

The Role of Parliament and National Security Policy Formulation

Country Study Malaysia

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Introduction to Malaysia Security Sectors

- Primary actors: Royal Malaysia Police and The Armed Forces.
- No role in politics
- Shaped according to historical factors
- Lack of parliament oversight and public review
- Concentrated in the hand of Prime Minister
- Primary roles: internal security, terrorism

Malaysia

- Ethnicity: Malay and *Bumiputra*, minorities
- Ethnic-based political parties
- Strong state: fair election system? (General Election and local government election)
- Emergency Rule
- Strict Laws (ISA, OSA and etc)

The Malaysia Parliament

- The King, the Senate (*Dewan Negara*) and House of Representatives (*Dewan Rakyat*)
- Power of the King subjugated through two rounds of Constitutional crises.
- Westminster Model: Prime Minister
- Lack of functioning Committee system (Public Accounts Committee)
- Immunity except concerning Rulers and Malay rights.

Security Treats

- Communism
- *Konfrantasi*

- Overlapping claims and territorial disputes
- Strait of Malacca
- Piracy
- Illegal immigrants

Administrations

- Prime Minister's Office
 - Ministry of Internal Security
 - Ministry of Home Affair
 - Ministry of Defence
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- In 2008 budget financial year, RM17 billion for OE, RM7 billion for DE, 13% of the entire budget.

The Prime Minister's Department

- The Office of the Chief Security Officer to the government
- The national Security Council
- The Malaysian Maritime Enforcement Affairs Division
- The Malaysian Maritime Enforcement Agency
- Anti-Corruption Agency ?

The Ministry of Internal Affairs

- Internal Security
- Royal Malaysia Police
- The National Anti-Drug Agency
- The Prison Authority

The ministry of Home Affair

- Ministerial Administration
- Registrar of Society
- Immigration
- National Registration
- Press License?

The Ministry of Defence

- Armed Forces (Army, Navy, Air force)
- National Service?

Internal Security – the Royal Malaysia Police

- Deterioration of security, pressure from society and the opposition parties
- Royal Commission to Enhance the Operation and Management of the Royal Malaysia Police
- Implementation and reformation in future?

Problems and Challenges in the Royal Malaysia Police (2003)

- Problems:
 - Corruption
 - Human right handling
 - Respect for the women and children rights
 - Mismanagement (equipment and logistics)
- Challenges:
 - Modernisation on Roles and Roles
 - Policing by Law
 - Improve establishment, remuneration and services
 - Enhance human resources management and performance.
 - **Exploited by government**

Reviews

- Commission to enquire into the standard operating procedure, rules and regulations in relation to the conduct of a body search in respect of an arrest and detention by the police. (2005)
- Parliament Select Committee to Review the Penal Code (Amendment) 2004 and the Criminal Procedural Code (Amendment) 2004

External Security - Defence Sector

- Self-reliance, no immediate foreseeable threat
- **Primary roles**
 - Defending sovereignty, territorial integrity and strategic Interests.
- **Secondary Roles**
 - Assisting civil authorities, disasters, maintaining public order
- **Supporting Role**
 - Peacekeeping

Recommendations

- Lack of opportunity for Parliamentarians and civil society, especially in defence.
- Limitation within the Parliament (short question time and etc.)
- Lack of Parliamentary Committee
- Check-and-balance

Conclusions

- Security sectors involves internal security and external security, handled by different ministries
- Reformation on the parliamentary system is urgent
- Public and parliamentarians are important in their roles respectively.