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Malaysia: Human rights agenda for new government

As Najib Tun Razak prepares to take over as Prime Minister of Malaysia, Amnesty International said that the new administration faces major human rights challenges that need to be addressed.

The organization is calling on the new Prime Minister to initiate urgent reforms to the justice system in five key areas, as follows.

Arbitrary arrest and detention

The government must reform or repeal laws providing for arbitrary arrest and detention without trial, including the Internal Security Act (ISA).

As part of this reform, the government should release five supporters of the Hindu Rights Action Force (HINDRAF) who have been detained for over a year under the Internal Security Act (ISA) for organizing a demonstration highlighting the marginalization of ethnic Indians.

Freedom of expression

The new government should prioritize the removal of restrictions on freedom of expression affecting bloggers, opposition politicians and human rights activists.

There was a nationwide swoop on bloggers in March when eight bloggers were charged with posting critical comments against the Sultan of Perak. They were charged under the Communication and Media Act and released on bail. The charges against them should be dropped.

The death penalty

The death penalty is imposed for a number of offences in Malaysia. Drug trafficking, murder and unauthorized firearms possession carry a mandatory death sentence. The government does not publish statistics on executions.

A moratorium on the death penalty should be announced, with a view towards abolishing it. The government should also lift the veil of secrecy around the death penalty by publicizing all information about its current application.

Torture, ill-treatment and deaths in police custody

Torture and other ill-treatment at the hands of the police continue to be reported in Malaysia.

The family and lawyers of robbery suspect Kugan Ananthan, 22, who died in police custody that month, saw extensive marks of physical abuse covering his body. The investigations into the death have not progressed since the findings of the second autopsy report were submitted to the Attorney General's Office. Amnesty calls on the government to initiate an impartial, effective, independent,

and prompt investigation into Kugan's death. Moreover, the government should establish an independent and impartial police oversight body to hear complaints about the police.

Migrant and refugee rights

Migrant workers, refugees and asylum seekers are at risk of deportation after harsh treatment in detention camps. Malaysia does not recognise their rights under international law, and even individuals recognised as refugees by the UN High Commissioner for Refugees are being arrested by untrained volunteers from the Peoples Volunteer Corps (RELA). Amnesty International urges the government to ratify the UN Convention relating to the Status of Refugees, its 1967 Protocol and the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

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