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**Oral Statement**

**Item 6 – Adoption of the Outcome of the UPR of Malaysia  
20 March 2014**

The recommendations addressed to Malaysia reflect the broad concerns about its unwillingness to sign and ratify core UN human rights conventions and bring its domestic legislation into conformity with international law, in particular concerning the rights to freedom of expression, association, and assembly, and due process rights.

The Peaceful Assembly Act, hastily passed in November 2012, added unnecessary restrictions on public assembly. Human Rights Watch regrets that Malaysia rejected recommendations to revise the act, and we are especially concerned by its ban on “moving assemblies,” limits on potential assembly sites, its 10-day notification requirement, and the excessive authority given to the police on the conduct of assemblies.

The Printing Presses and Publication Act still requires that all publications be licensed, in violation of free expression rights. An October 2012 court ruling that the on-line news website Malaysiakini may obtain a license to print as a right, not a government-granted privilege, is being appealed by the government. We note that Malaysia accepted in principle recommendations to “adapt the Printing Presses and Publication Act to facilitate independent news media coverage” – if this commitment is genuine, Malaysia should urgently drop its appeal and engage with the media and civil society to revise this law in conformity with international standards.

Malaysia also accepted in principle a recommendation to “Repeal the Sedition Act,” yet it continues to prosecute political opponents and activists under this law. The recent conviction of opposition leader and prominent rights lawyer Karpal Singh for sedition is just one of at least 10 sedition act cases currently being prosecuted.

We deeply regret that Malaysia rejected the recommendations to review the Evidence Act, specifically the 2012 amendments that tighten Internet censorship controls.

Malaysia continues to deny due process to criminal suspects. We are deeply troubled by Malaysia’s rejection of the recommendations to review the consistency of the Prevention of Crime Act and the Security Offences Act with international human rights law. The act permits transfer of suspects to remote areas for five years, renewable indefinitely. The Security Offences (Special Measures) Act 2012 allows policedetention for up to 28 days with no judicial review; it allows indefinite pretrial detention simply by filing successive appeals.

Finally, Human Rights Watch regrets that Malaysia refuses to recognize the basic rights of its LGBT population, and has failed to repeal penal code article 377 B, which criminalizes consensual adult sexual relations.