



Permanent Mission of
Malaysia
to the United Nations

(Please check against delivery)

**STATEMENT BY
MR. ZAINOL RAHIM ZAINUDDIN
DEPUTY PERMANENT REPRESENTATIVE
OF MALAYSIA TO THE UNITED NATIONS
ON
AGENDA ITEM 58: REPORT OF THE HUMAN RIGHTS COUNCIL
OF THE THIRD COMMITTEE
OF THE 63RD SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY
NEW YORK, 31 OCTOBER 2008**

Mr. Chairman,

At the outset, my delegation wishes to extend our appreciation to the Council for their report, as contained in document A/63/53, and Addendum 1.

Mr. Chairman,

2. We reaffirm that human rights are universal, indivisible, interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis. These basic principles underpin international human rights. Countries should not continue to pick and choose which rights they wish to highlight or how those rights may be enjoyed, nor should they seek to impose onto others differing emphasis and urgency to human rights due to their own domestic political expediency or external pressure.

3. As a member of the Council, Malaysia is pleased that the Council, within the scope of General Assembly Resolution 60/251, and within its Institution-Building Mechanism in its resolution 5/1 has continued to develop. It is our hope that the work undertaken by the Council on a range of different issues will lead to tangible results in the promotion and protection of all human rights. The discussions within the Council are in our view, a healthy process towards realizing the highest standards of human rights as enshrined in the Universal Declaration of Human Rights (UDHR).

4. We are pleased to note that a vast majority of the United Nations membership is supportive of the work of the Council, especially in ensuring that the Council avoids the mistakes of the previous Commission on Human Rights that became at time highly politicized, and which practiced selectivity and double standards. While there are diverging views among some member states on the

utility of the Council, supporting the Council through constructive engagement, as opposed to deriding it, is a much positive approach if states are serious in their desire for the promotion and protection of human rights. While we may disagree on issues and even the processes within the Council, this approach is the better proposition. It would be disheartening if criticisms which were once targeted to the Commission are also used against the Council without allowing it to further develop and without giving the Council the necessary resources for it to carry out its work. In this regard, as per the Council's decision 9/103, on its Strengthening, it is necessary to establish an Office of the President of the Human Rights Council, with adequate staffing resources, including the provision of necessary equipment, and that the facilities are near to and accessible to the Council Members.

5. From the discussions and results on country-specific resolutions in the past sessions of the UNGA, it is clear that the wider membership is increasingly opposed and uncomfortable with such resolutions. Malaysia is pleased to note that the operationalisation of Universal Periodic Review (UPR) mechanism of the Human Rights Council, since April of this year, has proceeded well. While there remain areas which can be further developed and strengthened, the crux remains that this innovation represents a good alternative to country-specific reports. It serves a constructive approach through genuine dialogue and cooperation between countries which may have differing views and systems, and it is our hope that through the UPR process, all countries will seize this opportunity to improve the promotion and protection of human rights in a cooperative and constructive manner.

Mr. Chairman,

6. We wish to touch upon a number of issues within the report.

7. For Malaysia, the central component of work of the Council, among others, should include emphasis on the right to development. Today, slightly over two decades since the UN General Assembly adopted in 1986 the Declaration on the Right to Development by the UN General Assembly, millions of people continue languishing in a vicious cycle of underdevelopment, poverty and hunger. Malaysia is of the view that such a dire situation is due to the deprivation of their right to development, which inevitably leads to the deprivation of their other basic rights and fundamental freedoms.

8. While acknowledging that governments are primarily responsible for creating the enabling national conditions for the realisation of the right to development, we wish to nonetheless emphasise that the national focus of government policies is increasingly intertwined with a multitude of factors operating at the international level. As a result, we therefore find efforts of national governments at bringing their peoples into the mainstream of development hampered by increasingly shrinking policy space at the national level and an unfavourable international environment. Given these circumstances, the international community, including the Council, should exert the utmost efforts to progressively work towards operationalising the right to development. We need a clear vision, enhanced coherence and effective coordination at both national and international levels to achieve this objective.

9. With regard to the work of the Council on the ongoing world food crisis, Malaysia will continue to actively engage with the international community in addressing the negative impacts of the world food crisis on the right to adequate food. In the context of operative paragraphs 3 and 4 of Council resolution S-7/1 adopted on 22 May 2008 at its Seventh Special Session, we wish to briefly highlight the measures Malaysia has initiated at the national level in response to the crisis. These include measures to increase supply of food, especially of rice, through greater investments in agricultural infrastructure, pest and disease control, the use of high-quality seeds, as well as the judicious use of agriculture inputs. An active direct marketing programme driven through an extensive network of Farmers Markets has been implemented, to link farmers and consumers.

10. Malaysia is also launching a programme to encourage households to supplement their produce requirements by growing their own food, leveraging on the concepts of "kitchen gardens" and "edible landscapes". All these measures are part of a people-centred policy framework to support the poor who are the most affected by the current food crisis, in addition to being a long term objective of fostering sustainable agriculture and adapting agricultural practices to reduce the adverse economic impact arising from climate change. At the same time, Malaysia will continue to promote a judicious balance between the utilisation of scarce resources for food and bio-fuel production.

Mr. Chairman,

11. On a final note, we wish to acknowledge the contribution of non-governmental organizations (NGOs) and national institutions in the promotion and protection of human rights. One of the highly notable features of the Council is the increased space for the participation of the NGOs and NHRIs in its work. In order to ensure the most effective contribution of both NGOs and NHRIs, their participation should be made in accordance with Council resolution 5/1 and Commission on Human Rights resolution 2005/74 which clearly states the roles of NHRIs at the international level.

Thank you Mr. Chairman.

