

Executive Summary: Meeting of Local Malaysian CSOs with UN High Commissioner on Human Rights Mr. Volker Turk

Introduction

On June 3rd, 2024, representatives from various local Malaysian Civil Society Organizations (CSOs) convened with *Mr. Volker Turk*, the UN High Commissioner on Human Rights. The meeting aimed to shed light on the current human rights landscape in Malaysia and discuss urgent concerns and potential avenues for international cooperation and advocacy.

Key Issues Discussed

1. Human Rights Violations

- **Women's Rights:** Persistent gender discrimination, GBV, lack of adequate protection and empowerment mechanisms.
- **Shariah Law:** Impact of Shariah laws on gender rights and freedom of expression
- **CEDAW:** long period of 4 years to report. Malaysia still has reservations and not ratified in totality.
- **Migrant Workers:** Severe exploitation and abuse of migrant workers, exorbitant recruitment fees, extortion, lack of access to justice and health, particularly in the informal sector. Suggested to put them under one ministry. Need to acknowledge their positive impact on Malaysian society.
- **Refugees:** Lack of fundamental rights to work, health & education. No legal status. Rise of xenophobia & hatred against refugees especially Rohingya refugees.

2. Immigration and Detention

- **Detention of Non-Citizens:** Inhumane conditions and lengthy detention periods for non-citizens, including children.
- **Access to Justice:** Legal barriers and limited access to justice for non-citizens, leading to prolonged detention and human rights abuses.

3. Regressive Legislative Amendments

- **Proposed Constitutional Changes:** Proposed regressive amendments threatening to undermine citizenship rights and inclusivity especially of foreign spouses & PR holders encouraging statelessness of children.
- **Oppressive Laws:** Existence and misuse of draconian laws like ISA, SOSMA, Press & publication law to suppress freedom of expression and right to information.

4. Law Enforcement and Police Brutality

- **Police Atrocities:** Reports of police brutality, especially in detention centres. Deaths in custody. Especially against non-citizens and marginalized communities.
- **Misuse of Laws:** Vague and broad laws having gaps to be manipulated at will. They are used to stifle dissent and target specific groups.

5. LGBTQ+ Rights

- **Discrimination and Violence:** Enhanced systemic discrimination, restrictions, harassment and violence against LGBTQ+ individuals. Forced binary definition of gender. No freedom of religion for them.
- **Proposed amendments** to ban LGBT publications under section 7.
- **Legal Protections:** Lack of legal recognition and protection for LGBTQ+ rights.
- **Shariah Law:** is used more on majority's perception rather than on the rule of law

6. Indigenous Rights

- **Orang Asli Communities:** Marginalization of Orang Asli communities facing lack of visibility and identity in Sabah and Sarawak. They are being offered to convert to Islam to have citizenship.
- **Forced to convert** to only one religion.
- **Land Rights:** The state has no official stand or commitment on their land rights and cultural identity.

9. Climate Change:

- **Deforestation:** Rapid deforestation impacting indigenous communities and contributing to climate change. No political will on this issue.
- **Climate Policies:** Need for stronger environmental protection policies and sustainable development practices.

10. Racial and Religious Discrimination

- **Rise in Xenophobia:** Increasing instances of violence and racial discrimination. Rise in xenophobia against non-citizens.
- **Rise in religious discrimination:** Incidents are rising of racial, religious discriminations. e.g in Dress codes, Rentals, Academics institutions etc
- **Inclusive Policies:** Urgent need for inclusive and non-discriminatory policies.

11. Child Labor:

- Persistent issue of child labour in various sectors.

12. Statelessness

- High number of stateless individuals lacking basic rights and protections. Saba has 35000 stateless persons.

Conclusion

Mr. Volker pointed out that these are the ticking bombs that need to be taken up seriously by the state.

He listed the issues in the manner of priority that he perceives, as following:

1. Environment: deforestation etc

2. Economy: He pointed out that none of the CSO's talked about economy. Budgets must include HR aspects.
3. Human Rights: Gender equality, CEDAW, Indigenous people rights, Migrant workers, Refugees etc
4. Civic Space: Despite the human capital being so rich we still have those draconian laws to subvert the voices & potential.
5. Detention: Issues with children, women, non-citizens. Also to decriminalise certain sectors
6. Migration & Refugees: This is a whole big issue that needs attention by the PM.

The meeting highlighted the urgent need for comprehensive human rights reforms in Malaysia. *Mr. Volker Turk* committed to raising these concerns at the state level and exploring collaborative efforts to address these pressing issues.

The local CSOs emphasized the importance of sustained international support and advocacy to drive meaningful change and protect the rights of all individuals in Malaysia.