

25th regular session of the Human Rights Council

Oral Statement by Dignity International on Malaysia's Universal Periodic
Review Outcome

Delivered on 20th March 2014 by Yasmin Masidi

Thank you, Mr. President. Dignity International and EMPOWER, members of the Coalition of Malaysian NGOs in the UPR Process (COMANGO) are disappointed at Malaysia's rejection of many key recommendations.

Despite endorsing the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) twice in 2007 Malaysia now rejects all recommendations to ensure that laws and policies concerning indigenous peoples are in line with the declaration. While we commend Malaysia's acceptance of recommendations on poverty alleviation and the enhancement of social welfare for indigenous peoples, these issues cannot be addressed without also recognising the right to self-governance, land rights, and the cultural rights of indigenous peoples.

Malaysia also rejected a recommendation to address issues highlighted in the National Inquiry into the Land Rights of Indigenous Peoples, conducted by the National Human Rights Commission of Malaysia, pending the outcome of a Task Force set up to review the findings of the Inquiry. Indigenous representatives make up only 30 per cent of this Task Force. The blueprint of proposed reforms of indigenous land that is to be the ultimate outcome of the Task Force should be informed by the principles of UNDRIP, and the result of full and equal participation by indigenous peoples.

We commend Malaysia's acceptance of a number of recommendations concerning the rights of non-citizens, encompassing migrant workers, undocumented migrants, asylum seekers and refugees, non-citizen spouses of Malaysians, and other non-citizen minorities. These include enhanced access to justice and legal remedies for migrant workers including migrant domestic workers. However, we deplore Malaysia's continuing disavowal of well-established international standards such as the principle of non-refoulement and protections for families of migrants, as well as the Government's resistance to law reforms aimed at the full realisation of human rights for non-citizens.

Finally, we condemn the acts of reprisals by the government of Malaysia and the attacks by private actors with the tacit support of the government of Malaysia against COMANGO. We are human rights defenders participating in the UPR process that is taking place in the context of intense politicisation of Islam, endemic corruption, and a rollback in human rights in Malaysia. These acts of reprisal and attacks threaten the UPR's objective of improving the human rights situation on the ground.

Thank you.