

Human Rights Council.

11th Session. 12 June 2008.

Item: 6. UPR- Country – Malaysia

Individual Oral Statement- Islamic Human Rights Commission.

Mr. President

Islamic Human Rights Commission congratulates the council on the conclusions and recommendations forwarded by the working group. But we regret that our concern basically relates to the working group report paragraph 46 and recommendation 26 in relation to arbitrary arrest, unlawful detention without right to fair trial and freedom of expression in Malaysia.

IHRC's research shows that the government of Malaysia routinely uses Internal Security Act 1960 (ISA) and Emergency Public Order Preventive Ordinance 1969 (EO) against individuals who are suspected of being an actual or potential threat to country's National Security or public order. The ISA not only allows the police to arrest without warrant any individual they believe 'have acted' or are 'about to' or 'likely to' to act that would threaten the Country's Security for up to 60 days for investigation. Based on this investigation report the ISA can issue detention order without being charged with any sort of crime or tried in any court of law for up to two years, renewable indefinitely.

Mr. Satray is among one of the detainee, detained under Internal Security Act (ISA) since April 2002. According to the reports earlier this year. Mat Sah has no hope of his freedom, even though his renewed detention ended in June 2008, as he was reportedly informed that chances of his release are unlikely.

Islamic Human Rights Commission takes the position that Government of Malaysia is not proportionate to its stated aim and therefore amount to grave human right violation under international human rights law. In particular it violates right to be free from arbitrary detention, right to due process, fair trial, as well as right to freedom of expression.

We strongly recommend to the government of Malaysia, to immediately abolish ISA, Release all individuals held under ISA. We also recommend that all arrested persons should be immediately informed about the charges and should be tried according to the international principle of fair trial.

Thank you Mr. President