



**25th Regular Session of the UN Human Rights Council
Item 6: Universal Periodic Review (UPR) Plenary on Malaysia**

**Oral Statement Delivered by Andrew Khoo on Behalf of
Asian Forum for Human Rights and Development (FORUM-ASIA)**

Thursday, 20 March 2014

Mr. President, FORUM-ASIA together with Bar Council Malaysia and COMANGO, a coalition of Malaysian NGOs led by FORUM-ASIA's member SUARAM, make this statement jointly. While we appreciate that the Malaysian government has fully accepted 113 recommendations, we regret that it has refused to accept recommendations to revise its legislative framework to safeguard freedom of religion (146.152) and to ensure the exercise of freedom of religion without State interference (146.156). We deplore the Malaysian Government's failure to uphold, defend, protect and promote freedom of religion, as demonstrated in the ban on the usage of the word "Allah" by non-Muslims.¹ Despite its oft-stated policy of moderation, understanding and tolerance,² the Malaysian government has stated that it is "not in the position to consider establishing a structured interfaith dialogue at this juncture" (A/HRC/25/10/Add.1).

We are also concerned that notwithstanding its acceptance of the recommendation on judicial reforms (146.127), the recent conviction and sentencing of two leading opposition Members of Parliament, Karpal Singh under the Sedition Act and Anwar Ibrahim for trumped up sodomy charges, which will result in their disqualification from Parliament,³ raises serious questions about the independence of the judiciary and the impartiality of the administration of justice in Malaysia. We view these cases as selective persecution targeting political opponents, and call for the government's full commitment to strengthen the independence of the judiciary in accordance with international human rights standards.

Mr. President, we deplore the use of "national security" as a basis to curtail the freedoms of expression, assembly and association through provisions of repressive laws, including the Societies Act, the Peaceful Assembly Act, and the Security Offences (Special Measures) Act, as well as the reintroduction of detention without trial through amendments of the Prevention of Crime Act. We are dismayed by the Malaysian government's rejection of recommendations to review the Security Offences (Special Measures) Act and the Prevention of Crime Act (146.47), as well as to reform other repressive laws (146.47, 146.162, 146.165, 146.166, 146.167, 146.168) which are continuously used to persecute human rights defenders. We reiterate our call for the immediate repeal or reform of all repressive laws.⁴ The Malaysian government must also expedite the ratification of all core international human rights treaties, including ICCPR and ICESCR.

Finally, we urge the Malaysian government to publicly set out a comprehensive, measurable and time-bound action plan for the implementation of UPR recommendations, in full cooperation and consultation with civil society. Thank you, Mr. President.

¹ COMANGO, Stakeholder report for the 2nd cycle of the UN Human Rights Council's Universal Periodic Review of Malaysia, 2013.

² For example, Malaysia, Oral statement at the clustered interactive dialogue with the UN Special Rapporteur on freedom of religion or belief and the UN Special Rapporteur on the promotion and protection of human rights while countering terrorism, 25th Regular Session of the UN Human Rights Council, 12 March 2014.

³ FORUM-ASIA, Malaysia: Sedition Act Conviction of Karpal Singh Condemned – Asian Human Rights Group Calls for the Immediate Repeal of the Draconian Law, 11 March 2014.

⁴ FORUM-ASIA, Malaysia: Drop Charges against Activists and Organisers of Post-Elections Rallies, End Crackdown on Freedoms of Expression and Peaceful Assembly, 28 May 2013.