



Malaysia

Permanent Mission to the United Nations

**STATEMENT BY MS. FARISHA SALMAN
REPRESENTATIVE OF MALAYSIA
ON**

**AGENDA ITEM 69 (B): HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE
APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS**

AND

**AGENDA ITEM 69 (C): HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL
RAPPORTEURS AND REPRESENTATIVES**

**THIRD COMMITTEE
66TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY
NEW YORK, 26 OCTOBER 2011**

Mr. Chairman,

1. My delegation wishes to associate itself with the statement made by Malaysia on behalf of the ASEAN member countries on the agenda item under consideration.

Mr. Chairman,

2. Malaysia takes a holistic approach to human rights in that it views all rights as universal, indivisible, interdependent and interrelated, comprising the full spectrum of civil, political, economic, social and cultural rights. Malaysia believes that the promotion and protection of human rights needs to be undertaken by all countries with full respect to the significance of national and regional particularities and various cultural, social, economic and political circumstances. Every State has an inalienable right to choose its political, economic, social and cultural systems, without interference in any form by another State or from external influences. These are basic principles underpinning international human rights and should not be taken lightly.

3. As we increasingly move towards a globalized world of shared ideas and the ideal of common values, our work is to create the conditions where not only civil and political rights are enjoyed, but equally important, in ensuring the promotion and protection of economic, social and cultural rights, particularly for the developing countries which are among the most disadvantaged in the global community.

4. The current international trend of politicization of human rights by some has not served the cause of human rights. Some countries continue to emphasize political and civil rights to the virtual exclusion of economic, social and cultural rights. Malaysia is of the view that civil and political rights cannot be separated from economic, social and cultural rights.

5. The promotion and protection of all human rights is a fundamental principle followed since the inception of Malaysia as a sovereign nation. The Federal Constitution of Malaysia guarantees the basic and fundamental human rights as enshrined in the Universal Declaration of Human Rights. As a multi-racial, multi-religious and multi-ethnic society, Malaysia has the responsibility to ensure that the rights of the individual do not impinge upon the rights of the community. The principle of tolerance in Malaysia plays a crucial role in creating a peaceful environment, maintaining social unity and relationships between different

faiths. In order to foster unity among Malaysians, the Prime Minister has introduced the '1Malaysia' agenda in June 2009. '1Malaysia' is an agenda to preserve and enhance this unity in diversity which has always been our strength and remains our best hope for the future.

Mr. Chairman,

6. In our effort to promote and protect human rights, Malaysia has enacted specific human rights legislation and amendments in the country's legal framework. Malaysia enacted the Child Act 2001 to safeguard the welfare and interest of children which was promulgated based on the principles enumerated in the Convention on the Rights of the Child (CRC) which Malaysia acceded to on 17 February 1995.

7. Malaysia signed the Convention on the Rights of Persons with Disabilities on 8 April 2008 and ratified the Convention on 19 July 2010. Malaysia has also enacted the Persons with Disabilities (PWDs) Act which came into force on 7 July 2008. The Act provides for the registration, protection, rehabilitation, development and well-being of PWDs.

Mr. Chairman,

8. In line with our effort to comply with international human rights instruments, Malaysia is undertaking a comprehensive review of national legal framework to ensure compatibility with the principles and provisions of the CRC and Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Malaysia has withdrawn the reservations on Articles 5(a), 7(b) and 16(2) of CEDAW and Articles 1, 13 and 15 of the CRC on 19 July 2010. Additionally, on 7 September 2011, the Government has agreed to accede to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, as well as the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

9. The Government is looking into the possibility of Malaysia's accession to various international human rights instruments namely, the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and Convention on the Elimination of All Forms of Racial Discrimination (CERD) by establishing specific Technical Sub-Committees.

10. Malaysia's commitment to the promotion and protection of human rights was further demonstrated through the establishment of the Human Rights Commission of Malaysia (SUHAKAM) in 1999. This independent Commission is entrusted with the powers to inquire into complaints relating to the infringement of human rights referred to in Part II of the Federal Constitution. It is also mandated to promote awareness of human rights through education. Malaysia will continue as a matter of priority, to increase support for the roles and functioning of SUHAKAM.

Mr. Chairman,

11. Malaysia recognizes that there is a right to development, as affirmed at the World Conference on Human Rights held in 1993. In promoting this right, Malaysia and members of the Non-Aligned Movement (NAM) have reiterated at various international meetings the right of access to aid and to promote human development.

12. The Malaysian Government believes that the purpose of development is to create an enabling environment for people to enjoy long, healthy and creative lives. Economic development, if it is to be meaningful and sustainable, must involve all citizens. It requires placing people at the center of development and directing economies to meet human needs more effectively. Pure economic growth alone cannot guarantee

social harmony, especially in a plural society like Malaysia. National development must be balanced by a strong emphasis on equitable distribution of development benefits.

Mr. Chairman,

13. On 15 September 2011, the Prime Minister of Malaysia announced the abolishment of the controversial Internal Security Act 1960 (ISA). The ISA aims to counter the subversive elements and threats prejudicial to the national security. Its purpose is to provide for the internal security of Malaysia through preventive detention, the prevention of subversion, the suppression of organised violence against persons and property in Malaysia and matters incidental thereto.

14. Two new pieces of legislation will be formulated under Article 149 of the Federal Constitution to replace the ISA as a means of preventing subversive activities, organised terrorism and crime to maintain peace and public order. These laws will be aimed at maintaining peace and wellbeing, as well as to make Malaysia not only developed economically but also to be on par with other nations which practise modern and progressive democracy.

Mr. Chairman,

15. Realizing the highest standards of human rights for all still remains a lofty goal. Malaysia is committed to attaining this goal and is ready to work constructively with other Member States towards this end.

I thank you Mr. Chairman.