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HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

**Oral Statement at Adoption of Malaysia's UPR, 12 June 2009
11th Human Rights Council Regular Session (Agenda Item 6.)
Palais des Nations, Geneva**

Mr. President,

We commend the Government for taking steps to amend the Human Rights Commission of Malaysia Act in the coming June Parliamentary Session for the sole purpose of enabling SUHAKAM to comply with the spirit of the Paris Principles. If the Government's action should fail to meet with the purpose, the Government will need to rectify the situation.

SUHAKAM commends the Government's assistance to the poor, its provisions for education and health services, its concern for the welfare of women and children and its recognition of the need to maintain social harmony in a multiracial society. We welcome the release of the 13 Internal Security Act (ISA) detainees recently, and the announcement by the Prime Minister in his inaugural speech that the Government would conduct a comprehensive review of the ISA. We urge the Government to also examine and review other preventive legislations such as the Emergency Ordinance Act and the Dangerous Drugs Act which allow for detention without trial, and the police practice of arresting and detaining suspects before investigation.

We are very concerned of the arrest of lawyers who volunteered to defend persons detained. The right to legal representation is guaranteed under the Constitution and vital in the protection of human rights. The Government should uphold individual fundamental rights, ratify international human rights covenants such as ICCPR, ICESCR and CAT; strengthen the independence of the judiciary; review the death penalty and intensify efforts to combat all forms of trafficking in women and girls.

Malaysia does not have a National Human Rights Action Plan. Parliament has never debated any of the Commission's Annual Report and Government has not acted on most of Commission's findings and recommendations. We need to be on Parliament's agenda and have the Government to act on the Commission's recommendations.

Mr. President,

The UPR would be a futile exercise if Governments do not honour their commitments and the world body does not censure omissions.

We hope therefore that the outcome of the UPR exercise would encourage the Government to take positive action to enhance human rights situation in Malaysia.

Thank you all.

Revised as of 11.6.09