youth (UMANY) in view of the recent investigation which arises from their recent statement “Yang Di-Pertuan Agong Should Not Intervene in National Affairs” which was posted on their Facebook page.

We firmly defend constitutional monarchy as a key element in Malaysian parliamentary democracy, which in turn stands on rule of law as well as civil and political liberties as enshrined in our Federal Constitution.

While recognizing that the subject matter evokes strong emotion to many Malaysians, respectful public discussion on the power and limitation of the constitutional monarchy as an element in our system of governance is part and parcel of our freedom of expression. In fact, such matter was and still continuously being discussed in light of our recent political development.

When the YDPA rejected the Prime Minister’s plan for emergency, the President of Dewan Negara, Tan Sri Rais Yatim has disputed in his Twitter that such act was unconstitutional. Following this, there were police reports which have been lodged against him. However, as of today he was not called up for any investigation.

We remind the police that their image as enforcer of law and order is now greatly tarnished following the perceived double standard in the handling of the violators of regulations intended to contain the spread of Covid-19, in which the violators who are in the position of power are seemingly getting off lightly or no action taken against them at all. At this juncture, the police should not have taken another action that would put their impartiality in doubt.

We also noted that a lawyer, Dr Syed Iskandar Syed Jaafar, has filed a suit in court disputing the decision of YDPA in rejecting the Prime Minister's plan for emergency. It is in our view that Dr Syed Iskandar, Tan Sri Rais Yatim and UMANY were just exercising their freedom of expression and none of them have shown any sign of committing any wrongdoing that is worthy of investigation by the PDRM, which has been greatly overworked to enforce the regulations to combat COVID-19.

We urge the Inspector-General and the leadership of PDRM to be considerate of the burden of their subordinates and not allow the police force to be used for political purpose and unnecessarily adding to their workload.

We would also like to express our concern of the high-handedness of the police during the investigation in which UMANY's president and vice president were probed, followed by police raid at the house of its president during which its former president, Wong Yan Ke was arrested for allegedly obstructing police's duty by streaming the process in Facebook Live. These were followed by the further probing of 6 other UMANY's leaders. We are also concerned by the statement issued by Bukit Aman a day later which claimed that while recording videos or taking photographs of police investigations is not an offence, circulating such videos or photographs could affect the confidentiality of such investigations.

We believe incidents like these showed why the Independent Police Complaints of Misconduct Commission (IPCMC) is needed to ensure due process is followed in police investigations. We urge the government to reconsider its decision to drop the proposal of setting up IPCMC in favour of Independent Police Conduct Commission (IPCC) which has lesser power.

We wish to express our conviction that the concept of the constitutional monarchy in a vibrant democracy goes hand in hand with that of the rule of law and freedom of expression.

Issued by

Badlishah Sham Baharin,

Chair,

Gabungan Bertindak Malaysia (GBM)

For and on behalf of the Executive Council, GBM

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[Gabungan Bertindak Malaysia\(GBM\)](#)

Plan of Action for Malaysia (PoAM)

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