

**AMNESTY  
INTERNATIONAL**



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**UN Human Rights Council  
Twenty-fifth session, 3 – 28 March 2014**

**Item 6:  
Consideration of UPR reports**

**MALAYSIA**

Mr. President,

Amnesty International notes that, for a second successive review, Malaysia has rejected many recommendations that would have strengthened the protection of human rights. We call on Malaysia to reconsider its position on these recommendations.

Malaysia again did not commit to ratify key human rights treaties.<sup>1</sup> This signals its continued refusal to align national legislation with international human rights law, and to guarantee human rights protection.

Amnesty International is very concerned by the authorities' recent attempt to outlaw COMANGO – a coalition of Malaysian NGOs formed to represent civil society's human rights concerns at the UPR of Malaysia.<sup>2</sup> As well as raising questions about Malaysia's commitment to the UPR process, this highlights a pattern of attempts by the government to silence critical voices. Indeed, Malaysia

<sup>1</sup> A/HRC/25/10 recommendations 146.22 (Egypt), 146.24 (Slovakia), 146.1 (Spain) and 146.5 (Latvia) and 146.9 (Uruguay) did not receive any response in A/HRC/25/10/Add.1; recommendations 146.3 (Italy, Chad, Kazakhstan), 146.4 (Poland), 146.6 (Sierra Leone, Benin, Australia, Brazil, Maldives, Switzerland, Albania, Finland, Guatemala, Hungary, Ecuador), 146.8 (Czech Republic, France, Costa Rica), 146.10 (Tunisia), 146.12 (Ireland), 146.13 (Slovenia) and 146.76 (Netherlands) did not enjoy the support of Malaysia. See also response by Malaysia in A/HRC/25/10/Add.1 para 9.

<sup>2</sup> The Ministry of Home Affairs alleged that the majority of the 54 groups that make up the Coalition of Malaysian NGOs (COMANGO) are "un-Islamic", lack official registration, and are therefore prohibited. See Amnesty International press release, *Malaysia: Move to outlaw human rights groups is an assault on freedom*, 8 January 2014, available at: <http://www.amnesty.org/en/news/malaysia-move-outlaw-human-rights-groups-assault-freedom-2014-01-08>.

also rejected key recommendations to amend laws that are used to restrict the rights to freedom of expression, association and peaceful assembly.<sup>3</sup>

Mr President,

Human rights violations by the police, including torture and ill-treatment, deaths in custody, fatal shootings and excessive use of force and firearms remain a critical human rights concern. Such violations are not adequately investigated and the perpetrators are rarely held to account. We are disappointed that Malaysia rejected a recommendation to establish an Independent Police Complaint and Misconduct Commission.<sup>4</sup> While noting Malaysia's assertion that the Enforcement Agency Integrity Commission was established to address complaints against government officials, we do not consider this mechanism to be sufficiently resourced or empowered to investigate police abuses.

Finally, Mr President,

We regret Malaysia's rejection of recommendations to establish a moratorium on executions and abolish the death penalty, and we urge the government to reconsider this decision.<sup>5</sup> We remain deeply concerned about the use of the death penalty in Malaysia, where executions have been carried out in secret, without prior or posthumous announcements.

Thank you, Mr. President.

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<sup>3</sup> A/HRC/25/10 recommendations 146.48 (UK), 146.49 (Australia)

<sup>4</sup> A/HRC/25/10 recommendation 146.56 (New Zealand). The Malaysian authorities established a royal commission on police reform, and after publishing its report among the commission's recommendations was the establishment of an Independent Police Complaints and Misconduct Commission.

<sup>5</sup> Report of the Working Group on the Universal Periodic Review: Malaysia, 4 December 2013, UN Doc: A/HRC/25/10, recommendations 146.108 (Australia); 146.108 (Bulgaria); 146.120 (Spain); 146.121 (Norway); 146.122 (Montenegro); 146.122 (Chile); and 146.124 (France).