



Majlis Peguam Bar Council Malaysia

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Bil Tuan :

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Circular No: 235/2008

15 September 2008

All Members of the Bar and Pupils in Chambers

NOTICE OF EXTRAORDINARY GENERAL MEETING OF THE MALAYSIAN BAR

An Extraordinary General Meeting (“EGM”) of the Malaysian Bar will be held on **Saturday, 20 September 2008 at 10:00am** at the **Dewan Lee San Choon, Level 2, Wisma MCA, Jalan Ampang, Kuala Lumpur.**

The motion proposed by the Bar Council pursuant to Section 65(1) of the Legal Profession Act 1976, to be considered at the EGM is as follows –

WHEREAS

THE MALAYSIAN BAR:

- (a) *Outraged* that the Internal Security Act 1960 (‘ISA’) has recently been used to arrest Raja Petra Kamaruddin (a blogger), Tan Hoon Cheng (a journalist) and Teresa Kok (a member of Parliament);
- (b) *Deeply concerned* that at present, there are more than 60 individuals detained under the ISA;
- (c) *Reiterating* its earlier call, by its resolution of 15 March 2008, for the immediate and unconditional release of all persons presently detained without trial, including Manoharan a/l Malayalam, Uthayakumar a/l Ponnusamy, Kengadharan a/l Ramasamy, Ganabatirau a/l Veraman and Vasantha Kumar a/l Krishnan;
- (d) *Asserting* the importance of upholding the Rule of Law, as enshrined in the Federal Constitution and the Rukunegara;

- (e) *Reaffirming* the Bar's continued and unequivocal opposition to the ISA and all laws that allow for the detention of persons without trial, as they are unconstitutional, oppressive and undermine the Rule of Law;
- (f) *Taking note* that, as a member of the United Nations Human Rights Council, the Government must fulfil the pledges it made, *inter alia*, to "promote and protect human rights and fundamental freedoms" and to promote "a free media, including in cyberspace"; and
- (g) *Deeply concerned* that on 11 September 2008, the Government sent show-cause letters to three newspapers namely, Sin Chew Daily, The Sun and Suara Keadilan, regarding the reporting of certain issues.

NOW RESOLVES AS FOLLOWS, THAT:

1. The Malaysian Bar ***strongly condemns*** the arrests of Raja Petra Kamaruddin, Tan Hoon Cheng and Teresa Kok and ***strongly calls*** upon the Government to immediately and unconditionally release Raja Petra Kamaruddin and Teresa Kok, who are still being detained.
2. The Malaysian Bar ***strongly calls*** upon the Government to immediately and unconditionally release all persons presently detained without trial, including Manoharan a/l Malayalam, Uthayakumar a/l Ponnusamy, Kengadharan a/l Ramasamy, Ganabatirau a/l Veraman and Vasantha Kumar a/l Krishnan, who were ordered to be detained for two years from 13 December 2007.
3. The Malaysian Bar ***strongly calls*** upon the Government to immediately repeal the ISA and all other laws that allow for the detention of persons without trial such as the Emergency (Public Order and Prevention of Crime) Ordinance 1969 and Dangerous Drugs (Special Preventive Measures) Act 1985.
4. The Malaysian Bar ***strongly condemns*** the issuance of the three show-cause letters to Sin Chew Daily, The Sun and Suara Keadilan and ***strongly calls*** upon the Government to immediately withdraw the show-cause letters.
5. The Malaysian Bar ***calls upon*** the Government to uphold its pledges to the United Nations Human Rights Council to promote and protect human rights and fundamental freedoms and to promote a free media, including in cyberspace.
6. The Malaysian Bar ***calls upon*** the Government to demonstrate its commitment to, and to uphold, the Rule of Law as enshrined in the Federal Constitution and the Rukunegara.



Dato' Ambiga Sreenevasan
President
Malaysian Bar

Note:

1. Members are kindly requested to make every effort to attend the meeting punctually to ensure a quorum of 500.
2. Registration Counters will open from 9.00am. No refreshments will be served save for water.
3. Pupils may attend but shall not vote and should be seated only at the area(s) designated for pupils.
4. All members shall, upon registering their names, wear their Name Tags for purposes of identification and admission.
5. The venue is located close to the Ampang Putra LRT station and members are encouraged to use public transportation, as parking spaces may be limited.