

The Human Rights Commission of Malaysia (SUHAKAM)

"Human Rights For All"

Malaysia's Commitment

- ◆ The protection of human rights and fundamental freedoms, as enshrined in the Universal Declaration of Human Rights, is guaranteed under the Malaysian Constitution.
- ◆ Many of the rights in the UDHR have been incorporated in our Constitution, eg. the right to practice religion, right to education, right to own property etc.
- ◆ National values, customs, traditions, religion and the social and economic system mould Malaysia's perception on the issue of human rights.

Community Rights

- ◆ Malaysia recognizes the indivisibility of the political, social, economic, developmental and cultural dimensions of human rights, and address the protection and promotion of these rights in an integrated manner.
- ◆ However, while Western human rights concept stress the rights of individuals, Malaysia (like many other countries in Asia) place greater emphasis on the importance of community rights over those of the individual.
- ◆ Individuals are viewed as an integral part of the community.
- ◆ The importance of community is essential in maintaining harmony in a multiracial society.

Unity in Diversity

- ◆ Three major ethnic races – Malay, Chinese and Indian.
- ◆ A harmonious society is the vital ingredient for sustainable growth.
- ◆ The key thrust is to reduce economic disparity among ethnic groups.



The King at the National Level Deepavali “open House”- Malaysian style.

Malaysia's Guiding Principles

- a) Full commitment to the basic principles of the International Bill on Human Rights and other human rights instruments. Its application, however, would need to take into account local values;
- b) Belief that all human rights are universal, indivisible and interdependent and interrelated;
- c) Upholding the principles of objectivity, impartiality and non-selectivity;
- d) Reject politicization and selectivity of human rights;
- e) Reject the use of human rights as a conditionality for financial and development assistance or as a trade projectionist measures;
- f) Full observance and respect for national sovereignty and territorial integrity as well as non-interference in the internal affairs of states;
- g) Support the right to development as universal and alienable right and an integral part of fundamental human rights.

A Natural Progression...

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|----------------------|--|
| 1993-1995 | Malaysia was elected to the UNCHR by ECOSOC |
| 1995 | Tan Sri Dato' Musa Hitam was elected Chairman of the 52 nd Session of the UNCHR. |
| 1996-1997 | Tan Sri Razali Ismail was elected President of the 51 st Session of the United' Nations General Assembly. |
| 1996-1998 | Malaysia was elected to serve a second term in the UNCHR |
| July 1999 | The National Commission on Human Rights Bill was presented to Parliament |
| Sept 9 1999 | The National Commission on Human Rights Act 1999, Act 597, was gazetted. |
| April 24 2000 | SUHAKAM's inaugural meeting |

The Right Direction

- ◆ The Government has made an important decision to establish a National Commission on Human Rights (Suhakam) in Malaysia.
- ◆ It is an important step taken by the Government in the furtherance of the promotion and protection of human rights in Malaysia.
- ◆ The **Human Rights Commission of Malaysia Act 1999** is consistent with the Paris Principles relating to the Status of National Institutions.
- ◆ The Universal Declaration of Human Rights shall be given due regard to the extent that it is consistent with the Federal Constitution.

Functions of SUHAKAM

- ◆ To promote awareness of and provide education in relation to human rights.
- ◆ To advise and assist the Government in formulating legislation and administrative directives and procedures and recommend the necessary measures to be taken.
- ◆ To recommend to the Government with regards to the subscription or accession of treaties and other international instruments in the field of human rights.
- ◆ To inquire into complaints regarding infringement of human rights.

Commission Members

- ◆ The Yang di-Pertuan Agong, on the recommendation of the Prime Minister, has appointed 13 Commissioners to serve in the Commission.
- ◆ The present Chairman, Tan Sri Abu Talib Othman, took up office in April 2001.
- ◆ Members serve a term of two years, which is subject to renewal.
- ◆ The panel comprises representatives from various sectors and racial backgrounds to reflect the practice of **“participative decision making”**

Chairman

Tan Sri Abu Talib Othman

Vice-Chairman

Tan Sri Dato' Harun Mahmud Hashim

Members

Tan Sri Ramon Navaratnam

Tan Sri Datuk Seri Panglima Simon Sipaun

Dato' Hasmy bin Agam

Dato' Asiah Abu Samah

Prof. Dato' Mohd. Hamdan Adnan

Prof. Chiam Heng Keng

Dr. Muhammad Hirman Ritom Bin Abdullah

Dato' Dr. Abdul Monir Yaacob

Cik Zainah Anwar

Datuk Dr. Raj Abdul Karim

Dato' Ranita Mohd Hussein

Dato' Karam Chand Vohrah

A Formula that Works



Representatives from varied backgrounds

- ◆ All races
- ◆ Gender
- ◆ NGOs
- ◆ Former senior civil servants
- ◆ Legal community
- ◆ Academicians

Education Working Group

To promote respect for and protection of human rights through public education and training programmes.

- ◆ To foster learning environments that encourage participation and development of a caring personality that upholds the dignity of human beings and values friendship, mutual respect, understanding, tolerance, and equality.

Law Reform Working Group

- ◆ To review legislation, administrative directives and procedures that are inconsistent with or erode human rights and to make recommendations for their amendment or repeal.
- ◆ To formulate and propose legislation, regulations, administrative directives and procedures to promote and protect human rights.
- ◆ To propose such other measures as may be necessary to promote and protect human rights.

Treaties and International Instruments Working Group

To recommend to the Government with regard to the subscription or accession of treaties and other international instruments in the field of human rights.

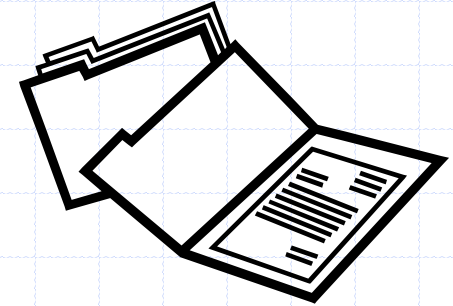
Economic, Social and Cultural Working Group

This is a new group that will be looking into the various aspects of economic, social and cultural rights.

Complaints and Inquiry Working Group

- ◆ To consider complaints received from the public to ascertain whether a right has been infringed.
- ◆ To investigate complaints where there has been an infringement of human rights.
- ◆ To recommend to the authorities appropriate measures to redress the infringement.
- ◆ To establish a Board of Inquiry to investigate particular instances of human rights violation and recommend to the authorities appropriate remedial measures.

Reports



- ◆ Freedom of Assembly
- ◆ Kesas Highway Inquiry
- ◆ Rights of Remand Prisoners
- ◆ Rights of Young Prisoners
- ◆ Visitorial Reports
- ◆ Annual Report 2000
- ◆ Annual Report 2001

Activities

- ◆ Visits to places of detention
- ◆ Dialogues with partners such as NGOs, Government Officials etc.
- ◆ Police training workshops
- ◆ National Human Rights Day
- ◆ Workshops and seminars on issues such as Rights of Indigenous People, the CRC etc.
- ◆ Freedom of the Media
- ◆ Open Inquiry on the Internal Security Act (ISA)

Activities at a glance ...

Dialogue with the media



National Human Rights Day



Workshop on the CRC



Hand-over of Memorandums



Workshop on Rights of Indigenous People in Sabah and Sarawak

Righting the Human Wrongs: Some Success Stories

- ◆ Amendment to Article 8(2) of the Federal Constitution to include “gender” as a prohibited ground for discrimination
- ◆ Police receptive to awareness raising talks and human rights curriculum for police training.
- ◆ Improved conditions at detention centres and separation of juvenile prisoners from adult prisoners.
- ◆ Magistrates to be on-call for 24 hours during public holidays and weekends to issue remand orders.

A Testimony

The setting up of SUHAKAM is testimony of the government's commitment to human rights.

“(Suhakam) had made their invaluable contribution to educate the citizens of Malaysia of their rights and had submitted their reports to the Malaysian Parliament for its consideration. This is democracy in action,”

Anonymous spokesperson
Malaysiakini, 7 Nov 2002



Thank You !

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