



Final Report of the Malaysian Bar on Bersih 3.0 rally held on 28 April 2012 in Kuala Lumpur

Part A. Introduction

1.1 About 78 Members of the Bar and some pupils-in-chambers, including the Office Bearers of the Malaysian Bar, volunteered to be part of the Malaysian Bar ("Bar") monitoring team. The Bar monitoring team to monitor the assembly on 28 April 2012 was coordinated by Roger Chan Weng Keng and Siti Zabadah Kasim, both members of the BC Human Rights Committee ("BCHRC"). The monitors donned chamber attire and wore a "Pemerhati" tag while on duty. They were divided into six teams, headed by a team leader, and were stationed in six assembly points as announced by Bersih 3.0, namely: KLCC, *Masjid Jamek*, Central Market (*Pasar Seni*), *Jalan Sultan*, Brickfields and National Mosque (*Masjid Negara*).

1.2 It was unfortunate that unlike last year and despite a similar request this year, the Inspector General of Police did not recognise and allow members of the Bar monitoring team the freedom of movement (including to be behind police lines) to observe the Bersih 3.0 rally.

1.3 Members of the monitoring team who most of them had observed Bersih 2.0 and now Bersih 3.0, were unanimous in their view that:

- (i) The rally was peaceful until around 3pm when the police opened fire with their water cannons and teargas;
- (ii) The use of force by the police without any obvious provocation or cause, was far worse indiscriminate, disproportionate and excessive;
- (iii) Police brutality was more widespread;
- (iv) There was a concerted effort by the police to prevent and stop any recording of their actions and conduct;

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

- (v) Police fired tear gas directly at the crowd and their firing pattern was to box in the participants rather than allowing them to disperse quickly;
- (vi) After which there were pockets of retaliatory behaviour exhibited by the participants of the rally to the wrongful use of force by the police;
- (vii) The police were observed taunting and mocking the crowd;
- (viii) When items were thrown by some of the participants at the police, the police stooped to return like for like;
- (ix) The police personnel were not wearing and displaying their police identification number on their uniform; and
- (x) The team's estimate of the size of the crowd that day was more than 100,000 people.

1.4 The Bar also received reports from State Bar Committees namely Johor, Malacca, Pahang and Perak that the concurrent rallies that took place in their respective states went on peacefully. The extracts of the reports are as follows:

Johor Bahru, Johor

The Johor Bar Committee (JBC) set up a monitoring team and urgent arrest team in conjunction with the Bersih 3.0 rally on 28 April 2012. The monitoring team consisted of 20 members. The Majlis Bandaraya Johor Bahru (MBJB) had rejected the request by the rally organiser to use Dataran Bandaraya (Dataran) for the rally and had blocked the Dataran on 28 April 2012. The JBC monitors started their monitoring duty at around 1.00 pm near the Dataran and the area surrounding it. The JBC monitors were able to go into the Dataran without being stopped by the MBJB enforcement officers.

The rally participants on that day were reported to be in high spirits. The total rally participants were around 8,000 people. The rally ended at around 4.00 pm and monitors reported the rally proceeded smoothly and peacefully without any serious incidents. However, there were occasions where the enforcement agencies chased away participants and photographers from coming into Dataran and a member of the public complained that his car was splashed with acid.

Final Report of the Malaysian Bar on Bersih 3.0 rally held on 28 April 2012 in Kuala Lumpur

Malacca

The Malacca Bar Committee set up a monitoring team and an urgent arrest team consisting 16 members and 6 pupils in chambers to monitor and render legal assistance in relation to the Bersih 3.0 rally on 28 April 2012. The monitoring team, broke into four groups were stationed at the north, south, east and west entrance of Dataran Pahlawan, the venue of the rally. The rally took place between 1.00 pm and 4.00 pm.

There was also another event taking place at Dataran Pahlawan on the same day, the *“Persembahan Pancaragam dan Kugiran sempena Ulangtahun ke-9 Bandaraya Melaka Bersejarah & Sambutan Melaka 750 tahun”* from 11.00 am to 7.00 pm, organised by Majlis Bandaraya Melaka Bersejarah.

The total of rally participants was around 3,000. Monitors observed the police force was professional in their handling of the rally and were non-aggressive. The police team also took steps to ensure confrontations between Bersih rally participants and counter-rally group called “Anak Jati Melaka” were kept at a minimum. Traffic police officers gave their full cooperation and eased the flow of traffic on the road.

Kuantan, Pahang

The Pahang Bar Committee (PHBC) set up a monitoring team of 15 lawyers to monitor the rally in Kuantan, Pahang. The rally took place from 2.00 pm to around 4.00 pm at Taman Gelora. The organiser of the rally had applied for a permit to have the rally in an open field next to Stadium Darul Makmur but it was rejected. The size of the crowd at the rally was around 1,000 people. The rally went on smoothly without any untoward incidents.

Ipoh, Perak

The Perak Bar Committee (PKBC) had about 10 lawyers in its monitoring team to monitor the rally organised by Bersih in Ipoh, Perak. The rally took place from 2.00 pm to 4.00 pm in Padang Polo. The total of rally participants was around 3,000. The crowd slowly dispersed around 3.45 pm and police officers were seen in the area to ensure ease of traffic. There was no report of any provocation nor misconduct by the participants, and the police officers and officers of the Majlis Daerah Ipoh were reported to be co-operative and did not disturb the participants, the organisers as well as members of the press.

Final Report of the Malaysian Bar on Bersih 3.0 rally held on 28 April 2012 in Kuala Lumpur

1.5 The refusal of legal access to arrested persons was contrary to Article 5(3) of the Federal Constitution which obliges the enforcement authorities to allow an arrested person to consult and be defended by a legal practitioner of his choice, and section 28A(2)(b) of the Criminal Procedure Code obliging a police officer, before commencement of any form of questioning or recording of any statement, to allow as soon as may be, an arrested person to communicate or attempt to communicate and consult with a legal practitioner of his choice. Bar Council learned that 512 were arrested at the rally on 28 April 2012. Lawyers from Bar Council Legal Aid Centre arrived at PULAPOL at approximately 5.40 pm and until the last batch of rally participants were released at around 5.00 am, the lawyers were not allowed to see the detainees. None of the police officers at the gate were willing to speak to the lawyers would even speak to the lawyers. However, the lawyers were later told that that they were waiting for orders from Bukit Aman to allow the lawyers in. The requests, demands and pleas of the lawyers fell on deaf ears and it was a stone wall of silence. Yet, members of the media were allowed in to see the detainees and so too members of the Human Rights Commission of Malaysia (SUHAKAM). At one stage, the police also tried to erect barbed wire at the front entrance but later decided not to. Attempts to confirm whether or not certain people were detained, for the benefit of family members outside, were also met with silence and inaction.

1.6 It is incomprehensible, if not a reflection of the sheer incompetence or arrogance of the police force that it has not learnt from its past mistakes in the management of assemblies of peoples exercising their constitutional right, so well documented and analysed by Suhakam in its two reports and the Public Inquiry¹ that had just concluded on 4 May 2012.

¹ Report of SUHAKAM public inquiry into Bandar Mahkota Cheras incident (27 May 2008) http://www.suhakam.org.my/c/document_library/get_file?p_l_id=30237&folderId=26457&name=D_LFE-4804.pdf, and Report of SUHAKAM public inquiry into the KLCC "Bloody Sunday" incident (28 May 2006) http://www.suhakam.org.my/c/document_library/get_file?p_l_id=23908&folderId=26457&name=D_LFE-705.pdf

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

1.7 This complete absence of any will and desire on the part of the police to transform itself from a force of harm to a force of protection and facilitation, reinforces the urgent need for the police force to be changed by force of statute through the establishment of an independent and credible external mechanism for its oversight. This will be achieved through the Independent Police Complaints and Misconduct Commission (IPCMC) envisaged by the Royal Commission on the Enhancement of the Management and Operations of the Police.

1.8 The Malaysian Bar will extend its full co-operation to the authorities in its investigation of the day's events.

Part B. Everyone in Malaysia has the Right to be Free from Excessive and/or Unlawful Physical Acts of Violence or Mental Abuse by Law Enforcement Officials

A. *International human rights law*

(i) The Universal Declaration of Human Rights, 1948 (UDHR)

2.1 Article 3 provides as follows:

"Everyone has the right to life, liberty and security of person."

2.2 In connection therewith, Article 5 specifically states that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

2.3 In the event of violations of fundamental rights, Article 8 provides that everyone has the right to an effective remedy by competent national tribunals for redress of those violations.

(ii) The International Covenant on Civil and Political Rights, 1976 (ICCPR)

2.4 Based on provisions of the UDHR, the ICCPR reaffirmed the rights set out therein.

2.5 Article 6(1) provides as follows:

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

“Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”

- 2.6 In connection therewith, Article 7 specifically states that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment².
- 2.7 Article 9(1) reinforces the right to liberty and security of the person³.
- 2.8 No derogation from Articles 6 and 7 may be made under the ICCPR⁴. There appears to be no specific prohibition of derogation from Article 9. However, any attempted derogation may only be permitted in a time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed. Measures taken must only be to the extent strictly required by the exigencies of the situation⁵. This demonstrates the elevated importance of the right guaranteed under Article 9.
- 2.9 Article 2(3) outlines remedies which must be provided to any person whose rights have been violated:

“Each State Party to the present Covenant undertakes:

- (a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;*

² See also United Nations Human Rights Committee, General Comment No. 7 (*“Article 7: The prohibition of torture and cruel, inhuman or degrading treatment or punishment”*), 16th Session (1982) and replaced by United Nations Human Rights Committee, General Comment No. 20 (*“Article 7: The prohibition of torture or cruel, inhuman or degrading treatment or punishment”*), 44th Session (1992).

³ See also United Nations Human Rights Committee, General Comment No. 8 (*“Article 9: The right to liberty and security of the person”*), 16th Session (1982).

⁴ Article 4(2) of the ICCPR. See also United Nations Human Rights Committee, General Comment No. 6 (*“Article 6: The right to life”*), 16th Session (1982).

⁵ Article 4(1) of the ICCPR. See also United Nations Human Rights Committee, General Comment No. 5 (*“Article 4: Derogations during a state of emergency”*), 13th Session (1981) and replaced by United Nations Human Rights Committee, General Comment No. 29 (*“Article 4: Derogations during a state of emergency”*), 72th Session (2001).

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

- (b) *To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;*
- (c) *To ensure that the competent authorities shall enforce such remedies when granted."*

(iii) The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1987 (CAT)

- 2.10 Article 16 provides that each State Party shall undertake to prevent in any territory under its jurisdiction acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture⁶ when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person.
- 2.11 Article 10⁷ makes it obligatory for each State Party to ensure that law enforcement personnel are trained and educated regarding the prohibition against acts of cruel, inhuman or degrading treatment or punishment, and that rules or instructions issued in regard to the duties and functions of any such person contain the same.
- 2.12 Article 12⁸ states that each State Party shall ensure that its competent authorities proceed to a prompt and impartial investigation wherever there is reasonable ground to believe that acts of cruel, inhuman or degrading treatment or punishment has been committed in any territory under its jurisdiction.

⁶ "Torture" as defined in Article 1 of the CAT. It is submitted that the term "cruel, inhuman or degrading treatment or punishment" should be interpreted so as to extend the widest possible protection against all forms of physical or mental abuse, inflicted for whatever reason, if any. Any other interpretation would render the provision meaningless.

⁷ Read with Article 16 of the CAT.

⁸ Read with Article 16 of the CAT.

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

2.13 Article 13⁹ provides that any individual who alleges he has been subjected to acts of cruel, inhuman or degrading treatment or punishment has the right to complain, and to have his case promptly and impartially examined by competent authorities.

2.14 Whilst Malaysia has not ratified the ICCPR or the CAT, it is nevertheless submitted that the prohibition of torture or other cruel, inhuman or degrading treatment or punishment has achieved the eminence of customary international law¹⁰ and is therefore applicable by virtue of this fact; if not, at the very least constituting high persuasive authority for the recognition of these rights in Malaysia¹¹.

B. National constitutional law

(iv) The Federal Constitution (FC)

2.15 Article 5(1) provides as follows:

“No person shall be deprived of his life or personal liberty save in accordance with law.”

⁹ Read with Article 16 of the CAT.

¹⁰ See *Filartiga v Peña-Irala* 630 F.2d 876 (2d. Cir. 1980) and Restatement (Third) of the Foreign Relations Law of the United States § 702 (1987).

¹¹ In the context of native land rights in Australia, Brennan J. in *Mabo & Ors v The State of Queensland (No. 2)* 175 [1992] CLR 1 at page 42 said:

“Whatever the justification advanced in earlier days for refusing to recognize the rights and interests in land of the indigenous inhabitants of settled colonies, an unjust and discriminatory doctrine of that kind can no longer be accepted. The expectations of the international community accord in this respect with the contemporary values of the Australian people. The opening up of international remedies to individuals pursuant to Australia’s accession to the Optional Protocol to the International Covenant on Civil and Political Rights brings to bear on the common law the powerful influence of the of the Covenant and the international standards it imports. The common law does not necessarily conform with international law, but international law is a legitimate and important influence on the development of the common law, especially when international law declares the existence of universal human rights. A common law doctrine founded on unjust discrimination in the enjoyment of civil and political rights demands reconsideration. It is contrary both to international standards and to the fundamental values of our common law to entrench a discriminatory rule which, because of the supposed position on the scale of social organization of the indigenous inhabitants of a settled colony, denies them a right to occupy their traditional lands.”

This decision was followed by the Malaysian High Court in *Sagong Bin Tasi & Ors v Kerajaan Negeri Selangor & Ors* [2002] 2 MLJ 591 and which was subsequently affirmed on appeal in *Kerajaan Negeri Selangor & Ors v Sagong Bin Tasi & Ors* [2005] 6 MLJ 289.

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

- 2.16 Article 5(1) of the FC was interpreted in ***PP v Tengku Mahmood Iskandar (1973) 1 MLJ 128*** at page 128:

“The record, to my mind, reads more like pages torn from some mediaeval times than a record made within the confines of a modern civilization. The keynote of this whole case can be epitomised by two words — sadistic brutality — every corner of the case from beginning to the end, devoid of relief or palliation. I have searched diligently amongst the evidence, in an attempt to discover some mitigating factor in the conduct of the respondent, which would elevate the case from the level of pure horror and bestiality; and ennoble it at least upon the plane of tragedy. I must confess, I have failed. It is said in Criminal Appeal No. 31 of 1972 that the complainants were involved in smuggling goods into this country. Were they 10 times involved, or were they 100 times involved, that did not justify the respondent to inflict brutal third-degree practices on the three of them. The law is sedulous in giving them the right to a fair trial and to be defended by counsel. Those fundamental rights must always be kept inviolate and inviolable, however crushing the pressure of incriminating proof. Cases are never tried in police stations, but in open courts to which the public has access. The rack and torture chamber must not be substituted for the witness stand. That right is enshrined in our Constitution — “No person shall be deprived of his life, or personal liberty save in accordance with law.” That fundamental right implies that no person is punishable or can be lawfully made to suffer in body except for a distinct breach of law proved in a court of law. All this reduces to the minimum the possibility of arbitrariness and oppression.”

- 2.17 The Court of Appeal in the case of ***Tan Tek Seng v Suruhanjaya Perkhidmatan Pendidikan & Anor [1996] 1 MLJ 261*** further held at page 288:

“In my judgment, the courts should keep in tandem with the national ethos when interpreting provisions of a living document like the Federal Constitution, lest they be left behind while the winds of modern and

Final Report of the Malaysian Bar on Bersih 3.0 rally held on 28 April 2012 in Kuala Lumpur

progressive change pass them by. Judges must not be blind to the realities of life. Neither should they wear blinkers when approaching a question of constitutional interpretation. They should, when discharging their duties as interpreters of the supreme law, adopt a liberal approach in order to implement the true intention of the framers of the Federal Constitution. Such an objective may only be achieved if the expression 'life' in art 5(1) is given a broad and liberal meaning.

Adopting the approach that commends itself to me, I have reached the conclusion that the expression 'life' appearing in art 5(1) does not refer to mere existence. It incorporates all those facets that are an integral part of life itself and those matters which go to form the quality of life. Of these are the right to seek and be engaged in lawful and gainful employment and to receive those benefits that our society has to offer to its members. It includes the right to live in a reasonably healthy and pollution free environment. For the purposes of this case, it encompasses the right to continue in public service subject to removal for good cause by resort to a fair procedure."

- 2.18 The FC was drafted with the purpose of granting everyone adequate protection against the abuse of State powers, and it is to be interpreted as a "living document". Article 5(1) must therefore be read broadly¹², embodying

¹² In **Dato' Menteri Othman Bin Baginda & Anor v Dato' Ombi Syed Alwi Bin Syed Idrus [1981] 1 MLJ 29**, Raja Azlan Shah LP said at page 32:

"In interpreting a constitution two points must be borne in mind. First, judicial precedent plays a lesser part than is normal in matters of ordinary statutory interpretation. Secondly, a constitution, being a living piece of legislation, its provisions must be construed broadly and not in a pedantic way — "with less rigidity and more generosity than other Acts" (see Minister of Home Affairs v Fisher [1979] 3 All ER 21). A constitution is sui generis, calling for its own principles of interpretation, suitable to its character, but without necessarily accepting the ordinary rules and presumptions of statutory interpretation. As stated in the judgment of Lord Wilberforce in that case: "A constitution is a legal instrument given rise, amongst other things, to individual rights capable of enforcement in a court of law. Respect must be paid to the language which has been used and to the traditions and usages which have given meaning to that language. It is quite consistent with this, and with the recognition that rules of interpretation may apply, to take as a point of departure for the process of interpretation a recognition of the character and origin of the instrument, and to be guided by the principle of giving full recognition and effect to those fundamental rights and freedoms." The principle of interpreting constitutions "with less rigidity and more generosity" was again applied by the Privy Council in Attorney-General of St Christopher, Nevis and Anguilla v Reynolds [1979] 3 All ER 129, 136.

Final Report of the Malaysian Bar on Bersih 3.0 rally held on 28 April 2012 in Kuala Lumpur

the idea of “law” within it as including rules of natural justice and equity¹³ consonant with internationally accepted customs and usages of civilised nations¹⁴ such as the prohibition against torture or other cruel, inhuman or degrading treatment or punishment.

- 2.19 In essence, everyone in Malaysia should enjoy in their daily lives the right to be free from excessive and/or unlawful physical acts of violence or mental abuse by law enforcement authorities.

Part C. Proper Use of Force by Enforcement Agencies

3. There are at least three instructive documents on use of force by enforcement officials which prescribes the proper, and limits to, use of force by enforcement officials:

- (i) United Nations Code of Conduct for Law Enforcement Officials¹⁵ (UNCC);

It is in the light of this kind of ambulatory approach that we must construe our Constitution. The Federal Constitution was enacted as a result of negotiations and discussions between the British Government, the Malay Rulers and the Alliance Party relating to the terms on which independence should be granted. One of its main features is the enumeration and entrenchment of certain rights and freedoms. It is in the light of this kind of ambulatory approach that we must construe our Constitution.”

See also **Dewan Undangan Negeri Kelantan & Anor v Nordin Salleh & Anor [1992] 1 MLJ 697**.

¹³ See Article 160(2) of the FC. In **Ong Ah Chuan v Public Prosecutor [1981] 1 MLJ 64**, Lord Diplock said at page 71:

“In a constitution founded on the Westminster model and particularly in that part of it that purports to assure to all individual citizens the continued enjoyment of fundamental liberties or rights, references to “law” in such contexts as “in accordance with law”, “equality before the law”, “protection of the law” and the like, in their Lordships’ view, refer to a system of law which incorporates those fundamental rules of natural justice that had formed part and parcel of the common law of England that was in operation in Singapore at the commencement of the Constitution. It would have been taken for granted by the makers of the Constitution that the “law” to which citizens could have recourse for the protection of fundamental liberties assured to them by the Constitution would be a system of law that did not flout those fundamental rules. If it were otherwise it would be misuse of language to speak of law as something which affords “protection” for the individual in the enjoyment of his fundamental liberties, and the purported entrenchment (by Article 5) of Articles 9(1) and 12(1) would be little better than a mockery.”

This statement was applied in the Malaysian context in **S. Kulasingam & Anor v Commissioner of Lands, Federal Territory & Ors [1982] 1 MLJ 204**. See also **Tan Tek Seng v Suruhanjaya Perkhidmatan Pendidikan & Anor [1996] 1 MLJ 261**.

¹⁴ See **The Paquete Habana [1900] 175 U.S. 677 (20 S.Ct. 290)**.

¹⁵ Adopted by the United Nations General Assembly Resolution 34/169 (1979). See also the United Nations Guidelines for the Effective Implementation of the Code of Conduct for Law Enforcement Officials adopted by the United Nations Economic and Social Council Resolution 1989/61. As a member of the United Nations, Malaysia is obliged to promote and encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion (Article 3 United Nations Charter). This duty was reaffirmed by the World Conference on Human Rights, “Vienna Declaration and Programme of Action” (1993)

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

- (ii) United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (UNBPUFF); and
- (iii) Amnesty International guidelines.

3.1 The following provisions of UNCC are relevant:

“Article 1

Law enforcement officials shall at all times fulfill the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession. ...

Article 2

In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons. ...

Article 3

Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty. ...

Article 5

No law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment, nor may any law enforcement official invoke superior orders or exceptional circumstances such as a state of war or a threat of war, a threat to national security, internal political instability or any other public emergency as a justification of torture or other cruel, inhuman or degrading treatment or punishment. ...

Article 6

adopted by the United Nations General Assembly Resolution 48/121 (1993) and the World Summit Outcome (2005) adopted by the United Nations General Assembly Resolution 60/1 (2005).

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

Law enforcement officials shall ensure the full protection of the health of persons in their custody and, in particular, shall take immediate action to secure medical attention whenever required. ...

Article 8

Law enforcement officials shall respect the law and the present Code. They shall also, to the best of their capability, prevent and rigorously oppose any violations of them. ...”

3.2 The principles which may be culled from the above are as follows:

- “Human rights-based policing” is a core aim of law enforcement officials in carrying out their duties and responsibilities¹⁶.
- The rights and dignity of victims and suspects of crimes must be safeguarded without discrimination consistent with international human rights principles such as those enunciated in the UDHR, ICCPR and CAT.
- The use of force including the discharge of weapons (lethal or non-lethal) or firearms must be the exception rather than the rule. It should be a means of last resort, not a measure of first instance.
- Law enforcement officials are to effectively secure medical attention and services for all those in need of the same.
- Any violations of the Code should be reported for effective remedies to be taken.

3.3 The following provisions of UNBPUFF are relevant¹⁷:

“Principle 2

Governments and law enforcement agencies should develop a range of means as broad as possible and equip law enforcement officials with various types of weapons and ammunition that would allow for a differentiated use of force and firearms. These should include the

¹⁶ See also Amnesty International, “Malaysia: Towards Human Right-Based Policing”, AI Index: ASA 28/001/2005 and Amnesty International, “10 Basic Human Rights Standards for Law Enforcement Officials”, AI Index POL 30/04/98.

¹⁷ Adopted by the 8th United Nations Congress on the Prevention of Crime and the Treatment of Offenders (1990).

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

development of non-lethal incapacitating weapons for use in appropriate situations, with a view to increasingly restraining the application of means capable of causing death or injury to persons. For the same purpose, it should also be possible for law enforcement officials to be equipped with self-defensive equipment such as shields, helmets, bullet-proof vests and bullet-proof means of transportation, in order to decrease the need to use weapons of any kind.

Principle 3

The development and deployment of non-lethal incapacitating weapons should be carefully evaluated in order to minimize the risk of endangering uninvolved persons, and the use of such weapons should be carefully controlled.

Principle 4

Law enforcement officials, in carrying out their duty, shall, as far as possible, apply non-violent means before resorting to the use of force and firearms. They may use force and firearms only if other means remain ineffective or without any promise of achieving the intended result.

Principle 5

Whenever the lawful use of force and firearms is unavoidable, law enforcement officials shall:

- (a) Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved;*
- (b) Minimize damage and injury, and respect and preserve human life;*
- (c) Ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment;*
- (d) Ensure that relatives or close friends of the injured or affected person are notified at the earliest possible moment. ...*

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

Principle 7

Governments shall ensure that arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offence under their law.

Principle 8

Exceptional circumstances such as internal political instability or any other public emergency may not be invoked to justify any departure from these basic principles.

Principle 9

Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.

Principle 10

In the circumstances provided for under principle 9, law enforcement officials shall identify themselves as such and give a clear warning of their intent to use firearms, with sufficient time for the warning to be observed, unless to do so would unduly place the law enforcement officials at risk or would create a risk of death or serious harm to other persons, or would be clearly inappropriate or pointless in the circumstances of the incident.

Principle 11

Rules and regulations on the use of firearms by law enforcement officials should include guidelines that:

(a) Specify the circumstances under which law enforcement officials are authorized to carry firearms and prescribe the types of firearms and ammunition permitted;

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

- (b) Ensure that firearms are used only in appropriate circumstances and in a manner likely to decrease the risk of unnecessary harm;*
- (c) Prohibit the use of those firearms and ammunition that cause unwarranted injury or present an unwarranted risk;*
- (d) Regulate the control, storage and issuing of firearms, including procedures for ensuring that law enforcement officials are accountable for the firearms and ammunition issued to them;*
- (e) Provide for warnings to be given, if appropriate, when firearms are to be discharged;*
- (f) Provide for a system of reporting whenever law enforcement officials use firearms in the performance of their duty.*

Principle 12

As everyone is allowed to participate in lawful and peaceful assemblies, in accordance with the principles embodied in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, Governments and law enforcement agencies and officials shall recognize that force and firearms may be used only in accordance with principles 13 and 14.

Principle 13

In the dispersal of assemblies that are unlawful but non-violent, law enforcement officials shall avoid the use of force or, where that is not practicable, shall restrict such force to the minimum extent necessary.

Principle 14

In the dispersal of violent assemblies, law enforcement officials may use firearms only when less dangerous means are not practicable and only to the minimum extent necessary. Law enforcement officials shall not use firearms in such cases, except under the conditions stipulated in principle 9. ...

Final Report of the Malaysian Bar on Bersih 3.0 rally held on 28 April 2012 in Kuala Lumpur

Principle 26

Obedience to superior orders shall be no defence if law enforcement officials knew that an order to use force and firearms resulting in the death or serious injury of a person was manifestly unlawful and had a reasonable opportunity to refuse to follow it. In any case, responsibility also rests on the superiors who gave the unlawful orders. ..."

3.4 Amnesty International has elaborated on the said Principles, and the key provisions are reproduced herein¹⁸:

"Basic Standard 3:

Do not use force except when strictly necessary and to the minimum extent required under the circumstances. The implementation of Basic Standard 3 involves, among other things, that Police officers, in carrying out their duty, should apply non-violent means as far as possible before resorting to the use of force. They may use force only if other means remain ineffective or without any promise of achieving the necessary result. Basic Standard 3 must be implemented in accordance with Basic Standard 4 and 5.

Whenever the lawful use of force is unavoidable, police officers must:

- Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved*
- Minimize damage and injury, and respect and preserve human life*
- Ensure that all possible assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment*
- Ensure that relatives or close friends of the injured or affected person are notified at the earliest possible moment*
- Where injury or death is caused by the use of force by police officers, they shall report the incident promptly to their superiors, who should ensure that proper investigations of all such incidents are carried out.*

¹⁸ See Amnesty International, "10 Basic Human Rights Standards for Law Enforcement Officials", AI Index POL 30/04/98.

Final Report of the Malaysian Bar on Bersih 3.0 rally held on 28 April 2012 in Kuala Lumpur

Basic Standard 4:

Avoid using force when policing unlawful but non-violent assemblies. When dispersing violent assemblies, use force only to the minimum extent necessary.

Everyone is allowed to participate in peaceful assemblies, whether political or non-political, subject only to very limited restrictions imposed in conformity with the law and which are necessary in a democratic society to protect such interests as public order and public health. The police must not interfere with lawful and peaceful assemblies, otherwise than for the protection of persons participating in such an assembly or others.

The implementation of Basic Standard 4 involves, among other things:

- In the policing of assemblies that are unlawful but non-violent, police officers must avoid the use of force. If force is indispensable, for example to secure the safety of others, they must restrict such force to the minimum extent necessary and in compliance with the other provisions in Basic Standard 3*
- Firearms shall not be used in the policing of non-violent assemblies. The use of firearms is strictly limited to the objectives mentioned in Basic Standard 5*
- In the dispersal of violent assemblies police officers may use force only if other means remain ineffective or without any promise of achieving the intended result. When using force police officers must comply with the provisions in Basic Standard 3*
- In the dispersal of violent assemblies police officers may use firearms only when less dangerous means are not practicable and only to the minimum extent necessary to achieve one of the objectives mentioned in Basic Standard 5 and in accordance with the provisions in Basic Standard 3 and Basic Standard 5.*

Basic Standard 5:

Lethal force should not be used except when strictly unavoidable in order to protect your life or the lives of others. The use of firearms is an extreme measure which must be strictly regulated, because of the risk of death or serious injury involved. The implementation of Basic Standard 5 requires, among other things, that police officers must not use firearms

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

except for the following objectives and only when less extreme means are insufficient to achieve these objectives:

- *In self-defence or in defence of others against the imminent threat of death or serious injury*
- *To prevent the perpetration of a particularly serious crime involving grave threat to life*
- *To arrest a person presenting such a danger and resisting the police officer's authority, or to prevent his or her escape*

In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.

Police officers must identify themselves as such and give a clear warning of their intent to use firearms, with sufficient time for the warning to be observed, unless to do so would unduly place the officers at risk or would create a risk of death or serious harm to other persons, or would be clearly inappropriate or pointless in the circumstances of the incident.

Rules and regulations on the use of firearms by police officers must include guidelines that:

- *Specify the circumstances under which police officers are authorized to carry firearms and prescribe the types of firearms and ammunition permitted*
- *Ensure that firearms are used only in appropriate circumstances and in a manner likely to decrease the risk of unnecessary harm*
- *Prohibit the use of any firearms or ammunition that cause unnecessary injury or present an unnecessary risk*
- *Regulate the control, storage and issuing of firearms and ammunition, including procedures for ensuring that police officers are accountable for firearms and ammunition issued to them*
- *Provide for warnings to be given, if appropriate, when firearms are to be discharged*
- *Provide for a system of reporting and investigation whenever police officers use firearms in the performance of their duty. ...”*

Final Report of the Malaysian Bar on Bersih 3.0 rally held on 28 April 2012 in Kuala Lumpur

3.5 Amnesty International notes that in the United States of America, police guidelines on the use of force state that *“officers may use only the minimum amount of force which is necessary to achieve a legitimate purpose (e.g. effect an arrest or prevent the commission of an offence) when other options are not available or have been exhausted. NYPD guidelines set out the following five stages through which force can progress: (1) verbal persuasion; (2) unarmed physical force; (3) force using non-lethal weapons (e.g. pepper spray or mace); (4) force using impact weapons (e.g. police batons); and (5) deadly force, which may be used only when an officer or another person’s life is in direct danger. The guidelines also state that flashlights, radios and handguns are not designed as impact weapons and make clear that they should not be used as such in most circumstances. Police regulations also state that any officer at the scene of a police incident has an obligation to ensure that the law and regulations are complied with, and to intervene if the use of force against a subject becomes excessive. The guidelines note that failure to do so constitutes an offence under the law as well as departmental policy.”*¹⁹

3.6 The 5 stages expressed above correspond with the degree of force necessary in any given situation faced by the authorities. It would be a welcome addition to our Malaysian law enforcement procedures, and should be inculcated as part of law enforcement officials’ training and education.

Part D. Comparative Jurisdiction Analysis of Crowd Control and Use of Non-lethal Force by Enforcement Officials

4. It would be pertinent to examine some of the practices and legislation in other jurisdictions dealing with crowd control.

¹⁹Amnesty International, *“United States of America: Police brutality and excessive force in the New York City Police Department”*, AI Index: AMR 51/036/1996.

Final Report of the Malaysian Bar on Bersih 3.0 rally held on 28 April 2012 in Kuala Lumpur

A. UNITED STATES OF AMERICA (USA)

4.1 Case study: District of Columbia

1. The District of Columbia enacted the groundbreaking First Amendment Rights and Police Standards Act of 2004 (2004 Act), which took effect on 13 April 2005, declaring the District of Columbia's official policy of First Amendment protests. The 2004 Act was enacted in direct response to an investigation conducted on the Metropolitan Police Department's handling of a number of anti-globalisation protests held between the years 2002-2004 including the IMF/World Bank demonstration in Pershing Park in September 2002²⁰.
2. The 2004 Act includes landmark provisions preserving a permit process for demonstrations but clarifying that individuals do not require "permission" in order to exercise their First Amendment rights, setting out policies on managing crowds in demonstrations, and places particular emphasis on communication and voluntary compliance.
3. The following are some key features of the 2004 Act:

3.1 *Police crowd management policy*

- (a) Section 107 of the 2004 Act requires the police to first seek and enforce restrictions through voluntary compliance, and then only after exhausting that avenue, to seek to enforce restrictions by the issuance of citations and arrests.
- (b) Section 107 goes on to provide that in the event violence or disorderly conduct ensues, the police are to respond by dispersing, controlling and arresting the persons engaging in such violent or disorderly conduct and not by issuing a general order for dispersal, thus allowing the First Amendment assembly to continue.

²⁰ See the Report and Recommendations of the Police Complaints Board to the Mayor Anthony A. Williams, The Council of the District of Columbia and the Chief of Police, "*Monitoring of Anti-War and Anti-Globalization Protests September 2005*" (20 December 2005).

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

- (c) Section 107 further provides that the police may only issue a general order to disperse where a significant number or percentage of the assembly participants fail to adhere to the imposed restrictions, the voluntary compliance measures set out above have failed, a significant number or percentage of the participants are engaging in, or are about to engage in, unlawful disorderly conduct or violence, or a public safety emergency has been declared by the Mayor that is not based solely on the fact that the First Amendment assembly is occurring and the Chief of Police determines that the public safety concerns that prompted the declaration require that the First Amendment assembly be dispersed.
- (d) Section 108 forbids the use of police lines to substantially encircle or entrap demonstrators unless there is probable cause to believe that a significant number of people have committed unlawful acts, and the police have identified and decided to arrest the specific violators; or a police line is necessary to protect the safety of the demonstrators.
- (e) Section 109 requires the police to display their names and badge numbers with enhanced visibility at all times.
- (f) Section 116 prohibits the use of riot gear unless there is a danger of violence, and prohibits the use of chemical irritants to disperse an assembly unless public safety and security is endangered.

B. AUSTRALIA

4.2 Victoria

1. The legislation currently in force is the Unlawful Assemblies & Processions Act 1958 (Vic) (1958 Act). Its provisions include:
 - (a) Section 5 which makes it unlawful for “persons to assemble together riotously and tumultuously and to the disturbance of the public peace”. The section goes on to indemnify those trying to disperse such a riotous assembly

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

in the event that a person assembled for such a purpose is injured, maimed or killed in the dispersal of the riot.

(b) Section 6 which allows for a warning to disperse to be read by a Magistrate in respect of any prohibited meeting or assembly. The time given to disperse is 15 minutes.

2. It is noted that although the 1958 Act is in force, Victoria adopts what is called the “Cooperative Model” when dealing with assemblies and processions²¹. The “Cooperative Model” involves a cooperative planning process which is conducted under the auspices of the City of Melbourne Public Authorities Team which includes the following:

- (a) Victoria Police;
- (b) Vic Roads;
- (c) City of Melbourne Council; and
- (d) Any other relevant authorities.

3. The Team meets once a month to consider applications to hold assemblies and demonstrations. The process involves extensive discussions between protest organisers and bodies likely to be affected by public gatherings. It is aimed at protecting the right of peaceful assembly and at the same time, minimise the disruption caused to the rest of society.

4. The primary responsibility of the police is prevent disorder and maintain the peace. They have specially appointed officers and units to deal with assemblies and processions. For example there is an industrial liaison officer, a Superintendent, who liaises with unions in relation to industrial action, a Chief Inspector who manages a special unit with statewide responsibility for ensuring demonstrations are handled equally and a “Region 1” Special Events

²¹ See the Parliamentary Redundant Legislation Subcommittee Report, *“Review of the Unlawful Assemblies and Processions Act, 1958”* (1999) at page 20 onwards.

Final Report of the Malaysian Bar on Bersih 3.0 rally held on 28 April 2012 in Kuala Lumpur

Office which has particular responsibility for assemblies and processions around Parliament House.

5. Police officers at assemblies are guided by the Chief Commissioner's Instructions 8/97: Policing at Crowd Control Situations:

"5. Members [of Victoria Police] must report to a supervisor all reliable information concerning any event that may become or is a crowd control situation. Of particular importance is information about people acting as organisers, their plans, the numbers involved and the group they represent.

8. The Operations Commander has the overall role of effectively and efficiently commanding, controlling and coordinating the entire operation or incident... The Operations Commander must:

- Cause contact to be made with the organisers, leaders or management of all parties involved, to ascertain their intentions and to advise on Force policy and the police role. This may require the appointment of a liaison officer...*

9. In some crowd control situations, it may be necessary to appoint a liaison officer... The function of the liaison officer is to contact organisers, leaders or management of all parties involved, to ascertain their intentions and to advise on Force policy and the police role.

15. District Commanders must notify Major Incident Planning Unit if it appears the crowd control situation may cross over District boundaries or that the District cannot provide adequate resources.

17. In all cases, the Major Incident Planning Unit is available to provide assistance in the planning and coordination of crowd control situations.

24. The policing of crowd control situations may involve violent confrontation with participants. Where possible, both confrontation

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

and the use of force should be avoided. Where force cannot be avoided, use only the minimum amount reasonably necessary.

25. *Only in cases of urgency can members apply the use of force without authority. In all other cases, any use of force must be specifically authorised...*
26. *Forward Commanders should ensure the minimal use of force by:*
- *Maintaining liaison with all parties involved.*
 - *Keeping parties advised of any developments which may influence the outcome of the situation.*
 - *Informing participants of potential use of force.*
 - *Adopting a policy of containment.*
 - *Exercising tact and restraint.*
 - *Ensuring arrests are made as a last resort.*
 - *Adopting a low key approach.*
28. *When contemplating the use of force, members must be aware of their legislative and common law powers. In a crowd control situation, the member must believe:*
- *On reasonable grounds that the reasonable use of force is necessary to prevent or stop an offence;*
 - *Any force used is not disproportionate to the objective sought to be achieved;*
 - *The offence sought to be prevented is an indictable offence or the lawful arrest of the person is required; and*
 - *The person to be arrested has committed or is suspected of committing an offence. (s. 462A Crimes Act 1958).*
29. *Police members also have a common law duty to prevent breaches of the peace. This includes taking whatever action is reasonable in the circumstances to prevent the occurrence or continuation of a breach of the peace...*

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

30. *In some crowd control situations it may be necessary to make arrests. If so, the following guidelines should be followed:...*
- *Minor offences should be ignored in the interests of containing the overall situation however, appropriate action must be taken to prevent conduct involving violence to people or damage to property.*
50. *A riot is defined as where three or more persons assemble together in a riotous or tumultuous manner.*
51. *Take prompt action when any persons in a crowd control situation are armed with weapons of any description or resort to violence. In addition to taking action to prevent a breach of the peace, police may have the situation declared as a riot. This is done by having a magistrate read aloud the riot proclamation at that situation, set out in the Unlawful Assemblies and Processions Act 1958."*
6. It has been acknowledged by the police that the model was working reasonably well, continuously refined over the years.
7. The City of Melbourne Council is responsible for advising the police and other relevant public authorities of event details. The Council does not give actual approval for these events to take place. Rather they acknowledge in writing their occurrence in writing and assists with event logistics. The public is also informed and notified of these events by leaflet distribution, telephone, word of mouth or by other authorities such as the police and the Public Transport Corporation. The Council does however impose general conditions regulating the conduct of such events.

Final Report of the Malaysian Bar on Bersih 3.0 rally held on 28 April 2012 in Kuala Lumpur

C. Kashmir

4.3 In report written by Jeffrey Stern on 12.2.2010 on use of tear gas in Kashmir, according to the Inspector General of Kashmir's police force, the policemen are trained to fire tear gas shells in a parabolic way and not directly²².

D. Egypt

4.4 In the Report on Peace Keeping in Demonstrations and Public Disorder Situations by the Egyptian Initiative for Personal Rights on December 2011, it states that tear gas should not be excessively used and should never be used in enclosed spaces or fired directly at protesters²³.

E. Philippines

4.5 The relevant provisions of the Philippines National Police Manual are²⁴:

- (i) Tear gas, water cannon, and reasonable force shall be used only when all other peaceful and non-violent means have been exhausted [Section 2(e)].
- (ii) Tear gas, smoke grenades, water cannons, or any similar anti- riot device shall be used only when the public assembly is attended by actual violence or serious threats of violence, or deliberate destruction of property [Section 3(b)].
- (iii) Tear gas may be utilised to break up formations or groupings of demonstrations who continue to be aggressive and refused to disperse despite earlier efforts [Section 8(c)].

Part E. Observations of the Bar Council Monitoring Team

1. The detailed observations of the Malaysian Bar monitoring team on the rally in Kuala Lumpur on 28 April 2012 in time-sequenced manner is attached and marked as Annexure 1;

²² http://afpak.foreignpolicy.com/posts/2010/02/12/tear_gas_in_kashmir.

²³ http://eipr.org/sites/default/files/reports/pdf/security_guidelines_for_crowd_control_en.pdf.

²⁴ <http://pnppro10.org/downloads/POP.pdf>.

**Final Report of the Malaysian Bar on Bersih 3.0 rally
held on 28 April 2012 in Kuala Lumpur**

2. The observations of the Roving Monitoring Team, comprising of Christopher Leong (Vice-President of Malaysian Bar), Steven Thiru (Treasurer of Malaysian Bar), Dato' Ramachelvam Manimuthu (Bar Council member) and Ramdas Tikamdas (Malaysian Bar member and former president of HAKAM) on the rally in Kuala Lumpur on 28 April 2012 is attached and marked as Annexure 2; and
3. A photo gallery, with photographs taken by members of the Bar monitoring team showing the general situations during the rally is attached and marked as Annexure 3.
4. Video footage taken by the Malaysian Bar monitoring team during the rally is accessible [here](#)²⁵ on the Malaysian Bar website.

Dated this 10 May 2012.

²⁵

http://www.malaysianbar.org.my/bar_news/berita_badan_peguam/final_report_of_the_malaysian_bar_on_bersih_3.0_rally_held_on_28_april_2012_in_kuala_lumpur.html

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

Glossary:

BC = Bar Council

CM = Central Market

DBKL = Dewan Bandaraya Kuala Lumpur

KLCC = Suria KLCC Shopping Centre

KTM = Keretapi Tanah Melayu

KWSP = Kumpulan Wang Simpanan Pekerja

TAR = Tunku Abdul Rahman

9.00 am – 10.00 am		
Time	Location	Incident
9.00 am	KLCC, entrance, across Avenue K	A group of Malaysian Bar (“Bar”) monitors arrived at KLCC and observed crowds had gathered in front of KLCC’s main entrance (opposite Avenue K and the exit of LRT station), and another crowd had gathered near KLCC Park.
9.30 am	KLCC	KLCC management asked rally participants to disperse from the KLCC Park and participants followed the instructions and moved towards the KLCC’s main entrance.
9.40 am	KLCC	Rally participants were cheerful and peaceful. They chanted “Bersih, Bersih, Hidup Bersih”, and also “Bu yao, bu yao, bu yao Lynas”.
9.45 am	KLCC	There were around 300 police officers at the main entrance, and they formed a line. The crowd size was around 3,000 people. The atmosphere was peaceful and calm.
9.50 am	KLCC	The crowd took photographs, some carried placards. No disturbance from police or the KLCC management.

10.00 am – 11.00 am		
Time	Location	Incident
10.00 am	KLCC	Rally participants started chanting. They were led by a group of leaders believed to be from PAS. The chanting was not provocative, it was more on Lynas and Bersih issues.
10.15 am	KLCC	Some of the participants went to gather at the junction of Jalan Ampang and Jalan P.Ramlee.
10.19am	Kasturi Walk, CM	Police formed human barricade facing Kasturi Walk. The road was barred but people were allowed to pass through on the five-foot and the walkway along CM.
10.27 am	KLCC	Participants gathered in front of KLCC main entrance and were in

ANNEXURE 1**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

		Cheerful. Many police officers were seen in the area.
10.30 am	KLCC	The crowd was estimated between 8,000 to 10,000 people around this time.
10.30 am	KLCC main entrance, across Avenue K	The size of the crowd increased and they began marching towards Jalan Pudu and Jalan Petaling.
10.40 am	KLCC	Crowd began marching towards Dataran Merdeka. Around 2,000 people stayed at KLCC.
10.50 am	Jalan Raja Chulan	Rally participants were peaceful and moved towards the direction of Puduraya Bus Station. The crowd sang Negaraku and chanted 'Stop Lynas' and "Bersih". The size of the crowd was at least 6,000 people.
10.56 am	KLCC	Participants started moving in procession. No interference from the police officers. Participants remained peaceful and cheerful.

11.00 am – 12.00 pm		
Time	Location	Incident
11.00 am	Brickfields	A group of Bar monitors met up at the Elephant Fountain in front of Sri Kota Supermarket, Brickfields.
11.05-11.20 am	Jalan Hang Jebat and Jalan Sultan	Estimated 10,000 people gathered along Jalan Hang Jebat and Jalan Sultan. No chanting. Posters such as Stop Lynas, Clean Election (in English and Mandarin) were in sight. Most of the participants were in Bersih yellow-coloured t-shirts and Stop Lynas green-coloured t-shirts. Some of them were sitting, standing, walking, chit-chatting in groups, reading newspaper, taking photographs. Hawkers at the road side were selling drinks and food as usual. No sign of appearance of police officers in uniform nor the FRU.
11.10 am	In front of Lotus Hotel, Brickfields	There were about 200 to 300 participants near Lotus Hotel mostly in yellow t-shirts. A short distance away, near the Elephant fountain, was a group of policemen in dark blue uniforms. They were just standing there and watching the crowd.
11.15 am	KLCC	Part of the crowd left KLCC and marched toward Dataran Merdeka. The crowd took the pathway of Jalan P. Ramlee. The police moved too, but they moved towards Jalan Ampang.
11.16 am	Jalan Raja Chulan	The Shell petrol station was full of customers, mostly in Bersih and Himpunan Hijau colours. Small businesses were in operation as usual.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

11.20 am	Pasar Seni LRT Station	Access from Pasar Seni LRT exit point to KTM railway station was blocked by the police.
11.20 am	Junction of Jalan Pudu and Jalan Petaling	The PAS Unit Amal formed a human shield to protect one of the speakers. Police stood on guard in front of 7/Eleven convenience store. The situation was calm, the crowd were having a good time. Monitors saw parents bringing their children to the rally. Members of HINDRAF and the Malaysian Indian Voice were seen in support of the rally. Upon seeing the Bar monitors, members of the crowd cheered "Thank you, Lawyers!"
11.21am -11.29 am	CM car park	Looking from CM car park, across the road and up the road leading to Brickfields, monitors saw people streaming in.
11.25 am	CM main entrance	A group of Bar monitors met at CM main entrance. A group of about 50 PAS Unit Amal (wearing maroon-coloured t-shirts) was standing on the stage near CM car park. Only 3 to 5 police officers in uniform were in the Pondok Polis Central Market. A police van, police truck, and police car could be seen next to the said Pondok Police.
11.28 am	Menara Maybank, Jalan Tun Perak	The crowd stopped in front of Maybank, possibly to wait for the crowd from Jalan Sultan.
11.30 am	CM main entrance	Zunar (cartoonist) tried to gather crowd at CM and announced that Dato' Ambiga, Co-Chairperson of Bersih Steering Committee, would address the crowd and to proceed to march toward Dataran Merdeka.
11.30 am	Brickfields	Crowd began to gather in numbers, heavy police presence but police only observed and did not interfere. The atmosphere was very carnival-like. Lots of banners and placards on display – most in support of Bersih and Anti-Lynas. Some Orang Asli NGOs also present.
11.35 am	CM	Two helicopters were in the air.
11.40 am	CM	Three lawyers representing PAS political party were present at CM. The lawyers wore a tag with yellow-coloured background with PAS and Bersih logo and the word "PEGUAM" written on it. Estimated 5,000 people were sitting, standing or walking peacefully around CM car park area.
11.40 am	In front of Menara Maybank, Jalan Tun Perak	The crowd had to stop walking due to a barricade by the police. The crowd was peaceful and most of participants were holding the national flag and the flags of different states. The size of the crowd was at least 15,000.
11.43am -11.46	Intersection of Jalan	More people coming in. Participants in yellow holding a horn devise making honking noises.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

am	Sultan and Jalan Silang	
11.45 am	Jalan Tun Tan Cheng Lock	People chanted “Bersih”, “Hidup Rakyat”, “Reformasi” and walked peacefully at Jalan Tun Tan Cheng Lock. Kompang sound was heard at the background.
11.45 am	Puduraya	The crowd was told by their leaders to wait for other groups of participants to join in the procession. The leaders asked them to sit down and most complied. Some could not sit due to moving traffic and lack of space. Some religious leaders gave “sermons.” There was a big group of police officers watching the crowd from the opposite of Puduraya Bus Station, at the 7-Eleven convenience store. Small businesses, including the sugar cane juice stall right in front of 7-Eleven were in operation and business seemed to be brisk.
11.48 am	CM	Participants gathered at the parking lot in front of the CM chanting “Bersih” and “Reformasi.”
11.49 am	CM	CM security guards did not allow people to enter the building. Minimal police presence seen. Police officers were just standing and watching.
11.50 am	CM	People gathered in small groups around CM building compound, including the car park. Some people carried a rocket balloon with the slogan “Stop LYNAS, save Malaysia”.
11.50 am	CM	Participants gathered in front of Central Market parking area (peaceful). Participants moved from the direction of Pasar Seni LRT station towards Central Market. Participants chanted “Reformasi” and “Hidup Rakyat.”
11.50 am	Brickfields	Monitors met a young Malay man in chamber attire wearing a yellow “Bersih” tag, with the word “Peguam” printed on it. He said he was a lawyer for PAS.
11.55 am	CM	A group of people estimated around 1,000 of them walked towards the CM main entrance with kompang and 2 big balloons, one- yellow coloured - “Bersih” and one green-coloured - “Stop Lynas, Save Malaysia”. One of the participants used a hailer and he announced: “Kita berkumpul di Central Market, menunggu arahan daripada Steering Committee. Pemimpin-pemimpin akan berbincang. Kita duduk di sini dan tunggu arahan dan akan pergi ke Dataran Merdeka”. Participants started to chant “Hidup Bersih”, “Duduk Bantah”.
11.55 am	CM	Bersih’s representatives gathered the participants in front of CM main entrance. Participants sang “NegaraKu.”
11.55am	Near	The rally participants were told to allow traffic to pass through, and

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

	Puduraya Bus Station	they did. They waved at the motorists and asked for honks of support. Busses honked, passengers waved and smiled at crowd. The atmosphere was peaceful and cheerful.
11.58 am	CM	Participants sang Negaraku. Then, people sat down, stood or walked around peacefully.

12.00 pm – 1.00 pm		
Time	Location	Incident
12.00 pm	Brickfields	A group of rally participants started moving from Brickfields towards CM, along the way they chanted “Bersih, Bersih!”
12.00pm	KLCC area	The crowd marched towards Jalan P.Ramlee and Jalan Raja Chulan, then reached Jalan Tun Perak. They joined the crowd that was already there. The route was about 3 kilometres. Along the way, traffic police officers gave full cooperation and managed the traffic for the crowd to march. No disturbance at all.
12.01 pm	BC building	A group of monitors met and briefed by the group leader and monitors were paired up into 4 teams.
12.04 pm – 12.05 pm	CM	Police car was booed by participants. Participants did not allow police car to move. Monitors came across a group of students who were part of Occupy Dataran.
12.06 pm	Jalan Petaling	Chinese restaurant was full of customers.
12.10 pm	Jalan Petaling	A parade of about 100 people chanting “Bersih”. All shops nearby were closed. No cars around. In front of Kotaraya shopping centre there was a crowd (supporters in yellow and green shirts) of about 300 people sitting down. On the other side of the road, a group of people (around 20-30) chanted “Freedom-Freedom”. In front of Nando’s Restaurant a group of people gathered with a banner “Occupy Dataran Merdeka - Support Local Youth”. In front of Starbucks about 500 Bersih supporters chanted “Bersih” as and when prompted by their leaders. A group of monitors followed this group and reached Menara Maybank at about 12.16 pm where a lot of people were already gathered there.
12.10 pm	CM towards old KTM building	Some monitors walked from CM car park towards the old KTM train station. The monitors observed rally participants were sitting, standing or walking peacefully. No chanting and no sign of violence. The crowds were chit chatting peacefully. Pasar Seni LRT train station was still opened to the public. No presence of police officers in uniform nor FRU around the train station area or nearby the Hotel GEO.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

		About 30 police officers in uniform were standing across the street, blocking the entrance to Kompleks Dayabumi. A few groups of two to three police officers in uniform standing at the staircase leading towards Kompleks Dayabumi.
12.15 pm	Jalan Petaling	About 2,000 rally participants moved around peacefully. Participants held placards stated "We are the boss", "Occupy Dataran". Rally participants merged towards Menara Maybank near Puduraya Bus Station.
12.17pm	Masjid Jamek area, Jalan Tun Perak	A monitor noticed a court order (regarding the legality of the rally) was pasted right in front of Masjid Jamek LRT station. The situation in the area was calm. The crowd chanted "Hancur, hancur, hancur BN! Hancur, Hancur, Hancur UMNO!" "Bersih, bersih, hidup Bersih!!"
12.20 pm	Menara Maybank, Jalan Tun Perak	Rally participants chanted "Bersih". Minimal police standing on Jalan Pudu. Participants held banners, flags, and sang "Rasa Sayang".
12.21 pm	Menara Maybank, Jalan Tun Perak	A helicopter (with red and blue stripes with white background) hovered overhead and rally participants started cheering and some booed the helicopter. The crowd here consisted of the PAS Unit Amal in maroon t-shirts and rally participants were mostly in yellow t-shirts and green t-shirts. Police presence seemed minimal in a ratio of about 1:5,000. Monitors spotted a man carrying a sandwich board saying "Hitler Pahang-Pahang CM resign now".
12.25 pm	Masjid Jamek area, Jalan Tun Perak	A monitor noticed the mobile phone reception was affected. Rally participants sat along Jalan Tun Perak. More speeches and preaches were delivered by some individuals and participants applauded them.
12.30 pm	BC building, Leboh Pasar Besar	Some Bar monitors left BC building, saw rally participants sat down on the road and sang peacefully at Leboh Pasar Besar in front of BC building. Police barricaded the bridge heading towards Dataran Merdeka with razor wire just outside of Loke Yew building.
12.30 pm	CM	Rally participants walked towards CM car park. They chanted, and when they saw Bar monitoring team, they cheered the monitors. A group of 1,000 people could be seen walking from Puduraya Bus Station towards Jalan Tun Perak, chanting "Bersih".
12.30 pm	Menara Maybank, Jalan Tun Perak	Participants moved around, stood or sat on the road peacefully.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

12.30 pm	Jalan Tun Sambathan, Brickfields	Further up the road, a big group of participants seemed to be waiting for another group from Brickfields, and the two groups merged and marched towards CM. Most of the participants were cheerful and they were chanting "Hidup Hidup", "Hidup Rakyat" and "Demokrasi".
12.30 pm - 1.30 pm	CM	Crowd from Brickfields converged with other rally participants and stayed in this location for an extended period. Some speeches were delivered (it was too far for the monitors to see/hear the speeches) but evident from the crowd's cheering. Police presence grew heavier but still not intrusive – police officers were seen marching throughout the area.
12.30 pm – 1.30 pm	Leboh Ampang	There was a huge crowd of people sitting on the road. They were all cheerfully singing some patriotic songs and some were waving state flags (Johor and Kedah). The crowd seemed generally happy and mixed with one another.
12.32 pm	Dataran Merdeka (diagonally across DBKL Building)	FRU and police officers on standby. A number of police trucks were parked along the roundabout facing Jalan Tun Perak. Police asked the crowd to disperse - "Bersurai sekarang!" However, police took no action against rally participants. Monitors took a break at a food stall next to the Jalan Parlimen roundabout. The food stall was filled with police officers, as well as rally participants.
12.33pm	Intersection of Jalan Raja and Jalan Parlimen	Large crowd sitting at the intersection. Paragliders spotted flying in the area.
12.35 pm	Near Dataran Merdeka	Bar monitors tried getting behind the line of the razor wire but was not allowed by the police. The police officer said "Tiada arahan untuk benarkan sesiapa masuk".
12.36 pm	Masjid Jamek near CIMB Bank	Crowd gathered around the leaders who were giving speeches. The crowd seemed to be in good spirits.
12.38 pm	Roundabout Jalan Parlimen	A large group of police officers started making their way towards the roundabout of Jalan Parlimen. The crowd booed and chanted "Rasuah!" at the police officers.
12.38 pm	Masjid Jamek area, Jalan Tun Perak	A monitor saw a strange-looking telecommunication pole mounted on a pick-up truck.
12.40 pm – 1.09 pm	Intersection of Jalan Tun Perak and Jalan Hang Lekiu	Another huge group of people emerged and chanted "Bersih" and were in a jovial mood.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

12.40 pm	Klang River bank from BC building heading towards CM	Monitors asked police to let them through the bridge from CM to Kompleks Dayabumi but were told firmly that nobody was allowed to pass through. This was even after monitors identified themselves as Bar monitors. Monitors were told to find another route to Masjid Negara.
12.42 pm	In front of BC Building, Leboh Pasar Besar	A crowd of rally participants sat in front of BC building peacefully, and occasionally sang Negaraku. Monitors noticed there were 3 layers of barricades with razor wire set up by the police between BC building and Agro Bank. A huge number of police officers were seen standing in the area. The crowd size was likely around 2,000 people.
12.44 pm	Brickfields	A Police Bantuan car (with Pos Malaysia logo at the side) went through the crowd slowly and was cheered by the crowd. Crowd gave way for the car to pass through.
12.45 pm	Along Jalan H.S. Lee and Jalan Tun Tan Cheng Lock	Some monitors were at the junction of Jalan Tun HS Lee and Jalan Tun Tan Cheng Lock (in front of CIMB Bank). A Chinese Restaurant Kedai Kopi Lai Foong was opened for business and crowded with patrons. People were sitting, standing, walking, taking photos, video taking and taking their lunch peacefully along the street. Three male and two female traffic police officers could be seen controlling the traffic.
12.45 pm	CM	Bar monitors proceeded along Klang River bank towards CM. Saw roughly about 5,000 people gathered at CM car park.
12.46 pm	Masjid Jamek, the stretch after CIMB Bank	Police walked through the crowd, refused to shake hands with Rally participants reached out to them with words of encouragement and friendship, some even handed flowers to the police officers.
12.46 pm - 1.00 pm	Royal Selangor Club	Police truck beside Royal Selangor Club (in front of Bank Rakyat and Bank Negara roundabout) started ringing bells and FRU took aggressive position. Police blocked off entrance to Royal Selangor Club from its members trying to gain access, including wheel-chair bound Karpal Singh, accompanied by his son who was pushing him along.
12.48 pm - 1.12 pm	Jalan Tun HS Lee and Jalan Tun Tan Cheng Lock	Huge crowd estimated at 3,000 walked peacefully from Jalan Tun H S Lee, passed the junction of Jalan Tun Tan Cheng Lock towards Jalan Pudu. 10 men in red t-shirt held and locked their arms to each other to form a line and seemed like inviting by-standers, in Bahasa Malaysia and Mandarin, to join them and walk as a group. The crowd chanted "Hidup Bersih" and sang Negaraku. Penang state flag could be seen. Some participants were holding carnation, roses and chrysanthemums. The number of people was growing, estimated more than 10,000 of them walking from Jalan Tun H.S. Lee

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

		towards Jalan Pudu. A truck filled with people in Bersih t-shirts passed by. Traffic police officers did not interfere and helped to control traffic. People chanted “Malaysia Bersih”, played kompang and drums, sang “bersih, bersih, bersih...”. Kedah State flag could be seen. People kept on chanting “Hidup Rakyat”, holding Malaysian flag and Stop Lynas banners. Kelantan state flag could also be seen.
12.50 pm	CM	There was already a big group of participants at CM.
12.50 pm	From Jalan Hang Lekiu, to Jalan Sultan, and Jalan Petaling	Rally participants from Jalan Sultan merged with crowd from CM and gathered in front of BC building.
12.54 pm	Near DBKL Building	Two ambulances spotted on standby at Jalan Parlimen. 1 ambulance and 1 fire truck spotted at the entrance of Dewan Bandaraya Kuala Lumpur (DBKL) building.
12.55 pm	Intersection of Jalan Parlimen and Jalan Tun Perak	Helicopter spotted flying across. The crowd at Jalan Parlimen got up and walked towards Jalan Tun Perak. Half of Jalan Parlimen cleared of participants. FRU spotted near the roundabout of Jalan Parlimen in full gear.
12.55 to 1.50pm	CM	The two groups of rally participants at CM and Brickfields merged. The participants were in a jovial mood, taking photographs and chit chatting, while waiting for the event to start. At about 1.30 a column of policemen marched past the crowd.

1.00 pm – 2.00 pm		
Time	Location	Incident
1.00 pm	Royal Selangor Club	Police asked the crowd to disperse. The crowd moved back, but police advanced in from the line that the police had created.
1.00 pm	Menara Maybank area	Police stood in front of 7-Eleven convenience store on Jalan Pudu. Plain-clothes police officers walked around with walkie-talkies. There were not that many rally participants here.
1.00 pm	Menara Maybank	Groups of rally participants started arriving possibly from KLCC and Jalan Sultan moving towards Masjid Jamek, estimated 20,000 participants.
1.00 pm	Menara Maybank, Jalan Tun Perak	The crowd in front of Maybank started moving on Jalan Tun Perak towards the direction of the old court building and by 1.07 pm the road was already packed with rally participants.
1.00pm	BC	Karpal Singh was seen being wheeled past the BC building and the crowd

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

	building, Leboh Pasar Besar	seemed excited to greet him.
1.00pm - 2.45pm	Jalan Tun Perak, in front of Masjid Jamek Station	The crowd was cheering and chanting, no hostility, very minor aggression but generally everyone was calm and cooperative. The area was packed, with about 20,000-25,000 (from along Jalan Tun Perak from Dataran Merdeka to Burger King Restaurant).
1.10 pm	Masjid Jamek	A huge crowd gathered peacefully along Jalan Tun Perak. Participants sang and chanted.
1.15 pm	In front of Guardian shop, Jalan Tun Perak	A monitor saw a machine named “Radiowave” on a vehicle bearing plate number “WUJ 842.” Unsure what this Radiowave was.
1.15 pm	Masjid Jamek area, Jalan Tun Perak	Police officers in blue uniform deployed next to Burger King restaurant.
1.15 pm	CM	Some monitors walked back to CM main entrance and saw Bersih co-chairperson, Dato’ Ambiga Sreenevasan present at CM. About 10,000 people sat and stood peacefully, chanting “Hidup Bersih”, “Hidup Rakyat”, “Bersih Malaysia.” No presence of police officers in uniform nor FRUs.
1.16 pm	Masjid Jamek LRT Station	Around 30 police officers stood in 3 rows. Rally participants chanted “Stop Lynas!” and “Bersih.”
1.17 pm	Benteng food court, near Royal Selangor Club	A number of police officers waited there and had their lunch. Many of the rally participants were also there having their lunch. None of the parties disturbed each other.
1.20 pm	Masjid Jamek area, Jalan Tun Perak	Police truck left. Rally participants sang “ole ole”, followed by NegaraKu.
1.25 pm	CM	Dato’ Ambiga was heard giving a speech: “Hari ini hari yang bersejarah. Today is our day. No one can take it from us. Today we speak in one voice, dengan satu suara. Kita mahu pilihanraya yang (people replied: “bersih”), Kita mahu pilihanraya yang (people replied: “bersih”), Kita mahu pilihanraya yang (people replied: “bersih”). At 1.45pm, we will walk peacefully, kita jalan secara aman. No provocation. We are peaceful Malaysians. (crowd cheered) We will walk towards where we are allowed, then we duduk bantah. We have succeeded. Kita rakyat Malaysia

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

		sudah berjaya.” People continued chanting “Hidup Bersih” 3 times and “Hidup Rakyat” 3 times and sang “Suara Rakyat Malaysia”. No presence of police officers in uniform but monitors spotted one Special Branch officer in black-coloured t-shirt with black-coloured cap walking up and down and talking to a phone microphone.
1.25 pm	BC building, Leboh Pasar Besar	Monitors observed a huge crowd of rally participants in front of BC building.
1.27 pm	Benteng Food Court, near Royal Selangor Club	Police officers from the food court suddenly mobilised and formed a human barricade behind FRU personnel who were in aggressive stance. It should be noted that up until this point, the police officers were polite, courteous and helpful towards the people.
1.28pm	Royal Selangor Club entrance	A monitor witnessed Karpal Singh and his son were denied entry into the Royal Selangor Club, but there was no heated argument about this.
1.30 pm	Beside CM	60 policemen formed a human barricade.
1.30 pm	Menara Maybank, Jalan Tun Perak	50 police officers moved towards Kompleks Dayabumi.
1.30- 2.30	In front of DBKL building, Jalan Raja Laut	While passing the police, a Bar monitor overheard a walkie-talkie announcement saying “Bersiap sedia untuk”. The monitor also saw a group of young men carrying black plastic bags filled with rubbish and disposed them into the dustbin.
1.38pm – 2.12pm	Near Dataran Merdeka	A Bar monitor saw a police dog sniffing a bag. The situation was calm amidst very strong police presence. The crowd was peaceful. The crowd gathered in front of the FRU line and took photographs. The police did not respond to this.
1.40 pm	CM	Dato’ Ambiga and her group left CM and was followed by a crowd of rally participants, marching peacefully, chanting “Bersih”.
1.45 pm	CM	CM car park was empty. The crowd had left the area.
1.45 pm	Jalan Tun Tan Cheng	Another huge crowd from the direction of Brickfields heading towards the direction of Menara Maybank. They walked peacefully.

ANNEXURE 1**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

	Lock	
1.45pm	In front of BC building, Leboh Pasar Besar	Rally participants gathered and sat on the road. They chanted Bersih slogans and sang Negaraku. Between two to three ambulances moved in and out of the crowd.
1.45 pm	Intersection of Jalan Tun H.S Lee and Jalan Tun Perak	Two huge groups of rally participants merged and started moving along Jalan Tun HS Lee and soon reached the intersection between Jalan Tun HS Lee and Jalan Tun Perak. The area was full of people. The groups merged with other groups that were already there. A monitor saw an older Malay man in chamber attire, wearing a yellow Bersih tag with the word “Pegum” printed on it. He said he was a lawyer for PAS.
1.46 pm - 1.57pm	Jalan Tun Tan Cheng Lock	Pas Unit Amal led a crowd of people, marching down Jalan Tun Tan Cheng Lock heading towards Menara Maybank and Jalan Tun Perak. Chanted “Bersih”, they seemed to be in jovial mood.
1.55 pm	CM	A group of about 50 police officers in uniform was seen walking from Kompleks Dayabumi towards the Police Post at CM. They were not heavily armed and about 10 of them carried knapsacks. Monitors spotted two SUHAKAM observers.
1.55pm	Jalan Tun Tan Cheng Lock	Rally participants started walking towards Jalan Tun Perak passing through Jalan Tun HS Lee.

2.00 pm – 3.00 pm		
Time	Location	Incident
2.00 pm	CM	Approximately 100 police officers seen in front of CM building.
2.00 pm	CM	A group of about 50 police officers gathered and a short briefing was given to them by an officer. Kasturi Walk was closed to public. After the briefing, police officers walked along Kasturi Walk towards Leboh Pudu.
2.00pm	Jalan TAR	The crowd was in control and most of them sat on the road. The crowd was around 20,000. Most shops were closed.
2.00 pm	Near DBKL building	A huge crowd was already present, various chanting including “Hidup Rakyat”.
2.00 pm	In front of Bangkok Bank, Jalan Tun H.S. Lee	The police deployed earlier in CM started marching down next to Bangkok Bank and stayed at the road next to Bangkok Bank. Some rally participants took photographs in front of the police team.
2.00 pm	CM	Access to Kasturi Walk and CM restricted by Rela and what appeared to be

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

		assisted by 2 police officers not in uniform.
2.05pm	In front of old KTM building	Estimated about 15,000 people left Masjid Negara walking round the old KTM building and heading towards CM.
2.05 pm	Leboh Pudu	About 100 to 120 police officers gathered at Leboh Pudu.
2.10 pm - 2.14pm	Kasturi Walk	Kasturi Walk was closed. Police formed human barricade, barring people from entering the walk. Monitors saw some rally participants took photographs with the police human barricade in their background.
2.12 pm	Leboh Pudu	The police human barricade moved towards Hotel Winsin, moving in the same formation. 10 to 20 policemen left behind to form a line at Leboh Pudu, with their backs facing CM. Participants seen standing or sitting on the road before HSBC building.
2.15 pm	Jalan Tun HS Lee	A group of police officers blocked the road in front of Bangkok Bank.
2.15 pm- 2.25 pm	In front of Bangkok Bank, Jalan Tun HS Lee	About 100 police officers marched towards Bangkok Bank and stopped in front of Bangkok Bank. Some people were seen taking photographs in front of the police officers and police commander named Azran was seen not interfering with the public. One small group of Chinese man and women were scolding police officers in Cantonese and showing bad sign languages and took photos in front of the police officers and yet police officers did not take any action against them. Four women took photographs with Malaysian flag facing down and yet the police officers also did not take action against them. Ambulance was present nearby Bangkok Bank.
2.16 pm - 2.40 pm	Jalan Tun Tan Cheng Lock.	By 2.40 pm, groups of people from Brickfields and Masjid Negara had all walked down towards Menara Maybank. Roads leading to Brickfields were quiet.
2.20 pm	DBKL building area	The crowd was no longer prevented from going into Dataran DBKL. Some took shelter under the shade and some stood near the fountain for a better view.
2.20 pm	BC Building, Leboh Pasar Besar	Some monitors saw traffic police motorcycles and police cars passed by Leboh Pasar Besar and Jalan Medan Pasar.
2.20 pm – 2.30 pm	Jalan Tun Tan Cheng Lock	Some monitors followed the crowd heading to Puduraya direction. Spotted individuals wearing Bersih t-shirts carrying rubbish bags (in front of Petaling Street) urging people to dispose their garbage properly.
2.23 pm	Jalan Raja	FRU officers standing on guard near the FRU red trucks.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

2.25 pm - 2.43 pm	Intersection of Jalan Parlimen and Jalan Tun Perak	The crowd chanted “Buka! Buka! Buka!” Some were standing and some were sitting on the road. Helicopter spotted flying very low.
2.27 pm	Lebuh Pudu	Eight police motorcyles and two police trucks could be seen along Lebuh Pudu towards Hotel Winsin. A small group of participants moving towards the direction of Hotel Winsin.
2.30 pm	Jalan Sultan	A group of men dressed in maroon t- shirt (PAS Unit Amal) gathered the crowd from Jalan Sultan to march towards Menara Maybank on Jalan Tun Perak. The atmosphere was peaceful.
2.30 pm	In front of Bangkok Bank, Jalan Tun HS Lee	Few participants hurled bad words towards the police and the police did not take any action against them. Police trucks were seen in the area.
2.30 pm	Jalan Petaling and intersection of Jalan Pudu and Jalan Tun Perak	Monitors passed Jalan Petaling and stopped in front of Menara Maybank. Some representatives of the rally participants delivered speeches. Some participants sat on the ground, while most were standing. The pace of human movement slowed as most people converged into this area and moved along Jalan Tun Perak towards Masjid Jamek LRT station and Dataran Merdeka. The estimated crowd in front of Menara Maybank was around 25,000.
2.30 pm	Intersection of Jalan Tun HS Lee and Jalan Tun Perak	The crowd at the said intersection sat in. There were no problems among the participants and the police up to this stage.
2.30pm	Jalan TAR	The crowd was told to disperse and most of them walked back to leave the area.
2.31 pm	Lebuh Pudu	A police van and a police car moved along Lebuh Pudu towards HSBC. Participants before HSBC dispersed. Less than 100 people left along Lebuh Pudu.
2.40 pm	In front BC building, Leboh Pasar Besar	FRU was present. Rally participants moved towards Jalan Tun Perak.
2.40 pm	Area between Jalan Petaling and	No commotion between the police and rally participants in the area. Monitors noticed that mobile phone signals were lost since 1.30 pm.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

	intersection of Jalan Pudu and Jalan Tun Perak	
2.40 pm	In front of DBKL building	A monitor noticed police officers ran backwards towards the police trucks. The monitor did not hear any warning sound given by the police but then water cannons sprayed and tear gas fired towards the crowd. The crowd dispersed towards DBKL building. DBKL officers did not allow the crowd to take cover in the area.
2.40 pm – 3.30 pm	Near Sogo, Jalan Tunku Abdul Rahman (TAR)	A monitor saw one of the Bersih steering committee members delivered a speech to rally participants. He thanked the participants for their attendance and told them to disperse. One of the alleyways was filled with tear gas. Monitors saw a group of policemen stood near a police station and just watched the crowd.
2.42 pm	In front BC building, Leboh Pasar Besar	Over 10,000 people, sitting and standing, chanted “Bersih”. Heavy presence of police officers and FRU seen near the riverside. Rally participants stood behind the razor wires.
2.42 pm- 2.43 pm	In front of BC building, Leboh Pasar Besar	FRU trucks were behind the barricade on the bridge.
2.43 pm	In front of Bar Council building, Leboh Pasar Besar	FRU trucks appeared. Police officers formed a human wall.
2.43 pm - 3.05 pm	Leboh Pasar Besar	Rally participants mingled and were taking their lunch.
2.47pm	Near Benteng Food Court	Police officers formed a human barricade and were seemed to not allowing the rally participants who wanted to disperse to pass through. A few of the rally participants were seen negotiating and arguing with the police to allow them to leave. Two BC monitors wanted to pass through and were allowed to do so after they showed the Bar PEMERHATI tags to the police. One police officer was instructed to escort the two monitors to go near Benteng food court.
2.50 pm	Near Dataran Merdeka, Jalan Raja	Police seen running towards FRU red trucks on Jalan Raja. The Crowd started to move towards Jalan Raja, shouting “Masuk! Dah pecah!” Red trucks moved slowly forward and water cannons were fired. Crowd retreated slowly but some surged forward towards the trucks.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

2.53 pm	In front of BC building and Klang River bank, from BC building towards Masjid Jamek	Some monitors left BC building and moved towards Jalan Tun Perak via the Klang river bank. The atmosphere in the area was still calm and festive. A monitor noticed some rally participants (around five people) had breached the cordoned-off area and were giving flowers and taking pictures with the FRU officers.
2.53 pm	Jalan TAR	A monitor saw police launched water cannons and fired tear gas without any warning. The crowd ran helter skelter. Tear gas was fired almost non-stop.
2.55 pm	In front of BC Building, Leboh Pasar Besar	Monitors noticed the crowd in front of BC building started moving towards Jalan Tun Perak. Monitors followed the crowd.
2.55 pm	Jalan Tun Perak / Masjid Jamek / Jalan Hang Lekiu	A huge crowd had gathered on Jalan Tun Perak. Monitors noticed water cannon trucks and FRU stationed at Masjid Jamek LRT station. The situation was still peaceful.
2.55 pm	Roundabout next to Royal Selangor Club, Jalan Parlimen	First bell rung by FRU. FRU seen to be retreating.
2.57pm	Near Dataran Merdeka	Rally participants cheered at some Bar monitors and said “Bagi peguam lalu, bagi peguam lalu, peguam pergi sue itu polis!” Monitors made no comment about this and continued their monitoring. Then, the crowd started to panic. The monitors were also in the crowd and felt that they could not move due to the crowdedness. The monitors heard some rally participants shouted “Masuk! Kita masuk!” From far monitors could see water cannons being deployed and tear gas was fired. Then some participants yelled “Undur! Undur!” after the tear gas was fired. However, some of the participants refused to move backward and shouted “Masuk! Kita Masuk!”
2.58 pm	Near Benteng Food Court	FRU rang the bell then they marched in and shot tear gas towards the crowd. The crowd was at the junction of Jalan Tun Perak and Jalan TAR, near Dataran Merdeka and Masjid Jamek.
2.58 pm	Near	Opposite the barricade that was broken into, chaos broke. Tear

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

	Dataran Merdeka	gas was shot. PAS Unit Amal maintained the peace, asked people to keep calm. Mydin store and a number of other shops allowed people to come in their premises and some provided water to the participants.
--	-----------------	--

3.00 pm – 4.00 pm		
Time	Location	Incident
3.00 pm	Leboh Ampang	Some monitors walked towards Leboh Ampang near HSBC building. No presence of police officers in uniform nor FRU. Saw a few people stepped on a poster “Hilter Pahang- resign now.” About 5,000 people sat peacefully in front of HSBC building, listening to Ngeh Kee Ham’s speech. About 2,000 to 3,000 people were standing or walking around the same area peacefully.
3.00 pm	Masjid Jamek area	Tear gas fired into Jalan Tun Perak and the crowd retreated. Many took left turn into Jalan Melayu (next to OCBC building) but as the other end of the road was blocked off, they had to turn back to Jalan Tun Perak and moved towards the direction to Menara Maybank.
3.00 pm	Masjid Jamek	The area was very packed. The crowd in front of OCBC sat in the on the road. The crowd along Masjid Jamek seemed to be standing/walking/squeezing towards the direction of Dataran Merdeka.
3.00 pm	Near Dataran Merdeka	FRU rang the second bell and water cannon fired at a crowd gathering in front of the Dataran Merdeka (at the Jalan Tun Perak and Jalan TAR intersection).
3.00 pm	Jalan TAR	Bar monitors heard a lot of commotions coming from Dataran Merdeka. From the back road, monitors could see water cannons being sprayed to the crowd. Crowd started running towards Sogo direction from Dataran Merdeka/Jalan Tun Perak. Monitors saw tear gas launched towards the crowd near Dataran Merdeka. Monitors also saw tear gas being launched into Jalan Raja Laut. The situation calmed down after several minutes.
3.00 pm – 3.30 pm	Jalan Tun Perak, in front of CIMB Bank opposite the old court	When first round of tear gas was shot near to the old court building, the crowd started to move down away from Dataran Merdeka, passing CIMB Bank. The crowd initially did not panic but were moving very slowly as it was very crowded. Monitors witnessed tear gas shot into the middle of the crowd, then the crowd started to panic and many were pushing to disperse from the area. A Malay man was seen fainted in front of the OCBC Bank building. Some helped rubbing salt on his face. From the wounds seen on his body, he might have been hit by tear gas.
3.00 pm –	Masjid	Monitors saw the crowd started backing off from Masjid Jamek station and

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

4.00 pm	Jamek / Jalan Hang Lekiu/ Jalan Tun Tan Cheng Lock	some people at the front gestured for the crowd to move back. In the same time, few tear gas shots were fired. The crowd began to move away from Masjid Jamek LRT station slowly, as the area was crowded. Several minutes later, few more tear gas shots were fired. The crowd began to flee the area. Then someone shouted “jangan lari” and everyone slowed down and tried to go to a place without tear gas. Then tear gas was fired towards Jalan Tun Tan Cheng Lock. Monitors ran to CM to seek cover and heard people saying police had shut down the Pasar Seni LRT station.
3.00 pm	Near Dataran Merdeka	Police launched tear gas. The crowd started running.
3.01pm	In front of BC Building, Leboh Pasar Besar	FRU rang the first warning bell.
3.03pm	By the river beside Benteng Food Court	Some of the crowd from Dataran Merdeka crossed the bridge. The police was seen pushing rally participants towards Dataran Merdeka while shouting “Kenapa lari? Pergi balik ke sana!”
3.04 pm	Near Dataran Merdeka	Participants shouted insults aimed at the police though no police officer was sighted. The crowd slowly walking towards the back of the DBKL building along the river bank.
3.05 pm	HSBC, Leboh Ampang	A big crowd was sighted in front of the HSBC Bank building, some were sitting on the road.
3.07pm	By the river beside Benteng Food Court	Some of the rally participants tried to pass through the police human barricade to escape from the tear gas but they were not allowed to pass through.
3.08 pm	Leboh Ampang	A small group of participants sat in the middle of the road, waving green banner. Some participants sat around the roadside or move about. One protestor climbed onto the open back of a 4 wheel drive with open back, parked at roadside to get a better view.
3.10 pm	Junction of Jalan Tun Perak and Leboh Ampang	About 10,000- 15,000 people at the junction of Jalan Tun Perak and Leboh Ampang. A monitor heard people saying “Jangan provoke polis”, “Go Backward”, “Berundur”, “Bersurai”. Then rally participants moved slowly and remained calm.
3.10 pm	Jalan Tun	At the junction of Jalan Tun Perak, where Salon E3 was right opposite the

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

	Perak	monitors and Masjid Jamek LRT station on their left, a monitor heard a few participants shouting "sudah, bersurai". Participants dispersed as told, moved away from the LRT station. A few participants informed the monitors that tear gas had been shot. Monitors heard the bell rang.
3.13 pm	Junction of Jalan Tun Perak and Leboh Ampang	Monitor heard announcement through a hailer "Semua orang diminta berundur", "bersurai".
3.14 pm	Jalan Tun Perak	Rally participants pushed backwards. Heard participants shouting and screaming, some participants shouted 'jangan panik'. The participants dispersed towards HSBC, in making their way out of the area, some chanted "Bersih bersih". Heard someone shouted 'Najib bodoh punya...'
3.15 pm	Burger King Restaurant, next to Masjid Jamek LRT station	Monitors could smell chemical fumes in the air. About 2,000 people were seen in the vicinity of the Masjid Jamek.
3.15pm	Along Jalan Tun Perak, at the corner of OCBC	Police launched canisters of tear gas. Rally participants ran back from the intersection of Jalan Tun Perak and Jalan Sultan Abdul Samad. Jalan Melayu was packed with people, and a monitor saw people running along Jalan Melayu from the direction of Masjid India. The people said tear gas was fired from the Masjid India direction.
3.15 pm	Jalan Raja Laut	A crowd of people moved to Jalan Raja Laut to join another crowd. Wong Chin Huat, Bersih Steering Committee members being hoisted up on a rally participant's shoulders led the chanting.
3.15 pm	In front of Guardian, Jalan Tun Perak	A rally participant shouted "Sudah Bersurai" and "Please don't provoke the police". Tear gas was shot. Participants booed the police.
3.15 pm	Masjid Jamek area	Monitors arrived at Masjid Jamek and tear gas was fired in the area. People were pushing and shoving. Monitors moved towards the direction of Bar Council building. In front of HSBC, there was another group seen moving from the direction of Bar Council building to Masjid Jamek. Two groups moved away from tear gas with the only way out was blocked by a fence. A large crowd jumped over the fence. The situation was like a stampede, everyone asked the other to slow down and not to push each other. Eventually the situation was under control as the crowd started to grow smaller. Monitors had also to endure the tear gas.
3.15 pm	Jalan Tun	A monitor heard three shots of tear gas were fired. Smoke (tear gas) could be

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

	Perak	seen coming from Masjid Jamek LRT station. People kept chanting “Bersih” louder and in an increasing speed. People moved slowly leaving Masjid Jamek towards different direction. Monitors moved towards HSBC building. Monitors were in a centre of a crowd, with a size of about 30,000 people. People were shouting “Jalan! Jalan! Tear gas datang!” Two more shots could be heard. People continued chanting “Bersih”.
3.15 pm	Dataran Merdeka towards Masjid Jamek	Some people started running away from the direction of Dataran Merdeka/Masjid Jamek towards HSBC on Leboh Ampang. People were panicking. Monitors saw clouds of tear gas coming from Dataran Merdeka's direction.
3.16 pm – 3.20 pm	Masjid Jamek Station	People moved slowly, chanting “Bersih”. No violence was seen. People moved back towards Masjid Jamek LRT Station.
3.17 pm	Jalan Tun Perak	Shops around the junction of Jalan Tun Perak closed. Shouting and chanting got louder.
3.20 pm	Wisma Kraftangan, Jalan Tun Perak	A monitor witnessed three rounds of tear gas released in front of Wisma Kraftangan. Some monitors went into Wisma Kraftangan, one monitor was left outside. Monitors witnessed people getting arrested by the police in the area.
3.20pm	Jalan Tun Perak	A monitor saw a person in Pas Unit Amal uniform collecting bottles and cans from the road and putting them into a plastic bag. Then saw smoke from Dataran Merdeka direction, and people hurrying their way from Dataran Merdeka direction.
3.20 pm	In front of KFC Restaurant, Jalan TAR	After the tear gas shots, monitors observed that rally participants were helpful with one another. Some handed tissues, salt and water when necessary. Bar monitors noticed they could not call neither sms on their mobile phones, there seemed to be no mobile connection.
3.20 pm - 3.30pm	Jalan Tun Perak	Monitors saw many participants affected by tear gas, and the crowd chanted "Reformasi".
3.20 pm	In front of Dataran Merdeka, at the intersection of Jalan Tun Perak and Jalan TAR	More tear gas and water cannon fired towards the crowd opposite the DBKL building from Dataran Merdeka area.
3.20 pm	Jalan TAR	Many rally participants suffering from the effects of tear gas were seemed coming into Jalan TA, some walked away from Dataran Merdeka, while a majority was adopting a wait-and-see attitude while recovering from the tear

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

		gas.
3.23 pm	Masjid Jamek area, Jalan Tun Perak	Monitors at Masjid Jamek area witnessed tear gas being fired from left and right of Masjid Jamek. The monitors had nowhere to run and felt the tear gas was not meant to disperse the crowd, but to "corner" the crowd. The left and right side of Masjid Jamek were filled with smoke of tear gas. Monitors tried running taking the straight route, but then noticed the straight route towards Jalan Tun Perak was also filled with smoke of tear gas. Monitors felt trapped. Monitors ran to Jalan Raja Chulan for cover.
3.24 pm	Jalan Tun Perak	Some monitors saw a staff of 7/Eleven convenience store locked the door and refused to let rally participants in. Some of the participants tried to reason with the staff to open the door to let them buy mineral waters as they were hit by tear gas and some of them agreed to pay the staff at the door and asked the staff to pass the goods to them. The participants also told the staff they would not rob the store. The staff relented and opened the door enough to let one or two people to go in.
3.25 pm	Jalan TAR	FRU started moving into Jalan TAR and launched canisters (about two or three) of tear gas into Jalan TAR just before the Laman Tunku Abdul Rahman (Laman TAR). The crowd started running towards Kamdar store and towards Lorong Gombak. FRU fired another one or two canisters of tear gas into Jalan TAR.
3.25 pm	Burger King Restaurant, Jalan Tun Perak	Burger King Restaurant was opened for business. Monitors met a male rally participant who told the monitors he was hit by a tear gas canister. A monitor took a photo which showed the canister's mark on the participant's back.
3.25pm	Leboh Pasar Besar	A monitor observed that the crowd was not allowed to disperse properly. FRU aimed water cannons directly towards the crowd. Some participants picked up items like rocks and water bottles and hurled those back towards the police/FRU.
3.26 pm	In front of DBKL building	FRU seen charging towards the crowd on Jalan Raja Laut. FRU was also seen heading towards Masjid Jamek on Jalan Tun Perak.
3.27 pm	In front of McDonalds Restaurant, Jalan Tun Perak	A young couple informed the monitors they together with other rally participants were trapped in the Masjid Jamek LRT station and tear gas was fired into the station by the police.
3.28 pm	In front of OCBC, Jalan Tun Perak	An ambulance passed through towards OCBC Bank building. There was still a crowd left around the area after firing of tear gas.
3.29 pm	Jalan TAR	FRU officers were at the end of Jalan TAR. Monitors saw about 10 to 15 rally

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

		participants stood near Laman TAR on the road, hurling taunts and insults towards the FRU.
3.30pm	In front of DBKL building, Jalan Raja Laut	A reporter from a Chinese Daily complained to the Bar monitors that the police had snatched and smashed his camera and he was also kicked by the police.
3.30 pm - 4.00 pm	Jalan Gereja, Jalan Tun HS Lee leading to Pasar Seni LRT station to CM	FRU blocked almost every way towards BC Building, Dataran Merdeka and Masjid Jamek. Many rally participants were angry with the police actions, some said the police had gone too far this time.
3.30 pm	Masjid Jamek LRT station, Jalan Tun Perak	Another round of tear gas fired. Monitors could not estimate how many shots were fired as they were trying to move away from the scene. Participants passed around salt and water to one another. People were shouting “Jangan Panik!”, “Jangan tolak!” Bar monitors heard few shots more of tear gas when they were moving out from the exit of the Masjid Jamek LRT station.
3.30 pm	Jalan TAR	Tear gas attacks on Jalan TAR. Crowd started running to escape and some went into the nearby shop lots.
3.30 pm	Masjid Jamek Station	Crowd chanted “Bersih”. Some two to three rally participants collected rubbish on the road and put them in rubbish bin. Tear gas was fired from the direction of the old Magistrate court building towards the participants in front of Masjid Jamek LRT station.
3.30pm	Masjid Jamek LRT Station, Jalan Tun Perak	In the area between Masjid Jamek LRT station and OCBC Bank, the crowd was running towards the direction of Menara Maybank on Jalan Tun Perak. Police was chasing them and arrested some individuals. Tear gas was fired and a few canisters landed on the road in front of Bar monitors. Monitors saw a few of the rally participants picked up the tear gas canisters and threw them back at the police, or kicked the tear gas canisters back to the police. The police chased and arrested a few people. A monitor saw a few police officers beat up a rally participant. Most of those arrested were not beaten but were escorted by two or three policemen.
3.30pm	Jalan Tun HS Lee, Jalan Hang Lekiu, Jalan Tan Siew	Most of the roads leading to BC building seemed to be blocked by the police. Among the roads blocked were Jalan Tun HS Lee, Jalan Hang Lekiu, Jalan Tan Siew Sin and Lebuhraya Pudu. Monitors noticed their mobile phone connection was interrupted as they could not contact anyone either via call or sms.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

	Sin, Lebu Pudu	
3.30 pm	Masjid Jamek LRT station (on OCBC Bank side), Jalan Tun Perak	Monitors reached Masjid Jamek LRT station and were informed by a group of men that they were trying to leave Jalan Tun Perak by using Jalan Melayu (the road between OCBC Bank and the LRT station) but the road had been sealed off by the police, as such they had to come back to Jalan Tun Perak.
3.31 pm	Jalan Tun Perak	Tear gas was fired towards the direction of the crowd. A monitor glanced for a few seconds at the direction where shots of tear gas were fired, though far away from the source and amidst smoke emitted from tear gas, the monitor saw two shots of tear gas directed upwards before dropping down.
3.31 pm	Secret Recipe Restaurant, in DBKL building	A commotion broke as rally participants went into Secret Recipe Restaurant to seek for cover from the tear gas and water cannons. The DBKL officers chased them out of the restaurant.
3.32 pm	Masjid Jamek area, Jalan Tun Perak	Monitors observed another round of tear gas. Some people ran away from Masjid Jamek area. The crowd seemed to be wanting to disperse before the tear gas was shot but the area was too crowded for them to disperse immediately.
3.33 pm	In front of Masjid Jamek LRT station.	The crowd ran helter skelter as the police started firing tear gas. Some individuals in the crowd retrieved the tear gas canisters and threw them back at the police.
3.35 pm	BC Building, Leboh Pasar Besar	Police fired tear gas. BC security guards asked monitors to come in and shut the shutter down. Inside BC building, some monitors witnessed the FRU taking over Leboh Pasar Besar and saw water cannon fired into the crowd and then directly into a solitary individual huddled on the bridge. The water cannons were fired for about 20 seconds.
3. 35 pm – 3.45 pm	Masjid Jamek area	A monitor saw a few policemen banged on the shutters of a restaurant, demanding the shutters to be opened. As soon as the shutters were opened the police shouted at the people in the restaurant and asked them to leave. During that incident, the police tried to prohibit us from taking photographs. Monitors noticed that the police officers did not have their name and their ID number on their uniforms. The police asked monitors to stop taking photographs, but monitors continued recording the incident.
3.37 pm	Around Sogo Shopping Centre,	Some of the monitors ran from the direction of Dataran Merdeka up to Sogo building. The situation seemed to be chaotic on the street as allegedly a police vehicle hit two rally participants in front of Sogo shopping centre and injuring them.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

	Jalan TAR	
3.39 pm	BC Building, Leboh Pasar Besar	The area in front of BC building was almost empty. A number of uniformed policemen/FRU officers were seen in the area. A small group of participants shouted at the FRU (along Medan Pasar). A uniformed officer fired three shots of tear gas towards the participants. It seemed the shots were aimed at the participants as they were not fired upwards. About seven police trucks were moving from behind the police barricade towards Jalan Hang Lekiu.
3.40 pm	Laman TAR, Jalan TAR	FRU moved up on Jalan TAR and took position at Laman TAR, just before the Coliseum Theatre. There was a standoff between the police and rally participants in front of the Coliseum Theatre and the opposite side of Laman TAR on Lorong Gombak. There were an FRU truck and water cannons, with approximately 30 FRU officers in the area. The crowd of rally participants on Lorong Gombak was around 100 persons. Monitors witnessed an individual forcibly being taken away by three FRU officers. The individual was seen standing outside the public toilet near Laman TAR, looking at his mobile phone when he was taken away. Monitors wanted to capture this but an FRU officer said she would be arrested if she insisted taking photographs.
3.40 pm	BC building, Leboh Pasar Besar	The road in front of BC was empty. A group of about seven rally participants in yellow t-shirts and green t-shirts passed by and headed towards CM. FRU trucks were parked along Leboh Pasar Besar in front of OCBC, and FRU officers seemed to be shooting towards the direction of Bangkok Bank on Jalan Tun HS Lee.
3.40 pm	Leboh Pudu	In front of Leboh Pudu, about 40 to 50 FRU officers were standing in one line at the junction of Jalan Medan Pasar. Only few people were around the area. The road was wet with what seemed to appear as bubbled white water. Two FRU officers fired tear gas at the five to six individuals while the monitors passed through the FRU team. A monitor heard an FRU officer shouted "Cukup! Cukup!" Some FRU trucks passed by Bar Council building heading towards Jalan Hang Lekiu and stopped 500 meters away from BC building.
3.40 pm	Wisma Kraftangan, Jalan Tun Perak	Police officers were chasing away participants and trying to arrest them in front of Wisma Kraftangan. In the chase, one malay male (around 30 years old), in a yellow Bersih T-shirt fell down in the middle of the road of Jalan Tun Perak (in front of OCBC Bank). Suddenly the malay male was surrounded by some five to six police officers and these police officers were seen beating him. Monitor was unsure whether the man got arrested.
3.40 pm	Menara Maybank	A monitor moved towards Masjid Jamek from Menara Maybank and tear gas was fired in front of Menara Maybank. The monitor then moved towards Kota Raya to avoid the tear gas.
3.40 pm –	Masjid	The area in front of Masjid Jamek LRT station was then cleared of

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

4.00 pm	Jamek LRT Station, Jalan Tun Perak	participants (except for those who were assembled in Masjid Jamek). FRU moved into the area and two groups of the FRU were deployed in the area. One group was facing the participants who regrouped in a short distance further up along Jalan Tun Perak. This group of participants was still chanting and facing off with the police. The second group of FRU officers was in a line facing the rally participants who were holed up in the Masjid Jamek compound.
3.41 – 3.44pm	Intersection of Leboh Pasar Besar and Jalan Hang Lekiu	An FRU truck went down Leboh Pasar Besar. The truck stopped at the junction of Leboh Pasar Besar and Jalan Hang Lekiu and fired both sides towards Central Market area and towards Masjid Jamek area.
3.42 pm	Masjid India	Some police officers were seen banging the metal shutter of Jai Hind Restaurant at Jalan Masjid India asking rally participants to come out of the restaurant. Some of the rally participants replied that the owner allowed them to stay inside. The police still shouted for them to come out and the police also shouted at some of the BC monitors not to take photographs. Monitors noticed some of the police officers did not have any identification on their uniforms.
3.45 pm	In front of BC Building, Leboh Pasar Besar	An individual informed monitors that tear gas was fired from both ends – one from the direction in front of Masjid Jamek and another one from the back of HSBC building. Police officers continued shooting tear gas at rally participants. Another three to five shots could be heard. Some monitors could also heard the bell rang. About 50-80 police officers and 30 FRUs formed human barricade near the bridge (about 100 meter from BC building). The razor wire had been removed.
3.45pm	Masjid Jamek LRT station	Some rally participants on the Masjid Jamek LRT station deck from above started hurling things towards the police, seemed like water bottles and shoes.
3.45pm to 3.50 pm	Lorong Gombak, near Jalan TAR	<p>Taunts were going back and forth between FRU officers and a few rally participants. An individual walked into Laman TAR and taunted the FRU. The FRU retaliated by firing a shot of tear gas into the back road. The shot appeared to be fired at a level position.</p> <p>An FRU officer holding the tear gas launcher continued to taunt the crowd on Lorong Gombak across Laman TAR. FRU officers facing the crowd on Jalan TAR appeared calmer and were holding the line without engaging with the crowd.</p> <p>A second and third canister of tear gas was launched towards Lorong Gombak. The shots also appeared to have been fired at a level position resulting in the canisters landing in the open space parking lot behind Coliseum Theatre. Meanwhile, four to five individuals continued taunting the FRU with insults.</p>

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

3.45 pm - 4.00 pm	Intersection of Jalan Raja Chulan and Jalan Tun Perak	Monitors observed tear gas being fired in the Masjid Jamek area.
3.46 pm	Near BC building, Leboh Pasar Besar	A monitor noticed two FRU officers opened a new box of tear gas canisters. The FRU officers then noticed the monitors were taking their photographs. Right after that, the FRU officers fired two or three shots of tear gas, as if they were directed at the monitors and two other photographers. There were also a group of about 20 to 30 rally participants walking towards Seng Nam Restaurant from Masjid Jamek direction. Monitors ran into BC building for cover.
3.46 pm	Intersection of Lorong Tuanku Abdul Rahman and Jalan Melayu	Monitors observed a stand-off between a group of some 30 police officers and a large group of rally participants near Blue Sky Hotel. One rally participant threw a rock at the police. Soon after, both police and rally participants started throwing objects to each other including rocks and helmets.
3.49 pm	Wisma Kraftangan, Jalan Tun Perak	A few lawyers and non-lawyers escaped into Wisma Kraftangan. Some monitors stood at the main entrance of Wisma Kraftangan, behind the main glass door facing Jalan Tun Perak. Monitors were taking photographs of the situation on Jalan Tun Perak. A few police officers saw the monitors and one shouted "Simpan!" to the monitors. One of the police officers tried to open the glass door. Monitors told the police officers that they were in the Kuala Lumpur Bar building (Wisma Kraftangan) and there were lawyers inside. Monitors stopped taking photographs in the presence of the police officers.
3.50 pm	In front of BC Building, Leboh Pasar Besar	Some monitors went to the opposite side of BC building to take a view from the river bank but their movement was stopped by a plain-clothed police officer, saying he could not allow the monitors to stand together or near the police officers. Monitors heard FRU officers fired a few shots of tear gas at Jalan Hang Kasturi.
3.50 pm	In front of DBKL Building, Jalan Raja Laut	A man who was arrested was beaten up by a police officer as he tried to cover his face when a photographer wanted to take a close-up picture of him.
3.50 pm	In front of Masjid Jamek LRT station, Jalan Tun Perak	Some rally participants threw water bottles at the police from the elevated platform at Masjid Jamek LRT station. Two police officers on separate occasions told a group of Bar monitors stationed in front of OCBC Bank to stop taking photographs.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

3.50pm	in front of “Restaurant Dapur Kampung” next to Wisma Kraftangan, Jalan Tun Perak	Police forced open the shutter of a restaurant and charged into the premise. A monitor saw some police officers hit some rally participants and about two people were arrested. Police then asked rally participants at the first level of the restaurant to leave. As participants stepped out of the restaurant, a senior-looking possibly a police man, in plain-clothes shouted at the participants using words like “Bodoh, banggang, ingat nak jadi hero ke? ...pakai tudung pun buat benda tak berfaedah...” Another individual, also in plain clothes, presumably a police officer, clapped his hands and mocked the participants who were leaving the restaurant in an orderly fashion. Suddenly, one police officer came and grabbed a Bar monitor’s camera and this group of Bar monitors was surrounded by about eight police officers demanding them to hand over the camera and/or delete the photographs on the spot. A monitor told the police officers politely that they were Bar monitors and one of the officers in plain clothes said “lu orang loyar semua putar belit cerita”. A monitor explained to the police officers that the monitors were carrying out their duties and if the police wanted their cameras the police must arrest the monitors first. After telling the police that they did not take any pictures and kept the cameras in the bag, the monitors made their way out of the restaurant. Upon leaving the restaurant, monitors witnessed tear gas was fired indiscriminately towards rally participants on Jalan Tun Perak.
3.50pm	Jalan Hang Lekiu	Police fired about 3 shots of tear gas down Jalan Hang Lekiu. The tear gas was fired towards BC building, two hit HSBC building, and one lands in front of Seng Nam Restaurant. Groups of people were seen running back to Jalan Tun Perak.
3.50 pm - 3.53 pm	Lorong Gombak, near Jalan TAR	A number of the rally participants chanted “Anjing! Anjing! Anjing!” towards the FRU and police officers. An agitated participant continued taunting the FRU at a distance, asking the FRU to move into Laman TAR. The FRU officer who fired tear gas earlier lifted his tear gas launcher and aimed at the participant taunting him as if he was holding a rifle. The participant remained at a distance and individual taunts were heard, joined by other participants on Lorong Gombak.
3.51pm	In front of DBKL building, Jalan Raja Laut	DBKL officers shouted at Bar monitors to go back and not to poke their nose in the area. Members of the press were also seen being prevented from venturing further towards Sogo shopping centre.
3.53 pm	In front of Masjid Jamek LRT Station	Police shouted at the media and some of Bar monitors present in the area and rudely demanded them to leave the area.
3.54pm	BC Building, Leboh Pasar	A group of police officers in uniform made a human line on the bridge in front of BC Building. A monitor noticed that most of the police officers had no name tags and ID number on their uniforms.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

	Besar	
3.53 pm - 3.55 pm	Lorong Gombak, near Jalan TAR	Rally participants on Lorong Gombak continued to throw taunts at the FRU asking the FRU to go home and leave them alone as they had not caused any disturbances. Meanwhile, the crowd on Jalan TAR started chanting "Bersih! Bersih!" Crowd on Jalan TAR appeared to still be in the thousands. An angry participant started taunting the FRU again, this time by walking into the centre of Laman TAR. Other participants did not follow him and most of them remained at a distance choosing to hover on the back road. The angry participant then walked back towards Lorong Gombak after a minute.
3.54 pm	In front of BC Building, Leboh Pasar Besar	Tear gas was fired at the corner of the closed Seng Nam Restaurant, opposite BC Building. Two more shots of tear gas were fired. Around 30 officers with shield at the barricade along Jalan Raja, next to BC building. Police officers fired tear gas towards Medan Pasar. Four FRU/police trucks and 15 - 20 police/FRU officers created a wall facing the direction of Jalan Hang Lekiu, a small distance away from Medan Pasar junction.
3.55 pm	In front of BC Building, Leboh Pasar Besar	More people crossed the junction towards Jalan Hang Kasturi. FRU came over near BC building and started chasing people away.
3.55pm	Jalan TAR	Rally participants and the FRU seemed to be calming down. The crowd on Jalan TAR kept on chanting "Bersih! Bersih!" Some participants were seen to be looking for options to leave the area.
3.57 pm	In front of BC Building, Leboh Pasar Besar	A red police truck drove passed the monitors towards Jalan Hang Lekiu. A small group of participants (10 to 15 people) walked past Restaurant Annexe Nasi Kandar towards BC building. Three to four shots of tear gas fired. Police turned to barricade the direction of the restaurant.
3.57 pm	Jalan Parlimen and Jalan Raja	No sight of rally participants in the area but Jalan Raja was still barricaded. The razor wire had been squashed and moved to the side.
3.57pm to 4.00pm	Lorong Gombak, Jalan TAR	The FRU appeared active again. They aimed tear gas launchers at the crowd on Lorong Gombak. FRU fired a tear gas canister into the crowd on Jalan TAR. A rally participant thrown back the canister and landed between the FRU and the crowd. A red truck was seen moving in very fast from the direction of Sogo to where the FRU officers were standing, and a water cannon truck was seen moving into Jalan TAR. A Bar monitor moved forward to take closer shots of the FRU officers but an FRU officer approached the monitor in a very intimidating manner and demanded the monitor to back off and to stop recording. The FRU officer

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

		<p>taunted Bar monitors and rally participants by waving his baton and shield whilst standing at the edge of Laman TAR.</p> <p>Tear gas was again fired into the crowd on Jalan TAR. Someone picked up the canister and threw back at the FRU. An FRU officer kicked the canister back to the crowd but the canister ended in the space between the FRU and the crowd on Jalan TAR. Monitors could still hear the crowd shouting “Anjing! Anjing!” to the FRU.</p> <p>Some individuals on Lorong Gombak started hurling objects at the FRU. A member of the PAS Unit Amal raised his hand and walked towards the crowd on Lorong Gombak asking the crowd not to throw things.</p> <p>Two police officers arrested a man in Lorong Bonus next to the shop called Aved Sutra and were forcing the man to move his way from the back of Lorong Bonus towards the police truck on Jalan TAR.</p>
3.59 pm	In front of Masjid Jamek, Jalan Tun Perak	A stand-off between the FRU, the police and rally participants took place. The rally participants were in the Masjid Jamek compound.

4.00 pm – 5.00 pm		
Time	Location	Incident
4.00 pm	In front of BC Building, Leboh Pasar Besar	One FRU water cannon truck passed by in front of BC building towards Jalan Hang Lekiu. Another three to four shots of tear gas could be heard from the direction of BC building. Only a few people, less than 10 were within the area of BC building or near to the FRU and police team at this time.
4.00 pm	BC building, Leboh Pasar Besar	FRU officers lined up at the T-junction of Jalan Hang Kasturi and Medan Pasar. A monitor heard the FRU and police officers were cheering before they fired six shots of teargas at the opposite direction. Monitors checked the direction where the tear gas shots were fired and monitors saw there were only few people in that direction (less than 10).
4.00 pm	Jalan TAR	Monitors were approached by a lady who informed that her camera’s memory card had been confiscated by the police.
4.00 pm – 4.30 pm	CM	Many police officers were in the area. A young man approached a monitor and informed that he was shot by the police at his abdomen by what he suspected to be a plastic gun. He was wounded and bleeding. The man claimed the police shot at him even though he was not protesting and he was prepared to disperse. He was not in either green or yellow t-shirt.
4.00 pm	Jalan Sultan	Monitors observed police/FRU officers chasing people away and tear gas being fired.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

4.00 pm	In front of McDonalds Restaurant, Jalan Tun Perak	A stand-off between the FRU and rally participants in front of McDonald's Restaurant. There were four FRU trucks in front of the restaurant.
4.00 pm	Intersection of Jalan Tun Perak and Jalan TAR	Monitors saw members of the press being pushed back and ordered to stay there and not venture into Masjid Jamek area. Photographers from the press informed monitors that police had hindered their work.
4.00 pm	Lorong Gombak, Jalan TAR	FRU launched water cannons towards the crowd on Jalan TAR and across Laman TAR towards Lorong Gombak. A few individuals continued insulting and throwing objects towards the FRU from a distance. The crowd on Lorong Gombak gathered again. There were about 100 - 200 people in the crowd. About six to eight individuals continued to hurl abuses and insults from Lorong Gombak towards the FRU across Laman TAR at Jalan TAR. The group yelled "Anjing kurap! Anjing kurap!" towards the FRU.
4.00 pm onwards	Leboh Ampang towards BC building	Monitors moved towards Leboh Ampang junction and felt tear gas in the air. Monitors then moved towards an open car park opposite the HSBC building. Monitors were standing behind an FRU truck but were then chased away by the FRU.
4.03 pm	Lorong Gombak, Jalan TAR	The FRU water cannon truck charged towards the crowd on Jalan TAR. It appeared that the initial spray may have short circuited the electricity wiring of the shops on Jalan TAR. Some participants ran towards the back of Lorong Gombak for protection. As the water cannon truck moved past Laman TAR, water was discharged towards the opposite side of the square at Lorong Gombak where the monitors were standing. The truck then reversed slightly and started spraying at the crowd across the Laman TAR.
4.05pm	Intersection of Jalan Tun Perak and Jalan TAR	Monitors saw some arrests taking place. Monitors were not allowed by the police to head back towards Masjid Jamek for them to go back to BC. Monitors were told to wait at the intersection.
4.05 pm	Jalan TAR	Monitors moved to Coliseum Theatre at Jalan TAR and observed confrontations between the FRU and rally participants. Monitors went to stand beside the FRU line and showed their PEMERHATI tags to the FRU. The FRU officers refused to let the monitors stay there and forced monitors to leave.
4.06 pm	Lorong Gombak, Jalan TAR	Some participants in the crowd on Lorong Gombak threw stones at the FRU. The FRU shot two canisters of tear gas into Lorong Gombak. The canisters were picked up by some of the participants and were thrown back into Laman

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

		<p>TAR.</p> <p>Some of the rally participants appeared very pleased with this action and started cheering. Some individuals were seen picking up broken pieces of cement/concrete and threw them at the FRU, while some of the participants shouted and asked others not to throw things at the FRU.</p>
4.10 pm	Jalan Masjid India and Jalan Tun Perak	Police allowed people from Jalan Masjid India to exit to Jalan Tun Perak. Earlier many of the participants were trapped on Jalan Masjid India as it appeared the exit at the other end was also blocked.
4.10 pm	Jalan Petaling	A PAS volunteer asked the public to disperse quickly. A few participants seemed to provoke the FRU. Subsequently tear gas was shot towards the direction of the rally participants. Monitors did not hear any warning or bell prior to the shots.
4.10 pm	At BC Building, Leboh Pasar Besar	Some monitors were at Level 1 of BC building and heard another three to four of tear gas in the area. A member of the Bar witnessed the police threw tear gas from HSBC building and smoke could be seen from the roof of the HSBC building.
4.10 pm - 4.15 pm	Jalan TAR and Jalan Masjid India	From Jalan TAR, monitors arrived at an alley blocked by approximately 30 police officers. Monitors wanted to pass through to go back to BC building. Police officers refused the monitors to pass through even after monitors displayed their PEMERHATI tags and showed a letter from BC to the IGP. The police instead asked the monitors to help them disperse the crowd in the alley.
4.12 pm	Intersection of Jalan Tun Perak and Jalan TAR	Monitors saw tear gas being fired at the Sogo area.
4.13 pm	Jalan Dang Wangi	A member of the Bersih Steering Committee gathered a crowd of participants to thank them for a successful Bersih 3.0, and told them to disperse and go home safe.
4.15 pm	Jalan Raja Laut	Crowd ran to Jalan Raja Laut to seek safety from tear gas. A police car passed by and the crowd threw water bottles at the car.
4.15 pm	Menara Maybank	At the top of the escalators, same floor with Starbucks, many participants seemed to be leaving the area. Some group of people walked away from Jalan Tun Perak. At about 4.25pm, a monitor saw an individual threw a trash can on the road (Jalan Tun Perak). The perpetrator then hid behind a tree. Some members of the crowd quickly cleaned up the mess and returned the trash can to its original position or thereabouts. At the same time, a monitor had a conversation with a Police Officer, possibly at the rank of Inspector or higher. He informed the monitor that the Polis DiRaja Malaysia had a command centre at the 22nd floor of Menara Maybank.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

4.15 pm	Masjid Jamek area, Jalan Tun Perak	FRU red trucks moved into Jalan Tun Perak near Masjid Jamek LRT station. Police refused Bar monitors from passing through despite showing their PEMERHATI tags.
4.15pm	OCBC Bank Building, Jalan Tun Perak	Two FRU trucks moved forward and the first one with the water cannon started spraying water at the rally participants. The crowd moved back. At the same time a group of policemen moved into Jalan Masjid India and chased the participants on foot.
4.15pm	Lorong Gombak, near Jalan TAR	The FRU officers were seen to be provoking the crowd on Lorong Gombak by waving their batons and shields at the crowd and the crowd retaliated with more taunts. Some of the rally participants started to gather on the edge of the Laman TAR on Lorong Gombak. Some threw plastics bottles at the FRU. About two to three canisters of tear gas were fired upwards in the area and the tear gas canisters hit the leaves of the palm trees on the edges of Laman TAR. Upon seeing this some of the participants booed the FRU and continued to taunt the FRU.
4.17 pm	Jalan Tun Perak	Water cannons were sprayed towards rally participants gathering at Jalan Tun Perak in front of McDonald's and Burger King restaurants. Tear gas was launched towards rally participants.
4.20 pm	Kota Raya Complex, Jalan Tun Tan Cheng Lock	Tear gas was shot near Kotaraya Complex.
4.20pm	Jalan TAR and Jalan Masjid India	Monitors observed the road was blocked and were informed by some groups of people that they did not know which way to leave as most of the roads heading back to Jalan Sultan, Jalan Petaling and Jalan Tun Perak were blocked by the police. Monitors were informed that LRT stations had been closed, except for Dang Wangi and Pasar Seni stations. Many individuals approached monitors and said they would like to leave the area but could not do so due to police blocks and tear gas.
4.20 pm	Masjid Jamek	When the water cannon stopped firing water, rally participants went close to the truck and water sprayed again and hit about 20 people close to it.
4.20 pm	Lorong Bunus and Jalan Raja Laut	Due to the chaotic situation in the area, the monitors moved away from Laman TAR and walked along Lorong Bunus towards the KWSP building in an effort to find a way back to BC building. As monitors reached Jalan Raja Laut, some individuals approached the monitors and informed that they witnessed people being beaten up by the police on Jalan Raja Laut. At the KWSP building on Jalan Raja Laut, Bar monitors saw there were about 20 - 30 FRU and police officers and several FRU trucks parked on the road, blocking any access to Jalan Raja Laut.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

		<p>Monitors saw three participants asking the police if they could go through Jalan Raja Laut into the direction of Dataran Merdeka, police denied this in a hostile manner. There appeared to be no clear instructions. A man wearing a USM Polo T-Shirt (with spectacles and a backpack), presumably a police officer, shouted at the participants to leave the area and not to approach Jalan Raja Laut. Other roads near Coliseum Restaurant were also closed by the police.</p> <p>A man in dark brown polo t-shirt wearing a blue cap approached Bar monitors and in an intimidating manner demanded the monitors to keep away their mobile phones and cameras. The man did not introduce himself. Bar monitors showed the man their PEMERHATI tags and a letter from BC to the IGP and the man walked away with other police officers.</p> <p>Monitors heard commotions on Jalan TAR and then witnessed a group of between 10 and 15 police officers chasing down rally participants on Lorong Gombak. Five members of the public claimed they witnessed police officers hammered the participants violently while arresting them and these eye-witnesses were prohibited from taking photographs or recording the event.</p>
4.20 pm	In front of Mara Building, Jalan TAR	<p>Police continued firing tear gas. Bar monitors tried getting into Mara Building but it was closed. Shops on Jalan TAR were also closed.</p> <p>Monitors saw a police car passed by and rally participants attacked the police car by throwing plastic bottles and stones at the car. One of the water bottles bounced from the police car and injured a Bar monitor.</p> <p>Another police car passed by and faced the same fate where rally participants threw things at the car. A man ran onto the car and jumped on the car.</p> <p>Two police officers passed by on motorcycles, rally participants also threw plastic bottles to them. A rally participant who seemed like a Bersih supporter, went forward as a human shield to protect other rally participants from throwing bottles to the police officers.</p>
4.21 pm	In front of DBKL, Jalan Raja Laut	<p>Police officers asked rally participants who were detained in front of DBKL building for their ICs. The police officers talked harshly towards them and also shoved the detainees' heads.</p>
4.21 pm	Jalan Tun Perak	<p>The crowd was still on Jalan Tun Perak and water cannon fired again and several tear gas canisters launched.</p>
4.22 pm	Jalan Tun Perak	<p>More rounds of tear gas were fired along Jalan Tun Perak.</p>
4.22 pm	Jalan Raja Laut	<p>A Bulan Sabit Merah (BSM) vehicle stopped in the middle of the road and gave out boxes of water bottles to the crowd. The crowd cheered BSM. Then traffic police on motorcycles drove along the road but the crowd threw water bottles at them.</p>
4.23 pm	In front of McDonald's Restaurant,	<p>The first water cannons were fired into the crowd near McDonald's Restaurant on Jalan Tun Perak.</p>

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

	Jalan Tun Perak	
4.23 pm	Masjid Jamek	Police launched four canisters of tear gas. One after the other and 30 seconds later another shot was fired.
4.24 pm	Masjid Jamek	A monitor saw two policemen arresting a man in black who tried to fight back but was held tightly over his neck by one of the policemen. The man seemed to be carrying a camera bag.
4.24 pm	In front of DBKL building	A monitor saw a youth arrested by the police and then the police punched his face. Monitors could not identify the police officers and noticed that most police officers did not have their names and identification number on their uniforms.
4.25 pm	Jalan Tun Perak	Another round of tear gas was fired, roughly about 5 shots.
4.25 pm	Jalan Raja Laut	Police officers chased rally participants on foot.
4.25 pm	Masjid Jamek LRT Station, Jalan Tun Perak	Two policewomen brought out a middle-aged Malay woman in yellow Bersih t-shirt from the LRT station. The woman resisted. A policeman came and tied the hands of the woman and the two policewomen took the woman away.
4.25 pm	Jalan Raja Laut	Police officers allowed some rally participants to walk into Jalan Raja Laut after some discussions. Monitors heard shots fired on Jalan TAR and continued to see FRU chasing down rally participants.
4.30pm	In front of DBKL building	The urgent arrest team from Bar Council Legal Aid Centre – Kuala Lumpur arrived but was denied access to the detainees. The detainees were later taken towards Dataran Merdeka area.
4.30 pm	KWSP Building, Jalan Raja Laut	Bar monitors stationed themselves at the side entrance of the KWSP building and witnessed the same man in dark brown polo t-shirt and blue cap together with another man in plain clothes approached a few individuals who sought shelter at the same area for their cameras and mobile phones. The man then deleted photographs from the cameras and mobile phones. The individuals confirmed that the two men in plain clothes did not introduce themselves, and the two men were also unaccompanied by any uniformed police officer.
4.30 pm	Jalan Tun Perak	Rally participants regrouped facing off the FRU.
4.30 pm	Near Bar Council building	Heavy police presence in the area although less crowd. Police officers allowed monitors to pass through Jalan Hang Kasturi after monitors showed their PEMERHATI tags and informed that they were heading to BC.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

4.30 pm	Masjid Jamek area	The area was chaotic with people running around. A member of the public who did not participate in the rally complained to monitors that she was running her business beside the Masjid Jamek LRT station near Burger King Restaurant and her daughter was hit by the tear gas canister.
4.30 pm	Masjid Jamek	Monitors saw some participants arrested near OCBC Bank. A monitor took few photographs of these but then a police officer came towards the monitor and shouted "Padamkan!" The monitor refused to respond to the police officer but other monitors responded "dia peguam!" to the police officer. The police officer then walked away.
4.30-5.00 pm	In front of Bangkok Bank	Tear gas continually fired from Bangkok Bank towards China Town direction.
4.30 pm	Jalan Raja Laut	At least 15 traffic police officers on motorcycles rode down Jalan Raja Laut, a rally participant shouted at them. Then, almost all of the 15 officers stopped and a number of them got down from the motorcycles and grabbed the participant, while some of the officers beat the participant. But then some police officers came to help the man.
4.30 pm	Masjid Jamek area	Monitors observed the Masjid Jamek LRT station had shut its shutter down.
4.35pm	Lorong Bunus	Monitors saw a group of about 20 police officers being led by a man in dark brown polo t-shirt and blue cap walking along Lorong Bunus towards Jalan TAR.
4.35 pm	Masjid Jamek area	The FRU fired another round of tear gas in the Masjid Jamek area.
4.36 pm	Medan Pasar	Situation was quiet in this area.
4.37 pm	Jalan Tun Perak	Tear gas was seen being launched at rally participants.
4.38 pm	Masjid Jamek	The FRU advanced from the main road into the Masjid Jamek entrance and pushed the crowd (mostly in yellow t-shirts) into the mosque's compound and contained them inside the compound. FRU officers then made a human barricade outside of the boundary of the mosque's entrance. Both sides stood still face to face separated only by the mosque's entrance gate. This was right before Asar second call for prayer. The FRU truck then came and parked behind the FRU human barricade. A monitor overheard someone in plain clothes ordered, "Jangan bagi keluar" to the FRU officers. After Asar prayer, FRU officers let some people went out of the mosque area, who the FRU officers identified as mosque-goers, upon seeing this the crowd cheered, but most of them were still contained inside the mosque compound.
4.40 pm	Jalan Raja Laut	Monitors were allowed into Jalan Raja Laut. They walked past the DBKL Building and saw about 100 participants being held up in the compound of

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

		<p>the DBKL Building.</p> <p>Those arrested were asked to stand in line and then marched towards Dataran Merdeka and into the compound of Dataran Merdeka. Some of the monitors asked the DBKL officer where the detainees would be taken to, the DBKL officer did not answer but replied that it was none of the monitor's business.</p>
4.44 pm	Jalan Raja Laut	A monitor heard another four shots of tear gas released.
4.45 pm	Near BC building, Leboh Pasar Besar	Monitors saw a policeman arrested a man and assaulted him by stepping on his bare feet several times. The man was handcuffed.
4.46 pm	Masjid Jamek area	Participants retreated towards Menara Maybank direction, small groups of people remained on the five-foot ways and in the small roads like Jalan Melaka and Jalan Melayu.
4.46 pm	Near Wisma Sime Darby, Jalan TAR	Tear gas was fired non-stopped around this area. Rally participants were seen running from Menara TH Perdana towards Wisma Sime Darby. Water cannons and FRU with gas masks stood at the opposite direction. FRU fired the water cannons without issuing any warning. Most of the rally participants ran onto the flyover.
4.47 pm	Jalan Tun Perak	Police moved further up along Jalan Tun Perak, pushing the participants further back. A short while after that the participants gathered again and moved towards the police line and stopped a short distance away from the police line.
4.47 pm	In front of Masjid Jamek, Jalan Tun Perak	One FRU truck (flanked by FRU officers) was positioned facing rally participants who gathered in the Masjid Jamek compound.
4.48 pm - 4.53 pm	Masjid Jamek area	<p>FRU came down the road from Dataran Merdeka and blocked off Masjid Jamek. FRU officers formed a line outside the gates of Masjid Jamek. Participants of all races went into Masjid Jamek compound. FRU/police truck pulled up to support the FRU line at the gate. FRU with M-16 cartridge in gun stood back.</p> <p>Call for prayer was heard. After praying time, police made way for some people to leave Masjid Jamek slowly. The crowd behind the gates of Masjid Jamek cheered upon seeing this.</p>
4.50 pm – 5.00 pm	Masjid Jamek	Bar Council representatives and Dato' Chua Jui Meng negotiated with the person in plain clothes to release those in the mosque compound.
4.50 pm	Masjid Jamek, Jalan Tun Perak	On the way to BC building, monitors saw a standoff between FRU officers and a large crowd of participants in the compounds of Masjid Jamek. There were about 15 FRU officers guarding the entrance/exit of the mosque and

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

		<p>several thousand participants were behind the gates of the mosque. Police officers at the vicinity of Masjid Jamek stopped people and asked them where they were going in a very intimidating manner. The police officers also made them remove any green or yellow bandanas/ribbons they were wearing before allowing them to leave.</p> <p>Monitors also came across a man with a bandage on his upper right thigh being led out from the back lane next to Burger King Restaurant. Upon enquiry, the man said he was hit by a tear gas canister about half an hour ago. The man also said he was not a rally participant but ran a stall on a vehicle next to the Masjid Jamek LRT station beside the Burger King Restaurant.</p>
4.50 pm	Jalan Raja Laut	A monitor heard another three shots of tear gas fired.
4.56 pm	Masjid Jamek	FRU moved towards the mosque and was facing the mosque.

5.00 pm – 6.00 pm		
Time	Location	Incident
5.00 pm – 5.40 pm	Masjid Jamek	<p>A huge crowd was locked in Masjid Jamek because a police truck was parked at the entrance of Masjid Jamek. The police ordered the crowd in the mosque compound to disperse and leave the mosque, but they could not because of the entrance was blocked by the police truck.</p> <p>Some BC representatives spoke to the police asking them to allow people in the mosque compound to leave. The people in the mosque compound cheered when they were able to get out of the mosque after the police truck left.</p> <p>During a discussion between a representative from BC and the police officers, a man in a black shirt informed that he was one of the rally participants. However, moments later after the police left the Masjid Jamek area, monitors noticed that the man in black shirt was actually a policeman.</p> <p>Then, a group of policemen in uniform marched towards the remaining crowd in Masjid Jamek whilst whacking their batons on their plastic shield. The act of the police appeared like they were taunting the remaining rally participants. After this group of policemen left, the participants chased after them to Dataran Merdeka.</p> <p>Monitors saw police officers slapped the people they arrested.</p> <p>When a group of rally participants stood outside of Jalan Raja, the police formed a human barricade and then chased after the people. The police officers did not give any warning.</p> <p>None of the police officers were seen to have their names, badges and ID number on their uniform.</p> <p>A member of the Bar spoke to the police and explained the duties of the Bar monitors. The police did not take heed on this. When the monitors were</p>

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

		<p>leaving the area, police officers pushed a member of the Bar and also manhandled a Bar monitor.</p> <p>As the monitors were leaving, they noticed a line of policemen was formed again and they were running towards the crowd of participants. During that instance, rally participants were seen throwing things at the police and the police were throwing things back at the participants.</p>
5.00 pm	Jalan Tun Perak	FRU was seen charging towards the crowd in attempt to disperse rally participants.
5.05 pm	Jalan Tun Perak	Police rushed into Jalan Masjid India again and arrested a few people.
5.05 pm	Jalan Tun Perak	FRU truck drove along Jalan Tun Perak and police continued dispersing the crowd. The crowd chased after the truck and threw plastic bottles at the truck.
5.05 pm	Jalan Tun Perak	Three FRU trucks started occupying Jalan Tun Perak and seemed prepared to disperse the crowd towards Puduraya Bus Station.
5.10 pm	Jalan Tun Perak	Police moved up along Jalan Tun Perak again, and pushed the participants back.
5.10 pm	Nearby Wisma Sime Darby	Police ended shooting water cannons and police cars were seen leaving the area. Bar monitors took LRT and were told by police officers that Masjid Jamek LRT station was closed.
5.10 pm	Around Sogo Shopping Centre, Jalan TAR	Bar monitors left the Sogo shopping centre as the situation outside was calm. Rally participants seemed to disperse. Monitors saw an overturned police car and saw blood stains on the ground and on the car passenger seat.
5.12 pm	Masjid Jamek LRT station	The FRU officers charged into Jalan Melayu in the direction of Jalan Masjid India chasing after some rally participants.
5.12 pm	Bilik Kawalan Bomba, Jalan Raja Laut	An officer at the Bilik Kawalan refused a monitor to use the telephone in the Bilik Kawalan for him to contact his parents.
5.15 pm	Masjid Jamek area	Huge crowd got stuck inside Masjid Jamek compound and were pinned in by police and FRU officers – there was a police truck parked outside the main entrance of the mosque, facing towards the mosque.
5.15 pm	Jalan Tun Perak	FRU officers in front of Masjid Jamek moved away from Masjid Jamek but police officers in uniform remained facing the participants in Masjid Jamek.
5.15 pm - 5.35 pm	Jalan Tun Perak	Police moved up along Jalan Tun Perak and participants ran back, then police arrested a few people. After that police moved back and rally participants advanced again to the police line. This went on a few times.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

5.16 pm – 5.30 pm	Jalan Tun Perak	Police formed another line to charge down participants on Jalan Tun Perak. FRU marched in with steady beating on their shields. Rally participants chanted “BERSIH” to the beat of the shield beating and march. The police were then received order to stop shield beating. This happened about twice. Rally participants melt away at FRU movements and reformed when FRU left.
5.20 pm	Masjid Jamek	The FRU started marching on the Masjid Jamek side of the road and against the crowd towards the Masjid Jamek road.
5.20 pm	Jalan Tun Perak	FRU started chasing the crowd but no arrest was made and the trucks reversed back towards Dataran Merdeka.
5.23 pm	In front of Masjid Jamek LRT station, Jalan Tun Perak	In the midst of a lull period between the commotions, two participants in yellow Bersih t-shirts could be seen picking up rubbish.
5.24 pm	In front of Masjid Jamek LRT station, Jalan Tun Perak	The FRU retreated in the direction of the Dataran Merdeka to the jeers and taunts of the crowd.
5.25 pm	In front of Masjid Jamek LRT station, Jalan Tun Perak	Police officers and trucks retreated in the same direction whilst two men could be seen picking up rubbish and empty water bottles from the roadside.
5.30 pm	Masjid Jamek area, Jalan Tun Perak	Monitors noticed rally participants refused to disperse from the area.
5.30 pm	Alongside OCBC Bank, Jalan Tun Perak	Crowd started heading towards the Dataran Merdeka chanting “Reformasi.” A monitor also heard the crowd yelling “Masuk Dataran!”
5.30 pm	Masjid Jamek	Crowd at Masjid Jamek grew very violent and rowdy. Police and rally participants started charging at each other in turns. Rally participants were seen throwing bottles, stones and other unidentified objects at the police team and police in return picked the things thrown to them and threw back at the rally participants. The situation became more rowdy and participants chanted more political chants like “Reformasi” and other political chants against Najib, Mahatir, Barisan Nasional, among others, and there were less chanting on “Bersih”. Monitors saw “weapons” being brought out and hidden, such as broken pipes (with sharp ends), glass bottles, and loose bricks, among others.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

5.33 pm	Bazar at Masjid India	A monitor saw people were chased into the bazar, and he could smell tear gas.
5.35pm	Jalan Tun Perak	FRU trucks, FRU officers and the police officers in uniform assembled on Jalan Tun Perak and marched up Jalan Tun Perak. After a short distance, the police made a U-Turn and marched back towards Dataran Merdeka. As the police marched back, some of the rally participants started jeering and booing them. Some of the police officers appeared upset and a few of them responded by shouting at the participants who stood at the top floor of Masjid Jamek LRT Station, but then some other police officers asked their colleagues to move along and not to respond to the rally participants. The rally participants seemed jubilant, as if they had beaten back the police.
5.35 pm	In front of PH Hendry Jewellery, Jalan Tun Perak	A police officer told monitors that “Kita tak mau ini (referring to the commotion). Kita pun ada bini dan anak.” He then added the police officers had been on duty since 4.00 am and they had not eaten. Bar monitors also noticed the said police officer, in blue uniform had no name tag and police ID number on his uniform.
5.40 pm	In front of PH Hendry Jewellery, Jalan Tun Perak	A man wearing blue shirt led an unruly crowd of rally participants in the direction of police officers located at the intersection between Jalan TAR and Jalan Tun Perak. He gestured to the crowd to move and then signaled them to stop and then to move forward again. Eventually he went too far ahead of the unruly crowd and was caught by the police. The police officers kicked and punched him repeatedly. Another man tried to stop the beating and that man was also hit by the police.
5.40 pm	Jalan Tun Perak	Rally participants marched along Jalan Tun Perak, seemed like they wanted to march further up towards Dataran Merdeka. When the front of the crowd almost reached the intersection of Jalan Tun Perak and Jalan TAR, suddenly the crowd of people turned back and ran. Police officers followed close behind and caught quite a number of them.
5.40 to 6.55 pm	Jalan Tun Perak	Monitors moved up towards Dataran Merdeka and on the way saw an elderly Indian lady in yellow and two other Malay ladies, also in yellow. A police officer asked the monitors to tell the lady to leave, he said "Tolong dia. Kesian dia, nanti kena tangkap". The monitors were informed by the Malay ladies that the son of the Indian lady was arrested. After some persuasion by the monitors, the two Malay ladies led the Indian lady away.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

5.40 to 6.55 pm	In front of PH Hendry, Jalan Tun Perak	The crowd then regrouped and came back to face the police. They started chanting and some threw mineral bottles and shoes/slippers towards the direction of the police. The police retaliated by chasing the rally participants and arrest whoever they could get. Police officers were seen to beat up whoever they caught. Monitors saw police officers slapped, punched and kicked the individuals they caught, while those who did not resist were being led away without being beaten.
5.40 to 6.55pm	In front of PH Hendry, Jalan Tun Perak	When the police advanced, the crowd moved back. When the police retreat, the crowd moved up again. This yo-yo situation took place many rounds. The police seemed to be increasingly angry and frustrated.
5.40 pm to 6.55 pm	In front of PH Hendry, Jalan Tun Perak	A police officer told a Bar monitor that the crowd provoked the police. He added the police had been on duty and had not eaten since 4.00 am. Another police officer repeatedly asked Bar monitors to leave the area near the police line, which then the monitors complied and made their way back to BC building around 6.55pm.
5.45 pm	Masjid Jamek area, Jalan Tun Perak	An ambulance stopped in the middle of the road to pick up those who were injured.
5.47 pm - 6.55 pm	In front of the old magistrates court, Jalan Tun Perak	<p>The unruly crowd continued to taunt, provoke and bait the police who were grouped at the intersection between Jalan Tun Perak and Jalan TAR. Occasionally, the police team charged at the unruly crowd who would then retreat.</p> <p>After one of the police charged at the unruly crowd, the police caught a man wearing a yellow t-shirt who was taking photographs behind the police line. Police officers proceeded to kick and punch him repeatedly.</p> <p>The police brought another person wearing a yellow t-shirt which they had arrested earlier in the alleyway between PH Hendry Jewellery and CIMB Bank. About four policemen proceeded to kick and slap him repeatedly. The individual was then taken away by the police.</p> <p>The continual charging by the police and the retreating by the crowd went on for quite some time until around 6.55 pm.</p>

6.00 pm – 7.00 pm		
Time	Location	Incident
6.40 pm	Intersection of Jalan Tun Perak and Leboh	A crowd of around 1,000 to 2,000 was seen in front of Masjid Jamed LRT Station, chanting “Reformasi”. FRU in a team of 30 to 40 officers stood opposite the crowd. Road traffic was opened to public.

**OBSERVATIONS BY BAR COUNCIL MONITORING TEAM ON
BERSIH 3.0 RALLY ON 28 APRIL 2012 IN KUALA LUMPUR**

	Ampang	
6.43 pm	Jalan Tun Perak	Tear gas was shot at the crowd. More passers-by watching and standing along Jalan Tun Perak.
6.45 pm	Masjid Jamek area, Jalan Tun Perak	A few patrol police cars driven by masked policeman including a few traffic police cars came from the direction of OCBC Bank and made a reverse at McDonald's Restaurant, then drove back to Dataran Merdeka. Some of the rally participants seemed angry and started throwing mineral water bottles, stones and hard materials towards the patrol and traffic police cars. Some of the patrol car windows broke due to this.
6.55 pm	Masjid Jamek, Jalan Tun Perak	Monitors passed by Masjid Jamek and heard some rally participants shouted at the police for beating up one of the participants they caught.
7.00 pm	Jalan Tun Perak	Crowds were throwing things towards the FRU officers.
7.00 pm	Jalan Tun Perak	The police started using excessive force to clear up the scene on Jalan Tun Perak. Reporters were seen being arrested, beaten up, kicked and pulled to the trucks. Police officers picked up many rally participants.
7.05 pm	Jalan Tun Perak	FRU fired one shot of tear gas at the crowd.
7.06 pm	Jalan Tun Perak	A group of 15-20 police officers chased after a man in green colored t-shirt, opposite Bank Simpanan Nasional. The man was caught and his shirt was torn. The police confiscated his handphone.
7.15 pm	Jalan Tun Perak	More police officers appeared around the area to control traffic and arrested more people. Some police officers seen beating the persons arrested.
7.30 pm	Dataran Merdeka	Crowd dispersed. A large group of police officers walked towards Dataran Merdeka.
7.30 pm	Jalan Tun Perak	The scene seemed clear and less chaotic.

**Roving Monitoring Team Report re: Bersih 3.0 Rally
on 28 April 2012 in Kuala Lumpur**

There were approximately 78 lawyers in Kuala Lumpur who volunteered to participate as monitors in the Malaysian Bar monitoring team in Kuala Lumpur. The role of the Malaysian Bar monitoring team was to independently observe the events of the day. We were not there as participants of the rally nor on behalf of the authorities. We wore our black suits (court chambers attire) in the mid-day sun so as to distinguish us from everyone else present, and we each wore a prominent tag identifying us as monitors from the Malaysian Bar. The volunteers were divided into six monitoring teams (excluding the roving monitoring team) to be stationed at six different locations in Kuala Lumpur.

There were 4 members in this roving monitoring team, namely, Christopher Leong (Vice-President of Malaysian Bar), Steven Thiru (Treasurer of Malaysian Bar), Dato' Ramachelvam Manimuthu (Bar Council member) and Ramdas Tikamdas (Malaysian Bar member and former president of HAKAM). Raymond Mah (a member of the Malaysian Bar) was with us and volunteered to be the monitoring team's photographer. We were a roving team. We were not designated to any particular location.

Masjid Negara - 11.30am

We started at approximately 11.30am at the vicinity of Masjid Negara, which by then had a crowd of approximately 2,000 to 3,000 people, with more still arriving. The crowd was peaceful. There was a large number of police personnel present. They were mostly gathered or seated on the pavement in front of the Islamic Museum (along the side of Masjid Negara).

We walked towards Dataran Merdeka in the hope of getting to the Bar Council building on Leboh Pasar Besar but met with a police barricade on the road next to the British Council, namely, the intersection of Jalan Sultan Hishammuddin and Jalan Bukit Aman. The barricade comprised 3 layers, namely, razor wire on the outer most layer, plastic dividers and metal grate gates. There was also a line of police personnel immediately behind this barricade. We identified ourselves to the police officers and asked if we could be permitted to pass through to reach the Bar Council building. This was refused.

We made our way to the adjacent Dayabumi building and found that police personnel had set up a similar barricade with razor wire on the road next to Dayabumi. We again identified ourselves and asked to be permitted to pass the barricade to go to the Bar Council building. The police personnel asked us to wait whilst he checked with a superior officer. Five minutes later we were informed that we were not permitted to

**Roving Monitoring Team Report re: Bersih 3.0 Rally
on 28 April 2012 in Kuala Lumpur**

pass through. We found that police personnel manned all thoroughfares through Dayabumi and we were not permitted through the building.

We doubled back towards Masjid Negara and walked passed the old train station down to Jalan Tun Sambanthan in Brickfields. At the roundabout in front of the old train station, a fleet of about 20 police and FRU trucks, and water cannons, passed us and headed towards Dataran Merdeka. This was about 12.10pm.

Central Market – 12.30pm

As we approached Central Market on Jalan Tun Sambanthan, we observed a number of uniformed police officers at the road leading off Jalan Tun Sambanthan into Dayabumi. At approximately 12.30pm, we arrived at the open car park of Central Market to find a huge crowd had gathered there, and in the adjoining vicinity. We estimated the crowd to be about 4,000 to 5,000, and growing. There were members of the media present. It was observed that Dato' Ambiga, Ivy Josiah, Meera Samanther and Chua Jui Meng were present. Uniformed police presence at the Central Market open car park was small (approximately 15 to 20). There was a small police 'pondok' at the corner of the car park, and Ramdas and Christopher Leong went in to inform the police of our presence. We remained at the car park of Central Market for about 30 minutes. The crowd was peaceful. The shops that were opened were doing brisk business, in particular, a convenience store located along the pedestrian walk along the side of Central Market. The ice cream vendor was also doing good business. As we were walking out from the pedestrian walk, a large group of Himpunan Hijau participants were walking towards the Central Market.

We then walked towards Leboh Pasar Besar to the Bar Council building and encountered police personnel forming a human barricade (3 rows) across the road next to the side of Central Market. This was Jalan Hang Kasturi. The police did not make any attempts to prevent our progression towards Leboh Pasar Besar.

Bar Council building at Leboh Pasar Besar – 1.10pm

At approximately 1.10pm, we arrived at Leboh Pasar Besar in front of the Bar Council building to find the crowd there having a good time. They were some who were singing, some passing a huge balloon in the air amongst the crowd. Many were seated on the road and the pavements. We estimated the crowd to number about 1,000 to 1,500, and more people were continuously arriving.

We walked to the bridge and found it barricaded with razor wire, plastic dividers and metal grate gates. This was located just after the open carpark next to the Bar Council building. There was also a line of police personnel immediately behind this barricade.

**Roving Monitoring Team Report re: Bersih 3.0 Rally
on 28 April 2012 in Kuala Lumpur**

There was another line of police personnel further back. The police personnel at the barricade did not have police identification numbers on their uniform. We remained in that vicinity for about 20 minutes. Nothing untoward happened. Dato' Ramachelvam left our monitoring team.

Masjid Jamek LRT station at Jalan Tun Perak – 1.30pm

Steven, Ramdas and Christopher Leong, with Raymond Mah, walked towards the Masjid Jamek LRT station. We observed that the mosque was full of people. The crowd at the vicinity of the Masjid Jamek LRT station was very large. The crowd stretched all the way to Menara Maybank on one end of Jalan Tun Perak, and all the way to the junction of Jalan Raja Laut on the other end of Jalan Tun Perak. The crowd was practically 'back to back' and it was difficult walking through the crowd. The crowd on the road was mainly seated on the road.

At this stage, Ramdas proceeded on his own.

Steven, Raymond and Christopher Leong (plus 2 other members of the monitoring team from another team joined us) remained for awhile to observe the crowd. The crowd was peaceful. At 2pm, people from amongst the crowd were asking for others to be seated.

Intersection of Jalan Tun Perak, Jalan Raja and Jalan Tunku Abdul Rahman – 2.15pm

We proceeded towards the junction of Jalan Tun Perak and Jalan Raja where we observed another police barricade consisting of razor wire, plastic road divider and metal grate gate. There were police personnel immediately behind this barricade. There was another police line further down Jalan Raja (at about the start of the Sultan Abdul Samad building. There were water cannon trucks behind this line of police personnel. The junction was cramped full of people.

We crossed the road and headed down Jalan Tunku Abdul Rahman. The road was likewise full of people, and many sat on the road. It was about 2.30pm. We were at a position opposite the Swiss Hotel and the President Curry House on Jalan Tunku Abdul Rahman. This restaurant was open and doing business. We walked down to the road off Jalan Tunku Abdul Rahman, that is, Jalan Melayu, and found more crowds there. The several shops (for example, Jaihind restaurant) that were opened and full of customers.

We walked back out onto Jalan Tunku Abdul Rahman, and stood again on the pavement opposite the President Curry House restaurant to observe the event. There

**Roving Monitoring Team Report re: Bersih 3.0 Rally
on 28 April 2012 in Kuala Lumpur**

were some people at the junction of Jalan Tun Perak and Jalan Raja that addressed the crowd but we could not hear them from where we were.

At about 3pm, we saw plumes of smoke just beyond the junction. At this time, the crowd was peaceful. There were successive plumes of smoke thereafter, each time getting closer to our position. The crowd by then had turned around and started to move in the opposite direction, that is, away from the direction of the junction. We soon realized that the plumes of smoke were tear gas. The crowd although distressed was nevertheless orderly in moving away. We did not see anyone or any section of the crowd running towards the police. The police were shooting tear gas into the middle of the crowd. After about 3 to 4 volleys of tear gas into the crowd, we turned and moved away with the crowd. By this time the police were close behind and a tear gas canister landed right next the us.

We moved with the crowd. We were again hit by tear gas, which again landed right next to us. The tear gas was very strong and we could hardly breathe. We were nearly completely overcome by it. It stung our eyes and left a burning sensation on the skin for about 30 minutes. Some of the crowd collapsed and were assisted by others in the crowd.

Some of the crowd continued to head down Jalan Tunku Abdul Rahman towards Coliseum, whilst others moved onto Jalan Melayu. We were with this latter crowd. It was extremely packed and we could only move slowly. This crowd collided with another crowd coming onto Jalan Melayu from Jalan Tun Perak as the police were also firing teargas into the crowd from that end. It was a crushing crowd. Some were carrying babies and were seeking to find an exit quickly. Eventually the crowd turned around and moved into Masjid India via a lane running parallel to Jalan Tunku Abdul Rahman. By this time, the police had taken positions on the connecting lanes from Jalan Tunku Abdul Rahman and the parallel lane. The police were from time to time chasing the crowd from these connecting lanes and firing tear gas.

We noticed some participants injured. In particular, we spoke to a lady who had bruises on her face and forehead, and a wound on the back of her neck sustained from being hit by a tear gas canister. We remained in the Masjid India area for about 10 to 15 minutes. We then went back towards the intersection of Jalan Melayu and Jalan Tunku Abdul Rahman to see what was happening, and had to turn back due to tear gas being fired by the police.

We proceeded to make our way to the Bar Council building via Masjid India, Jalan Ampang and Jalan Tun HS Lee. We could not walk through Lebuhrampang onto Jalan Hang Kasturi as the police were still firing tear gas on Jalan Tun Perak.

**Roving Monitoring Team Report re: Bersih 3.0 Rally
on 28 April 2012 in Kuala Lumpur**

We reached the Bar Council building at about 4.30pm. From inside the Bar Council building, we observed that the police at the junction of Jalan Hang Kasturi and Leboh Pasar Besar were firing tear gas at small groups of people (3 to 5) from time to time.

Ramdas

Ramdas had gone ahead towards the junction of Jalan Tunku Abdul Rahman and Jalan Tun Perak. He proceeded to Masjid India area walking towards Semua House. Ramdas noticed that many shops were open and doing business. The lanes connecting the masjid India area and Jalan Tunku Abdul Rahman were full of people and he could not get back onto Jalan Tunku Abdul Rahman. Ramdas then headed back to the Bar Council building via the back of Masjid India onto Jalan Ampang where he turned right towards Museum Telekom. Ramdas could not take any of the early side roads to get to the Bar Council building as it was too crowded to walk through. Ramdas reached Jalan Raja Chulan near Menara Maybank and made his way from there to the Bar Council building.

At about 2.45pm, Ramdas noticed that there was a water cannon truck near the Loke Yew Building along Leboh Pasar Besar. More police personnel were gathering next to the Loke Yew Building.

At 3.12pm, a police personnel sounded the bell, and the FRU with helmets and shields lined up in formation in front of the water cannon truck. However, there was no order given by the police to disperse. The police lines just maintained their positions. The crowd on Leboh Pasar Besar in the vicinity of the Bar Council building was about 5,000. The crowd was peaceful. There was a helicopter hovering above the crowd.

At about 3.25pm, the bell was rung for the 2nd time and about 2 minutes later the firing of the water cannons and tear gas into the crowd on Leboh Pasar Besar started. The crowd immediately receded and headed away from the police lines. No one challenged the police. The police chased the crowd and fired tear gas into the crowd. One person was observed crouching next to a flower box on the bridge near Sing Nam restaurant with a water cannon pinning him down continuously for about 2 to 3 minutes. The person could not move, and was eventually helped by someone from the crowd who pulled him away.

It was also observed that police personnel in uniform, and others without uniform running with the police, were chasing the dispersing crowd and firing teargas at them. The police continued to fire teargas in all directions from the traffic light junction next to the Bar Council building, that is, along Leboh Pasar Besar, towards Central Market, and towards Wisma Maran. The police were also firing teargas behind the open car park next to the Bar Council building. The water cannon trucks were

**Roving Monitoring Team Report re: Bersih 3.0 Rally
on 28 April 2012 in Kuala Lumpur**

shooting their cannons at the Bar Council building as they were passing the building. It was observed that there were crowds escaping from the direction of Jalan Tun Perak onto the road in front of Wisma Maran, but they were met with teargas fire from the police personnel at the traffic light junction next to the Bar Council building. By this time, the area was cleared of the crowd but the firing of tear gas from this junction continued for about an hour at small and sparse groups of people. At later stages, it was observed that there were small groups of 2 to 3 people who acted defiantly by kicking the cannisters of teargas fired at them towards the police lines, which was about 100meters away.

Dato' Ramachelvam Manimuthu

At about 1.25 pm I made my way to the Junction of Jalan Tun Perak/Jalan Tuanku Abdul Rahman – overlooking the Dataran Merdeka.

I was accompanied by 2 Volunteer lawyers from the Monitoring Team.

I witnessed the crowd assembled outside the first/outer barricade. The assembled crowd was peaceful and well behaved and there was no attempt to breach the outer barricade by any of the members of the assembly.

I told the 2 Volunteer lawyers to keep monitoring the barricade and the reaction of the crowd and the police.

At about 1.40 pm I left the junction of Jalan Tun Perak/Jalan Tunku Abdul Rahman and made my way to Masjid Jamek.

It was very difficult to pass through due to the dense crowd.

On my way I witnessed a truck of Police Personnel. Some members of the assembly jeered at the Police Personnel by calling them “sampah-sampah”. The Police Personnel in the truck merely smiled and took photograph of the assembled crowd.

Some well known personalities flanked by their supporters were also making their way to the front as I was making my way back.

The assembled crowd at Jalan Tun Perak was generally well behaved and orderly.

At about 2.00 pm – I made my way to the Bar Council Building.

**Roving Monitoring Team Report re: Bersih 3.0 Rally
on 28 April 2012 in Kuala Lumpur**

The crowd at in front of the Bar Council and the surrounding area were well behaved and it was a carnival like atmosphere.

At about 3.00 pm I noticed that the Police barrier next on the bridge next to the Bar Council building had been removed to the side, and there were some members of the crowd who went beyond this outer barrier. This crowd was milling about on the bridge up to the police lines next to the water cannon truck. The water cannon truck and the police line were next to the Loke Yew Building. The police did not do anything. The crowd did not breach this line.

At about 3.15 pm the Police rang the bell. Nothing happened and the police maintained their lines. About 10 minutes later, the bell was rung again, and a few minutes later the police start using the water cannon on the assembled crowd.

The assembled crowd immediately dispersed and started running away.

The Police then started firing tear gas on the fleeing crowd. There was absolutely no need for the Police to use tear gas as the crowd had dispersed.

The Police then started firing tear gas onto the lanes on both sides of the Bar Council building and the lane next to the HSBC Building leading to Pasar Seni.

I then witnessed many Police Personnel who had mingled with crowd suddenly reappearing wearing yellow Police jackets and chasing after the crowd that was fleeing; to ostensibly arrest them.

There was also indiscriminate use of water cannons on the assembled crowd who had done nothing to breach the Police first/ outer barricade.

The water cannons were continuously deployed even as the assembled crowd was fleeing. The tear gas was unleashed on the fleeing crowd and on persons who had moved to the side alleys of the Bar Council Building. There was absolutely no need for the tear gas to be deployed on the crowd that had dispersed and that was fleeing.

The team's estimate of the size of the crowd that day was more than 100,000 people.

Christopher Leong
Steven Thiru
Dato' Ramachelvam Manimuthu
Ramdas Tikamdas

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Peaceful rally participants – intersection of Jalan Tun Perak and Jalan Tun HS Lee



Peaceful rally participants – Jalan Hang Kasturi

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Peaceful participants, Jalan Tun Perak



Peaceful participants, intersection of Jalan Tun HS Lee and Jalan Tun Perak

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Brisk business – near Pasar Seni LRT station



Brisk business – a restaurant on Jalan Melayu

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Brisk business – a restaurant in the Masjid India area



Brisk business – a Chinese restaurant near Jalan Petaling

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Brisk business – food stall near Masjid Jamek LRT station, Jalan Tun Perak



Brisk business, near Jalan Tuanku Abdul Rahman

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Water cannon launched at rally participants, Leboh Pasar Besar



Water cannon launched at rally participants, intersection of Jalan Tun Perak and Jalan Raja, near Dataran Merdeka

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Business affected by tear gas, Jalan Tuanku Abdul Rahman



Tear gas hit the LRT train, intersection of Jalan Tun Perak and Jalan Tuanku Abdul Rahman

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



A woman's neck hit by a tear gas canister, Jalan Tun Perak



A man's back hit by a tear gas canister, Jalan Tun Perak

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Some rally participants collecting rubbish on the street, Jalan Tun Tan Cheng Lock



Some rally participants collecting rubbish on the street, near Masjid Jamek LRT Station, Jalan Tun Perak

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Police officer with no identification number on uniform, Jalan Raja Laut



Police officer with no identification number on uniform, Jalan Raja Laut

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Police officer with no identification number on uniform, Jalan Raja Laut



Police officers in the background without identification numbers on their uniforms, Jalan Hang Kasturi

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Police barricade with razor wire, intersection of Jalan Raja and Jalan Tun Perak



Police barricade with razor wire, Leboh Pasar Besar

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Police barricade with razor wire, Jalan Raja



Police barricade with razor wire, intersection of Jalan Tun Perak and Jalan Raja

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Police human barricade, Jalan Hang Kasturi



Heavy police presence, intersection of Leboh Pasar Besar and Jalan Hang Kasturi

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Heavy police presence, near Jalan Raja Laut



Heavy police presence, Jalan Raja

Photo Gallery – Bersih 3.0 Rally – 28 April 2012



Some rally participants throwing things at the police force, Jalan Tun Perak