

## Tables for UN Compilation on Malaysia

### I. Scope of international obligations<sup>1</sup>

#### A. International human rights treaties<sup>2</sup>

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	CEDAW (1995)	--	ICERD
	CRC (1995)		ICESCR
	OP-CRC-AC (2012)		ICCPR
	OP-CRC-SC (2012)		ICCPR-OP 2
	CRPD (2010)		CAT OP-CAT ICRMW ICPPED
<i>Complaints procedures, inquiries and urgent action<sup>3</sup></i>	--	--	ICERD OP-ICESCR ICCPR ICCPR-OP 1 OP-CEDAW CAT OP-CRC-IC ICMRW OP-CRPD ICPPED

<i>Reservations and / or declarations</i>	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Current Status</i>
	CEDAW (General Declaration / Reservations, arts. 5 (a), 7 (b), 9 para. 2, 11 and 16 para 1 (a), (c), (f), (g), 1995)	--	CEDAW (General Declaration / Reservations, arts. 5 (a), 7 (b), 9 para. 2, 11 and 16 para 1 (a), (c), (f), (g))
	CRC (Declaration, art. 28 para. 1 (a), 2010 / Reservations, arts. 2, 7, 14, 28 para. 1 (a) and 37, 1995)	--	CRC (Declaration, art. 28 para. 1 (a) / Reservations, arts. 2, 7, 14, 28 para. 1 (a) and 37)

OP-CRC-AC (Declaration, art. 3, para. 2, minimum age of recruitment at 17,5 years, 2012)	--	OP-CRC-AC (Declaration art. 3, para. 2, minimum age of recruitment at 17,5 years)
OP-CRC-SC (Declaration, arts. 2 (c) and 3, para. 1 (a) (ii), 2012)	--	OP-CRC-SC (Declaration, arts. 2 (c) and 3, para. 1 (a) (ii) )
CRPD (Declaration, arts. 3 (b), (e), 5, para. 2 and 30 / Reservation, arts. 15 and 18, 2010)	--	CRPD (Declaration, arts. 3 (b), (e), 5, para. 2 and 30 / Reservation, arts. 15 and 18)

## B. Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide	--	--
	Geneva Conventions of 12 August 1949 <sup>4</sup>	--	Additional Protocols I and II to the 1949 Geneva Conventions <sup>5</sup>
	Palermo Protocol <sup>6</sup>	--	--
	ILO fundamental Conventions, except No. 87, 105 and 111 <sup>7</sup>	--	ILO fundamental Conventions No. 87, 105 and 111 <sup>8</sup>
	--	--	ILO Conventions Nos. 169 and 189 <sup>9</sup>
	--	--	UNESCO Convention against Discrimination in Education
	--	--	Rome Statute of the International Criminal Court
	--	--	Conventions on refugees and stateless persons <sup>10</sup>

## II. Cooperation with human rights mechanisms and bodies

### A. Cooperation with treaty bodies<sup>11</sup>

#### Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
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CEDAW	--	2016	March 2018	Sixth report due in 2022
CRC	--	--	--	Second to fourth reports overdue since 2012, initial reports to OP-CRC-AC and OP-CRC-SC overdue since 2014
CRPD	--	--	--	Initial report overdue since 2012

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**Responses to specific follow-up requests from concluding observations**

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<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted</i>
CEDAW	2020	Constitutional and legislative framework; Female genital mutilation; Refugee and asylum-seeking women; Marriage and family relations. <sup>12</sup>	--

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**B. Cooperation with special procedures<sup>13</sup>**

	Status during previous cycle	Current status
<i>Standing invitations</i>	No	No
<i>Visits undertaken</i>	Arbitrary detention (2010) Myanmar (2011)	Food (2013) Health (2014) Trafficking (2015) Cultural rights (2017)
<i>Visits agreed to in principle</i>	Food Indigenous peoples	Indigenous peoples (2019) Sale of children (2018) Rights to water and Sanitation (2018) Extreme poverty (2019)
<i>Visits requested</i>	Freedom of association and assembly Human rights defenders (reminder in 2010) Independence of judges and Lawyers Migrants Minority issues Terrorism (reminders in 2010 and 2012)	Arbitrary detention (2015) Freedom of assembly (reminder 2013) Freedom of expression (2016) Freedom of religion (reminder in 2018) Human rights and counter terrorism (reminder in 2017) Migrants (reminder in 2016) People of Africa Descent (2017) Slavery (postponed) Racism (postponed)

	Racism	Torture (2017)
<i>Responses to letters of allegation and urgent appeal</i>	During the period under review 30 communications were sent. The Government replied to 18 communications	
<i>Follow-up reports and missions</i>	--	

### C. Status of national human rights institutions<sup>14</sup>

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle<sup>15</sup></i>
Human Rights Commission of Malaysia (SUHAKAM)	A (2010)	A (2015)

#### Notes

<sup>1</sup> Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Malaysia from the previous cycle (A/HRC/WG.6/17/MYS/2).

<sup>2</sup> The following abbreviations have been used in the universal periodic review document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

<sup>3</sup> Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry

procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICERD, art. 11; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

- <sup>4</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention).
- <sup>5</sup> Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II).
- <sup>6</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- <sup>7</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- <sup>8</sup> Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation.
- <sup>9</sup> ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) and Domestic Workers Convention, 2011 (No. 189).
- <sup>10</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.
- <sup>11</sup> The following abbreviations have been used in the present document:
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|--------------|---|
| CERD         | Committee on the Elimination of Racial Discrimination;  |
| CESCR        | Committee on Economic, Social and Cultural Rights;  |
| HR Committee | Human Rights Committee;   |
| CEDAW        | Committee on the Elimination of Discrimination against Women;                                   |
| CAT          | Committee against Torture;  |
| CRC          | Committee on the Rights of the Child;   |
| CMW          | Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families; |
| CRPD         | Committee on the Rights of Persons with Disabilities;   |
| CED          | Committee on Enforced Disappearances;   |
| SPT          | Subcommittee on Prevention of Torture.  |
- <sup>12</sup> CEDAW/C/MYS/CO/3-5, para. 60.
- <sup>13</sup> For the titles of special procedure mandate holders see: <https://spcommreports.ohchr.org/about/abbreviations>
- <sup>14</sup> According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions (GANHRI), the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).
- <sup>15</sup> The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions (GANHRI), accessed at: <https://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart%20%288%20August%202018.pdf>