

AMNESTY INTERNATIONAL PUBLIC STATEMENT

14 March 2019 ASA 28/0028/2019

MALAYSIA: RATIFY CORE HUMAN RIGHTS TREATIES, REPEAL REPRESSIVE LAWS, AND ABOLISH THE DEATH PENALTY

Human Rights Council adopts Universal Periodic Review outcome on Malaysia

Amnesty International welcomes Malaysia's accession to the Rome Statute of the International Criminal Court and calls on the government to strengthen human rights protections by ratifying the remaining core international treaties and removing reservations to treaties it has already signed.¹

Amnesty International is pleased that the government will strengthen legislation to prevent torture and has accepted a recommendation to put an end to torture in prisons.² The organization is, however, disappointed that the government has rejected recommendations calling for an end to caning of children in schools and of whipping under Shariah and common law.³ Such practices constitute ill-treatment and must be promptly abolished.

Likewise, Amnesty International calls on the government to abolish laws that restrict freedom of expression, such as the Seditious Act, and repeal or amend laws and provisions that allow for preventive detention, such as the Prevention of Crime Act, Prevention of Terrorism Act, Security Offences (Special Measures) Act, and Dangerous Drugs (Special Measures) Act. The latter group of laws are rooted in the now-abolished Internal Security Act and contain provisions in contravention of international law.⁴

Amnesty International acknowledges that the government has pledged to amend death penalty legislation but is deeply disappointed that it has rejected recommendations to abolish the death penalty completely for all crimes, contrary to promises made in 2018.⁵ The organisation is concerned that the government appears to have bowed to political and public pressure to retain the death penalty, and urges it to reconsider.

Amnesty International is also concerned that the government has once again rejected recommendations to protect the rights of LGBTI and Indigenous Peoples in law and practice.⁶ We call on the government to adopt legislation recognizing the rights of these groups and to end discriminatory practices towards minorities.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Malaysia on 13 March 2019, during its 40th session. Amnesty International submitted information in advance of the review in May 2018 – see <https://www.amnesty.org/en/documents/asa28/8488/2018/en/>

¹ A/HRC/40/11, 7 January 2019, recommendations 151.1-42 (Moldova, South Africa, Spain among others) pp.10-13

² Human Rights Council, Report of the Working Group on the Universal Periodic Review – Malaysia A/HRC/40/11, 7 January 2019, recommendation 151.114 (Switzerland) p.17

³ A/HRC/40/11, 7 January 2019, recommendations 151.109-112 (Brazil, Czechia, Denmark, Sweden) p.16

⁴ A/HRC/40/11, 7 January 2019, recommendations 151.140-143 (Brazil, Spain, Czechia, Georgia) p.18

⁵ A/HRC/40/11, 7 January 2019, recommendations 151.101-108 (Finland, France, Germany, Italy, Sweden, Switzerland, Norway, Paraguay) p.16

⁶ A/HRC/40/11, 7 January 2019, recommendations 151.77-85 (Argentina, Austria, Canada, Chile, France, Germany, Iceland, Ireland, Netherlands) and 151.255 (Peru) and 151.258 (Norway), p.15, 24