



40th Session of the UN Human Rights Council

15 March 2019

Oral Statement: Adoption of Universal Periodic Review Report of Malaysia

Delivered by Lisa Majumdar

Mr President,

Pusat KomAS and CIVICUS welcome the government of Malaysia's engagement with the UPR process.

While we welcome the commitments of the Malaysian government to ratify all core UN human rights treaties during the UPR review, we regret the decision of the government in November 2018 not to ratify the International Convention on the Elimination of All Forms of Racial Discrimination. We are concerned by the lack of a clear timetable to ratify the other core treaties.

We note commitments made during the UPR review to repeal the draconian Sedition Act and other laws that restrict fundamental freedoms. However, since the review we regret that a moratorium on the use of these laws has been lifted and there have been arrests of individuals under the Sedition Act for exercising their right to expression. We are also concerned that the Sedition Act and the Communications and Multimedia Act have been used by the police to interrogate human rights defenders, including human rights lawyer Fadhiah Nadwa Fikri and Sevan Doraisamy, the director of rights group SUARAM, simply for expressing their opinions. The government has also failed to denounce racism and bigotry by opposition political leaders.

We note that recommendations were made to respect freedom of assembly, including to review the Peaceful Assembly Act which contains provisions inconsistent with international law. However, we are concerned that activists continue to face arrests for their involvement in demonstrations. Student activists Asheeq Ali and Siti Nurizzah were arrested for a peaceful sit-in at the Ministry of Education in September 2018.

Mr President, we call on Malaysia to implement the recommendations it accepted on protecting fundamental freedoms and immediately review or repeal all restrictive laws that undermine civic space, immediately halt their use against government critics, and to create an enabling environment for CSOs and human rights defenders.

Thank you.