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STATEMENT BY
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PERMANENT REPRESENTATIVE OF MALAYSIA TO THE UNITED NATIONS

ON AGENDA ITEM 69: PROMOTION AND PROTECTION OF HUMAN RIGHTS

(B) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES
FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS

(C) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL
RAPPORTEURS AND REPRESENTATIVES

OF THE THIRD COMMITTEE
68TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY
NEW YORK, 30 OCTOBER 2013

Mr. Chairman,

My delegation wishes to associate itself with the ASEAN statement delivered by my country on behalf of the ASEAN Member States on the agenda item under consideration.

2. Malaysia notes with appreciation the updates provided by the High Commissioner of Human Rights Council on its office's activities and programmes, including on the activities of the regional and national offices as well as the work being undertaken by the human rights components in peace missions and the human rights advisors.

Mr. Chairman,

3. Malaysia continues to attach great importance in promoting and protecting human rights at the national, regional and international levels, including on the clarification and elaboration of international human rights norms, standards and practices. For these reasons, Malaysia remains convinced that continued close cooperation and collaboration between the HRC and the OHCHR in a mutually reinforcing relationship contributes positively and significantly to advancing the cause of human rights at the global level.

4. Malaysia's commitment is reaffirmed in our efforts of implementing the recommendations that were received at Universal Periodic Review (UPR). Malaysia's maiden review in the UPR was on 11 February 2009. Since then, Malaysia had accepted 62 out of the 103 recommendations issued by the UPR Working Group on various human rights issues among others, including accession to international human rights treaties; review of existing laws and judicial systems; human rights of the vulnerable groups including indigenous peoples, women and children; migrant workers; trafficking in persons; education; economic; and healthcare rights. Malaysia highly regards this positively progress, with a view to achieving an improved human rights record in the second review by the UPR Working Group on 24 October 2013.

5. Malaysia noted the outcome of the UPR convened last week in Geneva, including comments made by Members States on Malaysia's achievements in promoting economic, social and cultural rights, particularly poverty eradication and access to education and healthcare. Positive remarks were also mentioned on Malaysia's effort to repeal several preventive detention laws, among others the Internal Security Act (ISA) and the Emergency Ordinances. Malaysia would carefully look into the recommendations issued by the UPR Working Group for consideration.

Mr. Chairman,

6. To date, Malaysia is party to three of the nine core United Nations human rights instruments. Malaysia undertakes a cautious approach in determining the possibility of becoming a State Party to the remaining core international human rights instruments. Such approach is necessary as there is a need to achieve precise and full understanding of the relevant rights and obligations as well as to consider the possibility of reconciling any of the standards established by the said instruments with those embodied in long-standing domestic laws, traditions and circumstances as well as philosophy, as reflected in the Federal Constitution of Malaysia. Furthermore, these meticulous approach is necessary as Malaysia is trying its best to avoid acceding to the conventions with reservations. Despite yet to be the State Party to all nine core instruments, Malaysia adheres to the principles embodied in the Conventions, subject to the provisions of the Malaysian Constitution and the applicable laws and policies.

7. Malaysia undertakes similar approach in its efforts on the promotion and protection of human rights to its people, by taking into account our historical experience as a multi-ethnic, multi-religious and multi-cultural society country. Malaysia maintains that equal emphasis must be placed on the exercise of the rights to freedom of expression and assembly, by also emphasising on the responsibilities attached to the exercise of such rights. That said, the need to respect sovereignty and territorial integrity which are central to ensuring the effectiveness of the rule of law, remains of paramount importance.

Mr. Chairman,

8. Malaysia shares the observation that in certain parts of the world, the human rights situation continues to deteriorate as a consequence of escalating internal conflict due to recent political upheavals. We therefore reiterate the call of our Prime Minister during the General Debate in September for the international community to embrace moderation and refrain from taking any unilateral action to resolve these conflicts. Malaysia wishes to emphasise that a key component of ensuring the continued exercise of fundamental rights and freedoms, such as the right to life, the right to food, health, adequate water and sanitation in those affected areas pertains to the provision of urgently needed humanitarian aid.

Mr. Chairman,

9. To conclude, Malaysia wishes to reiterate the importance it attaches to the continued promotion and protection of human rights not only at the national, but also at the regional and international levels. To achieve this objective, Malaysia will continue to engage constructively with all delegations, partners and stakeholders on the full range of human rights and fundamental freedoms.

I thank you Mr. Chairman.