

ANNUAL REPORT 2017

HUMAN RIGHTS COMMISSION OF MALAYSIA

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Members of the Commission 2017



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Prof. Dato' Dr. Aishah Bidin, Datuk Godfrey Gregory Joitol, Mr. Jerald Joseph, Dr. Nik Salida Suhaida Nik Saleh, Mr. Francis Johen Anak Adam, Dato' Mah Weng Kwai

Sitting (from left)
Tan Sri Razali Ismail (Chairman), Datuk Lok Yim Pheng

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Chairman's Review

TAN SRI RAZALI ISMAIL

Yet again, the country has not protected and promoted human rights and fundamental freedoms for our people the way it has claimed to champion internationally. Malaysia is the only country, astonishingly, out of 16 other countries to have not been elected to the United Nations Human Rights Council for the 2018-2020 term. Though we were successful at the United Nations when it adopted Malaysia's resolution on moderation at its 72nd session of the General Assembly, proclaiming 2019 as the International Year of Moderation, the **depth of our commitment to moderation** is being questioned in the country and outside. There were instances whereby the authorities embarrassingly banned academic books on moderate Islam and detained and arrested internationally recognised Turkish intellectual and scholar, Mustafa Akyol on the advice of the Federal Territories Islamic Affairs Department (JAWI) for allegedly not having religious credentials to give lectures on Islam, among others, giving rise to a widespread public **perception** of an attempt by the government to **supress freedom of expression**. SUHAKAM must admit that it is deeply concerned at the direction in which our society is heading and at the **growing intolerance** towards freedom of opinion with segments of government accommodating them.

I think that moderation in the form of a reassurance by the government is simply not enough because moderation in policy alone will fail if it does not reflect moderation in practice. The Federal Constitution is all about moderation in practice. Malaysia needs a rejection of all forms of extremism through action, even if extremism is religious in nature as Malaysians want to live peacefully and enjoy the benefits of civilised values. Situations where attempts were made to remove a church cross, the banning of *tudung* for frontline hotel staff, Muslim-only laundries and racist statements by thug-like individuals backed by some politicians are some of the unacceptable intolerances we saw this year. The perceived inaction by the authorities to these actual instances and failure of the government to operationalise its commitment on moderation that it preaches further disappoints us.

University and educational institution policies that **discriminate on the basis of race** cannot be accepted by a government committed to moderation. Malaysia must be seen to be unswerving to the elimination of racial discrimination, including indirect racism in all aspects. Universities and educational institutions are places that cultivate mindsets, and if we are serious about progress, I believe we must have the integrity to re-examine the structures that are embedded in the system. Some of our universities must move away from what is widely regarded

as the practice of institutional racism that is reinforced in entry policies. I wish to point out that racist policies are not in keeping with the spirit of the Federal Constitution.

Malaysia continues to make **enviable strides in achieving economic growth** towards becoming a high-income and developed nation by 2020. But what is needed at the same time is an **equal level of progress in the promotion and protection of human rights.**

Malaysia continues to make **enviable strides in achieving economic growth** towards becoming a high-income and developed nation by 2020. But what is needed at the same time is an **equal level of progress in the promotion and protection of human rights**. Economic growth must be achieved in a manner consistent with human rights values as the fundamentals of human rights are the dignity and the worth of every human being. This in my view means putting people at the centre of economic development. Sadly, the **Orang Asli** of Malaysia remain marginalised and under constant threat, being progressively forced out of their ancestral lands, still lacking the basic right to education and excluded from decision making in matters that directly affect them. To date, SUHAKAM's recommendations following its **National Inquiry on the Land Rights of Indigenous Peoples** concluded in 2012 have remained dormant. I find the assurance that the recommendations will be fully implemented after a research on the concept of customary land rights unconvincing. **Why is there a hesitation to improve the quality of life of our indigenous?**

The Universal Declaration of Human Rights (UDHR) proclaims political, economic and sosial rights. As the National Human Rights Commission, SUHAKAM has been an insistent voice in denouncing the **excuses of the authorities** to recognise and give full effect to the promotion and protection of political freedoms. Discussions on the **rule of law, good governance, accountability and democracy** will for sure dominate in the run up to the imminent 14th General Election. This year, SUHAKAM and the Kofi Annan Foundation hosted a regional conference on 'Democracy in Southeast Asia', bringing together a number of former leaders from around the world to accelerate discussions on electoral integrity reform and the state of democracy in the region. SUHAKAM is conscious of the many challenges still faced to the complete independence of rule of law institutions. We are concerned that activists, politicians, as well as journalists critical of the

government have faced criminal prosecution, giving rise to a wide public and international **perception of harassment and politically motivated prosecutions**.

While all allegations of human rights violations receive our equal and undivided attention, SUHAKAM is particularly troubled that **non-citizen and stateless children** are not legally allowed to receive **education** at our public schools. I am of the view that **segregation in education** is possibly one of the **worst forms of discrimination**, as it deprives children of their right to access quality education on an equal footing with other children to develop their fullest potential. Equally of concern are **marriages of children that remain legal** although sex with a girl below the age of 16 and sexual offences against children are criminalised. This mind-boggling loophole in the law has led to a situation where children have been forced into marriage to avoid the stigma attached to pre-marital sex and teenage pregnancy, with consequences. Advantage has also been taken to escape criminal liability and rape charges. SUHAKAM is now more than it has ever been firm in our position that marriage before the age of 18 is a fundamental violation of human rights that impacts all aspects of a child's life, particularly girls. SUHAKAM holds the view that marriage is a sacred, religious and public responsibility that requires the ability, spiritual maturity and readiness of both the husband and wife to bear the responsibilities, and such a burden cannot be extended to children. The practice of child marriage further contravenes **Goal 5 of the Sustainable Development Goals** which Malaysia is committed to.

SUHAKAM, in dealing with this situation and on other human rights issues **engaged a few religious leaders** this year. SUHAKAM acknowledges that the reality of tension between human rights and religion on the one hand, and the importance of reconciliation on the other, requires thoughtful and well-informed engagement of religion because of its strong influence on human belief and behaviour. SUHAKAM is proud to say that this year, contemporary issues of human rights formed part of several Friday *Khutbah* (Muslim religious sermons) provided by SUHAKAM. I am pleased that through our interactions with Muftis and religious bodies, efforts to abolish the **death penalty** have gained traction. We hope that bipartisan efforts will, at the same time, intensify to abolish the death penalty with the newly set up Parliamentary Caucus on Human Rights for which I wish to congratulate Minister Dato' Seri Mohamad Nazri Aziz. The starting and ending point for a human rights-based analysis must be that the death penalty is never consistent with fundamental human rights principles and has no place in a modern legal system. I emphasise that its abolition is

a prioritised task for SUHAKAM in efforts to promote and increase respect for human rights in Malaysia.

I also hope that the **Parliamentary Caucus** will look into addressing the government's continued reluctance to accede to the remaining **international human rights treaties.** As a country that routinely emphasises the respect of human rights in our foreign policy, it is important that Malaysia demonstrate our willingness to judge and be judged by universal standards. The justification of the government for many years, which is that the government will continue to discuss and study the feasibility of accession lacks evidence of any notable progress, even on the outcome or findings of the studies which the Attorney General's Chambers says it is conducting. SUHAKAM notes that throughout the government's responses on the issue of acceding to international treaties, it has always taken the view that conformity between national laws and international treaties must exist prior to ratification. SUHAKAM believes that this view is itself fallacious as the government has undeniably undertaken and implemented many positive changes and initiatives on issues concerning elements embraced and expounded in these international treaties such as the 'progressive realisation' of many rights of its citizens.

SUHAKAM had to take the decision to conduct a **public inquiry into the alleged enforced disappearances of individuals** as a result of an avalanche of complaints and in the light of public dissatisfaction over the inadequate action of the police, and how in this day and age people have disappeared without a trace. This inquiry is continuing. I am not unaware of the diminishing confidence of the public towards the police in this regard.

SUHAKAM has continued to support the government's efforts to strengthen action against **trafficking in persons**. However, SUHAKAM is perplexed at the decision taken by the US Department of State to upgrade Malaysia to Tier 2 on its Trafficking in Persons Report despite concluding in 2017 that "the Government of Malaysia does not fully meet the minimum standards for the elimination of trafficking" and at the same time noting that "the government demonstrated increasing efforts compared to the previous reporting period". Questions remain about **Wang Kelian**; the police have not been able to bring the perpetrators to justice and alleged involvement of uniformed personnel in trafficking is pervasive. While we have laws to criminalise modern day slavery, SUHAKAM has no choice but to question the effectiveness of the implementation of these laws because trafficking in persons continues.

I have taken the pain to seriously peruse the Government's Official Response to the 2016 SUHAKAM Annual Report that was tabled in cabinet and forwarded to parliament. I find that the responses to SUHAKAM's observations and recommendations inadequate and in some cases, hilarious.

Allegations of **torture and mistreatment** within custodial settings have received specific attention by SUHAKAM this year. SUHAKAM is baffled that the provision of basic necessities to detainees in lock up is dependent on the assessment of the attitude, mentality and ideology of the detainee as evidenced by the Government's Response to SUHAKAM 2016 Annual Report (page 27). Basic necessities should always be provided to all detainees unless there is evidence that such necessities would pose a threat to a detainee's safety or well-being, which is hardly the case.

SUHAKAM investigated ten **deaths in custody** and the need to highlight the intensity of the problem of torture and ill treatment in detention is worrying. The government in its response to SUHAKAM's 2016 Annual Report on a recommendation that interrogation processes be mandatorily video recorded was dismissed without sufficient consideration of the merits of the recommendation. In relation to this, SUHAKAM will continue to find ways to overcome the obstacles to Malaysia's accession to the UNCAT and has engaged among others the Ministry of Foreign Affairs that remains unsupportive of accession.

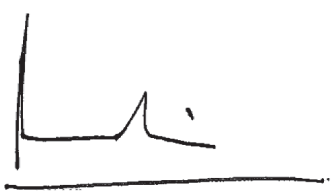
SUHAKAM is mindful of the strain of all expectations on the police in the context of discharging their functions. SUHAKAM enjoys a good working relationship with the PDRM and has campaigned for the increase in the budget for the PDRM for modernisation, which must be followed by action to grant the police force palpable independence. SUHAKAM's human rights trainings for the police is, in this context, to underline the professionalism, values and independence of the police.

I have taken the pain to seriously peruse the Government's Official Response to the 2016 SUHAKAM Annual Report that was tabled in cabinet and forwarded to parliament. I find that the responses to SUHAKAM's observations and recommendations inadequate and in some cases, hilarious. With regard to

SUHAKAM's recommendation that any detention must not be without judicial oversight, the government's response was that judicial oversight could lead to bias (page 40). In SUHAKAM's view, such response by the government is nonsensical as it is the inherent powers and duties of the judiciary to provide checks and balances and to determine the constitutionality of actions taken by the executive. Suggesting that the involvement of the courts could lead to bias is an affront to the integrity and independence of the judiciary.

This year was the first time in SUHAKAM's history that we celebrated the **International Human Rights Day** by having a Human Rights Day Festival with the public. We are encouraged by the public response and will consider similar initiatives on an even grander scale in the years to come.

My job as Chairman is to continue to build the reputation and confidence of the public, government and civil society in SUHAKAM—the label of 'toothless tiger' notwithstanding. This Annual Report sets out the work we have delivered to support our objectives in 2017 and details our activities and positions within the framework of our work plan and strategic priorities. Through our activities that include research, investigations, inquiries, private and public sector initiatives, dialogues, roundtable discussions as well as reporting to international human rights mechanisms, we ensure that Parliament, international bodies and the United Nations as well as civil society have an increased confidence in SUHAKAM. SUHAKAM is dedicated to progress, growth and improvement, and to having even more of an impact in 2018. By the end of this year, there has been a realisation that SUHAKAM has to be **reorganised to meet the demands** and expectations for the promotion, protection and realisation of all human rights in a **non-hierarchical organisation**, respecting **diversity in views** and in search of professionalism and competency.



TAN SRI RAZALI ISMAIL
CHAIRMAN
HUMAN RIGHTS COMMISSION OF MALAYSIA

CHAPTER 1

Empowerment of Human Rights Related Statute, Policies and International Coordination



Standing (from left)
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Mr. Mohamad Azizi Azmi, Mr. Joshua Ericsson

Not in the picture
Ms. Lau Sor Pian, Ms. Mariani Che Hussin, Ms. Siti Rahayu Mohamed Noor

Law Reform and Treaties Division

1. CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

Following the Malaysia's combined third to fifth Periodic Report to the CEDAW Committee on 1 September 2016, the Commission also submitted its Independent Report to the CEDAW Committee on 31March 2017.

In relation to this report, the Commission was invited to attend the CEDAW Committee's 69th Pre-Sessional Working Group for National Human Rights Institutions (NHRI).[1] The pre-session was to provide a platform for NHRIs to highlight issues pertaining to CEDAW as implemented by the Member States. The issues raised at the session would form part of the list of issues and questions that the CEDAW Committee would prepare for the States Parties scheduled to be reviewed.

The following were addressed in the Commission's oral statement to the CEDAW Committee at the pre-session:

i. The government should expedite the process of introducing a gender equality legislation and in doing so, ensures that the consultative process is inclusive;
ii. An explicit provision on marital rape is needed within the current criminal legislation in Malaysia;
iii. Training on sexual harassment should be made compulsory for employers and employees within both the private sector and government agencies;
iv. The current legislation on domestic violence should be reviewed to provide legal protection to both married and non-married partners;
v. The domestic law in Malaysia should be amended to raise the legal age of marriage to 18 years;

1 The CEDAW Committee's 69th Pre-Sessional Working Group for National Human Rights Institutions (NHRI) was held on 24 July 2017.

vi. The government should ensure that the empowerment of women is prioritised, especially with regard to increasing women's participation in the labour force, politics and increasing the number of women in key decision-making positions;
vii. Co-ordination and commitment at all political levels in Malaysia are needed to effectively suppress trafficking and smuggling of women, regionally and internationally;
viii. Specific policies need to be developed to accommodate the transgender community to ensure that their rights to access public services, employment, healthcare and housing are protected, and their dignity respected and secured;
ix. The government should ensure that women in every state in Malaysia have fair and just access to justice in the Syariah Courts; and
x. Vulnerable groups such as migrant workers, asylum seekers, refugees and also stateless women should be allowed equal access to formal education, healthcare and employment, as well as the right to live a decent life, free from poverty and discrimination.

Pursuant to the oral statement delivered, the CEDAW Committee raised the following issues:

i. *Trafficking of women*
The Committee queried on whether there were shelters for victims of trafficking. In response, the Commission highlighted that one of the main problems with regard to shelter was budget constraints. In this regard, specific Civil Society Organizations (CSOs) were being sought to provide protection for trafficking victims. The CEDAW Committee was also informed that the Commission had also held consultations with relevant stakeholders such as the Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants (MAPO) under the Ministry of Home Affairs on the issue of trafficking; however, the progress had been very slow.

ii. *Funding of NHRI and anti-corruption laws*
The CEDAW Committee queried on the budget of SUHAKAM and whether there were anti-corruption laws in Malaysia and their impact on the government's efforts to address human rights issues; and if such anti-corruption laws existed, whether they were adequate to tackle the problem of corruption.

The Commission highlighted that its budget was cut by 45% in 2016. This has had major consequences for SUHAKAM in upholding its mandate as it was unable to conduct a lot of advocacy and promotional campaigns relating to various matters including CEDAW and also to investigate a wider range of issues pertaining to women's rights in Malaysia.

On the issue of anti-corruption, the Malaysian Anti-Corruption Commission (MACC) was tasked with looking into corruption. Although there is specific anti-corruption legislation, the main issue has always been about enforcement. Furthermore, the Whistleblower Protection Act 2010 contains many gaps and does not provide adequate protection for whistleblowers.

iii. *Application of Islamic or Syariah Law*

The Committee highlighted that in its previous concluding observations for Malaysia, it had encouraged the Malaysian government to take steps to increase support for law reform, one of which was through partnerships and collaboration with Islamic community leaders. In relation to that, the Committee enquired as to whether any efforts had been made by the government on this matter. Secondly, the Committee sought further clarifications on the application of Syariah Law in Malaysia.

The Commission explained that in Malaysia, Islamic law is a state matter governed by each state, so there is a need for harmonisation among the states as the current application of Syariah law differs from one state to another. There is also conflict with the civil law on certain matters such as custody of children and unilateral conversion of children to Islam. At the moment, the reservations placed on Article 16 of CEDAW were partly due to the conflicts with Syariah Law as the government has consistently used the inconsistency with Islamic law as one of the factors in their reservations on international human rights treaties.

The CEDAW Committee highlighted to the Commission that many countries which have incorporated Syariah Law into their legal system have moved forward with modern interpretations and applications. Therefore, it encouraged the Commission to consider the Beirut Declaration and its 18 commitments on Faith for Rights which have the objective of fostering development of peaceful societies and upholding human dignity and equality for all where diversity is not just tolerated but fully respected and celebrated.

The Commission hopes that the said matters raised during the pre-session will be addressed by the government during the concluding observations by the CEDAW Committee scheduled for 19 February 2018 and at Malaysia's Universal Periodic Review (UPR) scheduled for October/November 2018. Furthermore, the government should ensure that these matters are looked into, in line with the government's efforts to promote the Sustainable Development Goals (SDGs), in particular Goal 5 on achieving gender equality and empowering all women and girls.

2. EARLY AND FORCED MARRIAGES

Child marriage is a grave human rights violation, which could significantly impact a child's rights to health, education, equality, non-discrimination and to live free from violence and exploitation. The best interests of the child must prevail and must not be superseded by traditional practices when it comes to child marriages.

The Commission is concerned with the omission of any provisions addressing child marriages in the newly amended Child Act 2001(Child (Amendment) Act 2016). Despite recommendations by the Commission to amend domestic laws to raise the legal age of marriage for all to 18 years to be in compliance with the Child Act 2001 and the Convention on the Rights of the Child (CRC) which defines children as those below the age of 18, no amendments have been forthcoming.[2]

Therefore, **the Commission urges the government to consider providing specific provisions on child marriages within the domestic law as it is detrimental to the basic rights of women and children.**

3. SEXUAL OFFENCES AGAINST CHILDREN

The Commission notes with concern the rising number of sexual offences committed against children in Malaysia.[3]In light of that, the Commission welcomes the new Sexual Offences Against Children Act 2017 (SOACA

2 SUHAKAM Press Statement dated 18 April 2016.
3 http://www.themalaymailonline.com/malaysia/article/worrying-rise-of-sexual-crimes-against-children#fGQjY10wSx8bY3ZG.97

2017) which came into force on 10 July 2017. The Commission is of the opinion that all the provisions in the Act are in line with the spirit of the articles contained in the Convention on the Rights of the Child (CRC) and the Optional Protocol on the CRC on the sale of children, child prostitution and child pornography. However, the Commission would like to highlight the following areas:

A. *Registrar of child sexual offenders*

The Commission is of the opinion that there should be a clear indication on the registration of offenders under SOACA 2017, as sections 118 and 119 of the Child Act 2001 provide for a 'Register of Children', which shall contain details of any person convicted of offences against a child. The register can only be accessed upon the approval of the Director General of Social Welfare to, amongst others, screen persons who deal with or care for children.

The Commission feels that such a database may also be pivotal in keeping track of convicted offenders under the Act to ensure children are protected and therefore, **recommends that the government ensure that the register contains details of all known child sex offenders.** Furthermore, **the Commission hopes that the register will be regularly updated in order to ensure its effectiveness in protecting children.**

B. *Special Court for Sexual Crimes Against Children*

The Commission welcomes the establishment of the Special Court for Sexual Crimes Against Children which was launched on 22 June 2017 to hear child sexual crimes cases, in line with the enactment of the SOACA 2017. **The Commission emphasises that the special court must ensure that the principle of the best interest of the child is upheld throughout the proceedings.**

C. *Additional provisions to be included in the Schedule of SOACA 2017*

At present, the Schedule of the SOACA 2017 does not contain the following provisions:

i. Section 292 of the Penal Code which deals with sale and distribution of obscene materials;

ii. Section 233 of the Communication and Multimedia Act 1998 which deals with the making, creating and transmitting of obscene materials via the internet; and
iii. Section 5 of the Film Censorship Act 2002 which deals with the possession of child pornography in the form of obscene films.

Therefore, **the Commission suggests that in line with the power of the Minister under section 26 of the SOACA 2017, the above-mentioned provisions are included in the Schedule.** In addition, **any other relevant laws should also be included in the Schedule to the extent that they are relevant to the provisions of the SOACA 2017 to give a clear indication of the extent and scope of the SOACA 2017, and to ensure that all the relevant laws relating to sexual crimes against children in Malaysia are harmonised.**

4. PREVENTIVE DETENTION

On 3 April 2017, the 28-day preventive detention provision by the police as prescribed under section 4(5) of the Security Offences (Special Measures) Act 2012 (SOSMA) was extended for a further 5 years pursuant to a review of the sunset clause under section 4(11) of the SOSMA. The sunset clause made it compulsory for Parliament to review the discretionary power granted under section 4(5) of the SOSMA. Section 4(11) of the SOSMA states that "Subsection (5) shall be reviewed every five years and shall cease to have effect unless, upon the review, a resolution is passed by both Houses of Parliament to extend the operation of the provision". This sunset clause was specifically highlighted in Parliament at the second reading of the Bill as one of the safeguards intended by the government for SOSMA.

The Commission would like to emphasise that an appropriate balance must be struck between, on the one hand, the need to protect the nation from security threats, and on the other hand, the maintenance of fundamental human rights and freedoms. These two considerations should be accepted to naturally reinforce one another; security without check and balances can erode human rights; and likewise, absolute human rights can put national security at risk. Therefore, **any legislation that departs from human rights principles must allow itself to be examined periodically to provide satisfactory safeguards.**

A. *Submission of an Annual Report to Parliament*

The Commission via its statement[4] takes the position that the Ministry of Home Affairs should submit a report on the application of the Security Offences (Special Measures) Act 2012 (SOSMA) to Parliament annually.

Such a report is to ensure accountability to enable the Parliament to assess the necessity of the use of the 28-day preventive detention provision by the police as prescribed under section 4(5) of the SOSMA. At the outset, the report should include information and assessment of the existing security threats and risks to Malaysia. The said report should also contain information on the following:

i. Number of cases of persons detained under SOSMA for the year under review;
ii. Age group and gender of persons detained under SOSMA;
iii. Number of days of detention under SOSMA;
iv. Number of those released before the expiry of the 28-day period;
v. Number of those charged under the relevant laws before the expiry of the 28-day period and after;
vi. Number of those released and not charged at all;
vii. Number of those who were initially detained under SOSMA but later detained under other preventive laws including Prevention of Crime Act 1959 and Prevention of Terrorism Act 2015; and
viii. Number of persons convicted and the Acts used to prosecute the said persons upon the completion of investigation under SOSMA.

The Commission would also like to highlight that those who are detained under preventive detention laws can be at an increased risk of vulnerability to being subjected to ill-treatment and physical abuse which may amount to torture. To minimise these possibilities, **the Commission recommends that the authorities and the police in particular, develop a standard operating procedure (SOP) to deal with matters relating to detention under SOSMA.** In addition, **Parliament should have access to this SOP to ensure that all measures are taken to protect the rights of the accused.**

4 SUHAKAM Press Statement No.11 of 2017.

The information in the report would be vital to Parliament when considering the relevance and renewal of the 28-day detention period under SOSMA in the future. This would also assist Parliament in ensuring that SOSMA is effective and consistent with fundamental legal principles and human rights obligations.

B. Select Committee on Human Rights

The Commission also recommends that a Select Committee on Human Rights be set up with the Committee having the function of reviewing the contents of the said report prior to its submission to Parliament. In relation to this, the Commission welcomes the agreement of Cabinet to the suggestion of the Inter-Parliamentary Union (IPC) chaired by YB Dato' Seri Mohamed Nazri Abdul Aziz for a Parliamentary Caucus on Human Rights to be established. The caucus will be comprised of members of Parliament from both the ruling government and opposition parties and will act as the liaison between the Commission and other government agencies to discuss issues related to human rights in Malaysia. **The Commission recommends that the said caucus also discuss and review the implementation of security laws such as SOSMA to ensure that the usage of those laws is in line with human rights principles, proportionate and reasonable.**

5. CYBERBULLYING AND HUMAN RIGHTS

In 2017, the Commission embarked on the new issue of cyberbullying and human rights. The Commission believes that everyone has the right to be respected, safe and free from violence, harassment and bullying. A life free from violence and cruelty, and degrading and inhuman treatment is a fundamental human right that should be enjoyed by everyone regardless of age and creed.

As technologies advance, the method of bullying has also evolved and has taken form in the cyber world. Cyberbullying can be detrimental to a person's mental and physical health. Victims can experience significant social isolation and feel unsafe. It can lead to emotional and physical harm, loss of self-esteem, feelings of shame and anxiety, concentration and learning difficulties and worse, suicide.

According to Cyber Security Malaysia, until August 2017, there were 431 reported incidents of cyber harassment. Despite the 1524 cyberbullying cases recorded in the past five years, Malaysia still has no specific law to curb or address cyberbullying. On 25July 2017, the Commission attended a stakeholder consultation on countering technology-related harassment and gender-based violence. During the consultation, it was proposed that a strategy must be developed to enable the nurturing of a safe and empowering internet experience for all internet users. The consultation also noted that victims of cyberbullying may face emotional and psychological distress thus, assistance must be provided.

6. MEMORANDUM OF UNDERSTANDING (MoU) WITH THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR)

Since its establishment, the Commission has been advocating the rights of refugees, asylum-seekers, stateless persons and people at risk, and on 14 September 2017, the Commission and UNHCR signed a MoU to formalise their commitment to form a closer cooperation and mutual support between the two organisations in protecting the rights of refugees, asylum-seekers, stateless persons and people at risk of statelessness in Malaysia.

The signing of the MoU helped to realise the shared goal of both the Commission and UNHCR in ensuring that the SDGs and the importance of the commitment that "no one will be left behind" for the protection of the human rights of refugees, asylum-seekers, stateless persons and people at risk of statelessness is upheld. In addition, the signing of the MoU will further strengthen the commitment to work together and to jointly engage various government agencies and stakeholders to ensure that the rights of these vulnerable groups are protected.

Via the MoU, both the Commission and UNHCR have developed a joint action plan for 2017-2019 which will include, amongst others, advocating for the development and implementation of a domestic legislative and administrative framework for the protection of the rights of asylum seekers and refugees; working on initiatives to implement alternatives to detention especially for women and children; organising trainings and awareness campaigns; promoting a better understanding and response for the rights of

refugees and asylum seekers in hosting communities; and improving mutual understanding and peaceful coexistence in Malaysia.

In addition, vide the MoU, both the Commission and UNHCR will be able to share resources and data so as to have more accurate information and quicker response time, and to help in the formulation of better and workable solutions to the problems faced by refugees, asylum-seekers, stateless persons and people at risk of statelessness in Malaysia.

The Commission applauds the efforts of the Immigration Department of Malaysia in screening and releasing immigrants, refugees and asylum-seekers upon checking the authenticity of their UNHCR cards and in ensuring that these groups of people are not put in immigration detention centres. In addition, the government's efforts in working with UNHCR to ensure that the UNHCR cards have proper security measures in place to avoid falsification is a step in the right direction in protecting the status of these vulnerable groups of peoples. Nevertheless, **the Commission would like to highlight that the efforts by the government to ensure that these vulnerable groups are afforded their basic rights to work, education, health and housing are still inadequate.The Commission therefore, recommends that the government take a more holistic approach to ensure that these vulnerable groups of people are all afforded those basic rights.**

7. ANTI-DEATH PENALTY

In Malaysia, the death penalty is still implemented in the criminal justice system. Laws such as the Dangerous Drugs Act 1952, Penal Code, Firearms Act 1971, Kidnapping Act 1961, Water Services Industry Act 2006 and Strategic Trade Act 2010 stipulate for the imposition of the death penalty for various offences, either for mandatory or discretionary death penalty. However, in 2012, there was a movement from the government to explore the possibility of abolition for drug trafficking offences, and the Commission greatly welcomed the announcement made by former *de facto* Law Minister, YB Dato' Seri Mohamed Nazri Abdul Aziz on the matter. Following the announcement, the Commission noted that the government continues to embark in undertaking comprehensive research on the issues of death penalty in Malaysia and further proposing the amendment to the Drug

Dangerous Act 1952. Pursuant to this, Minister YB Dato' Azalina Othman Said announced in Parliament House during Parliament Sitting in March 2017 that the research had been completed and approved by the Cabinet.

In relation thereto, it was agreed that section 39B of the Drug Dangerous Act 1952 be amended and should include additional provision to give discretionary power to the court in delivering other punishments under certain conditions for the offences of drug trafficking under section 39B of the Act. The proposed Dangerous Drug (Amendment) Bill 2017 was tabled, debated and passed at the House of Representative in November 2017, and in December 2017, the Bill was passed by the Senate. The Commission welcomes the removal of mandatory death penalty in section 39B of the Parent Act and the reinstatement of discretion power of the Court, upon the fulfillment of certain conditions. However, there are several concerns that the Commission wishes to highlight to Parliament which include:

i. *Mandatory Whipping*
   Even though the Court may sentence the person with life imprisonment, the said person is also to be punished by whipping. The word "shall" in the proposed section 39B clearly indicates that it is mandatory for whipping to be applied in such cases. Thus, it gives no discretion to the judge to consider the whole situation of the case before him. The choice of word used indicates that the government is still maintaining its stand on the usage of corporal punishment as one of its deterrence punishments. **The Commission is adamant that corporal punishment should not be part of our legal system as it is against the principles and spirit of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and other human rights treaties and declarations.**

ii. *Life Imprisonment*
   There is a concern that the proposed amendments do not take into consideration the various circumstances and reasons of the commission of the offence. "Imprisonment of life" as proposed in the ill indicates that it is mandatory for the judges to impose life imprisonment to the convicted persons once they have fulfilled the requirements needed. **The concept of proportionality should be employed in determining the actual sentence, and judges should then be given discretion to impose the length of the imprisonment or other forms of punishment.**

iii. Transitional

It should be noted that the concept of 'transitional' introduced by the proposed ill is different from the meaning of retrospective. As such, any persons whose trial have been completed and have been sentenced are not entitled to a retrial and to use the amended Act. **The Commission is of the opinion that any amendments should reflect the spirit in which they were made, which in this case, is to exclude certain categories of offenders. Thus, the inclusion of a retrospective clause would put meaning to the intention and spirit of the amendment.**

In the meantime, **the Commission urges that a moratorium on the use of death penalty be put into effect. The Commission also hopes that the government will progressively review the relevance and effectiveness of capital punishment in other offences.**

On a different development, the Commission has expressed its interest to participate in the Asia Pacific Forum on 'Abolition of the Death Penalty Project' (ADPP) which was duly submitted in May 2017. The Commission had been selected and given funds by APF to organise related activities. As part of the project, a position paper would be submitted to Parliament, which covers outcomes of the activities and recommendations of the issues related to the death penalty. At the time of writing, the Commission has conducted several working meetings with relevant stakeholders and workshops with students in University of Selangor and Universiti Pendidikan Sultan Idris. The project is scheduled to be completed by the end of May 2018.

8. ACCESS TO INFORMATION IN MALAYSIA

The need for information to be freely accessible is vital to create a transparent and open society. While the government has a need to protect certain information which may have a bearing on national security, this must not be used as an excuse to prohibit the sharing of information and lack of transparency from the government.

Pursuant to this, the Commission together with the Centre to Combat Corruption and Cronyism (C4) had commenced an activity on the access to information in Malaysia. A roundtable discussion (RTD) with stakeholders comprising civil society groups and representatives from government

agencies and the media was held on 4 August 2017 to obtain input, views and recommendations from all participants with regard to the matter. The Commission invited five speakers to provide information and to share their experiences and views on issues relating to access to information. They were Mr. Michael P.Canares, an international expert, Ms. Cynthia Gabriel from C4, Mr. Mansoor Saat from Malaysia Bar Council, Dr. Nik Salida Suhaila Nik Saleh from SUHAKAM, and Ms. Sophia Hashim from Malaysia Administrative Modernisation and Management Planning Unit (MAMPU).

The objectives of the RTD were as follows:

i. To identify the relevance and importance of a freedom of information legislation in Malaysia;
ii. To identify the challenges in enacting a freedom of information legislation in Malaysia;
iii. To assess laws that restrict the right to freedom of information; and
iv. To outline a strategic framework towards enacting a freedom of information legislation.

Throughout the RTD, several issues were raised which include the following:

i. Access to information could lead in creating a government that is more transparent and accountable;
ii. In considering of having the Right to Information Law, several pertinent points and safeguards should be considered. It was proposed for the government to amend the Federal Constitution and to review the related laws and policies;
iii. If the government maintained its secretive administrative system, there would be an inherent danger that the vast power conferred to the executive might lead to private gain or for corrupt motive. These days, societies across the world have moved from a secretive administrative system to an open and transparent system;
iv. Openness and transparency in government would act as a powerful check on the abuse or misuse of power done by the government. However, right to information must also be balanced with several considerations such as security, public order, decency and privacy; and
v. Right to information was not only for the citizens as it would also bring positive points to the government. Having the right to information law

would benefit the economy and government management apart from developing the trust between the government and citizens.

The Commission observed that the sharing of views, opinions and knowledge among the participants and distinguished speakers was well received, and participants understood the importance of access to information. While acknowledging the importance of this right, the participants also agreed that several limitations should be imposed as a check and balance between this right and national security.

The Commission will keep on recommending the government to engage all stakeholders and the relevant agencies for their input and feedback on any arising issues pertaining to freedom of information in Malaysia and to continue its effort in convincing the government to enact the Right to Information Law that is in line with the international norms and characteristics as well as the socio-political landscape of Malaysia.

9. WATCHING BRIEF IN SYARIAH COURTS

The Commission has observed that the civil courts are receptive to the concept of human rights, and since 2011, the Commission has held watching briefs at civil courts. The Commission was of the opinion that this approach could also be applied in the Syariah Courts, and efforts to fulfill this vision have been carried out since 2014. In 2016, the Chief Syariah Judges except the state of Johor agreed for the request of the Commission to conduct watching brief in Syariah Courts. The Commission is pleased by the decision.

As an effort to familiarise the State Syariah Courts to the work and intention of the Commission to conduct watching briefs, the Commission had succeeded in organising meetings with the Sarawak Syariah Judiciary Department and Sabah Syariah Judiciary Department in August and October 2017, respectively. At these meetings, the Commission explained the reasoning behind this idea, and the Commission hoped that it helped to dispel any negative notion that human rights are not compatible with Islam.

The Commission realises that the actual implementation of this vision may not be realised in the near future as there are several factors that need to be addressed which include the capacity of Syariah lawyers and the



Meeting with Sarawak Syariah Judiciary Department on watching brief syariah.

acceptance of Syariah Courts judges to the concept of allowing an outsider such as the Commission to give its opinions in cases heard before the Syariah Courts.

10. DISSOLUTION OF MARRIAGE - CONVERSION

The Law Reform (Marriage and Divorce) Act 1976 (Act 164) governs the formation and dissolution of non-Muslim marriages after 1 March 1982. For Muslim marriages, they are governed by each state's Islamic law. However, this segregation does not prevent potential conflicts, especially when there is conversion of religion.

Each conflict has its own weight of seriousness and effects on the rights of child, women and family institution. Among the unsolved issues are the issue of child conversion, inheritance and conflict of jurisdiction between Syariah and Civil Courts. The Commission welcomed the introduction of section 88A[5] and 6 amended sections of Bill 164, which were presented by Minister

5 The Section introduces that the religion of any child of the marriage shall remain as the religion of the parties to the marriage prior to the conversion, except where both parties to the marriage agree to a conversion of the child to Islam, subject always to the wishes of the child where he or she has attained the age of eighteen years.

YB Dato' Sri Azalina Othman Said on 21 November 2016. However, the Bill was only passed by the Parliament on 9 August 2017 without the inclusion section 88A, which is believed to be capable of solving the issue of child conversion as the government had withdrawn the section due to what the government indicated as a constitutional issue.

The Commission in its statement expressed its regrets and disappointment over the decision to withdraw a provision in the Law Reform (Marriage and Divorce) (Amendment) Bill 2017 which would have been an effective solution to the unilateral religious conversion of minors by a parent. Hence, **the Commission calls on the government to commit firmly to the issue and recognise the importance of both parents to have equal parental rights and authority in relation to religion, custody and upbringing of their children, considering the principle of the best interest of the child. The Commission believes that the remedy lies in an amendment to Article 12(4) of the Federal Constitution.**

11. DECRIMINALISATION OF DRUG USERS

In 2017, the Commission and several relevant stakeholders were invited by PEMANDU Associates to share input on Drugs Transformation Lab as the idea of it is to encourage Persons Who Use Drugs (PWUD) to attend treatment voluntarily.

Human rights offer guidance on balance between the protection of fundamental freedoms and the protection of public health, morals and security. The government has an obligation to establish criminal laws and systems sufficient to deter and respond to attacks on individual, but criminal laws must not go so far as to deny an individual's rights, among others, the right to the highest attainable standard of health. By sending drug users to prison, they may be subjected to degrading treatment. **The Commission applauds the idea of treatment to PWUDs, and it is hoped that throughout the collaboration, the government would perceive drug users as patients and not as criminals.**

12. MONITORING OF STATE RATIFICATION ON HUMAN RIGHTS CORE TREATIES

Malaysia has only ratified three of the nine treaties, namely Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC) and the Convention on the Rights of Persons with Disabilities (CRPD). It was 5 years back when Malaysia ratified both the Optional Protocol to the Convention on the Rights of the Child. The Commission is deeply concerned that Malaysia has ratified the least number of treaties compared to other countries in ASEAN and Organisation of Islamic Cooperation (OIC).

The Commission takes note of the existence of several steering committees placed under several government agencies to discuss on the possibility of acceding to the six remaining core human rights treaties. From the series of meetings with several government agencies held throughout 2017, the Commission was informed that the government had a policy of not ratifying any international treaties unless it conformed to national laws. The Commission notes that throughout the government's responses on the issue of acceding to international treaties, the government has always taken the view that conformity between national laws and international treaties must exist prior to ratification. The Commission believes that this view is itself fallacious as the government has undeniably undertaken and implemented many positive changes and initiatives on issues concerning elements embraced and expounded in international treaties such as the 'progressive realisation' of many rights of its citizens.[6]

The Commission wishes to stress that the use of such policy borders on absurdity as the process and period of implementation would inevitably be continuous, and there would always be laws or policies deemed to contravene these treaties. **The government should view ratification to these treaties as a positive act to spur the government to fulfil its obligations and fulfilment of the spirit and intention of the treaties.**

6 Article 2, International Covenant on Economic, Social and Cultural Rights
Article 4, Convention on the Rights of Children
Article 4(2), Convention on the Rights of Persons with Disabilities

13. SYARIAH COURTS (CRIMINAL JURISDICTION) PRIVATE MEMBER'S BILL 2016 (RUU 355)

In 2016, Member of Parliament Marang, YB Datuk Seri Abdul Hadi Awang, succeeded in proposing a motion to amend the Syariah Courts (Criminal Jurisdiction) 1965 (Parent Act) at the House of Representative. It was stated that the ultimate objective of the amendment was to empower the criminal jurisdiction of the Syariah Court by increasing existing sentences as they were seen irrelevant at present. In conjunction to the matter, the Commission had undertaken a brief research on the proposed Private Member's Bill focusing on the sentences as highlighted in section 2 of the Parent Act[7]. The new proposed amendments are as follows:

SECTION 2 OF THE PARENT ACT	NEW AMENDMENT OF SECTION 2 OF THE PROPOSED BILL 2017
Imprisonment of not less than three years	Imprisonment of not less than 30 years
Fine not exceeding RM 5,000	Fine not exceeding RM 100,000
Whipping, not less than six strokes	Whipping, not exceeding 100 strokes

The main concern of the Commission is related to the aspect of corporal punishment where it was proposed that the number of whipping be increased to 100 strokes. The Commission acknowledged that syariah strokes are different from the civil's; however, based on human rights perspective, such punishment is considered as a form of cruel, inhumane and degrading treatment and not permitted under the international human rights standards.

The Universal Declaration of Human Rights (UDHR)[8], the International Covenant on Civil and Political Rights (ICCPR)[9], the Convention against

7 Section 2 of the Syariah Courts (Criminal Jurisdiction) 1965 states that Syariah Court is subject only to a **maximum jail term of three years**, **fine not exceeding to RM 5,000 and six strokes of syariah whipping**.

8 Article 5 of the UDHR states that "no one shall be tortured or punished cruelly or treated in a degrading way".

9 Article 7 of the ICCPR states that "*no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment*".

Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)[10], General Recommendations of the Special Rapporteur on Torture[11], General Comment No. 8 on the Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment[12], and the Cairo Declaration on the Convention on the Rights of the Child and Islamic Jurisprudence are among international human rights documents that prohibit, expressly and impliedly, the implementation of corporal punishment. These documents clearly show that the proposed amendment is contrary to the spirit of human rights. Therefore, **the Commission would like to reiterate its stand that all forms of torture and other cruel, inhuman or degrading treatment are absolutely prohibited by customary international law and international treaties. The Commission is of the view that such punishment should be replaced with a more humane punishment that has no element of inhuman, cruel and degrading treatment towards offenders and that corporal punishment should not be part of Malaysia's legal system. The Commission also strongly recommends that Parliament must accordingly ensure that all laws passed by it are reasonable, equitable and proportionate as well as progressive and fair.** At the time of writing, the Commission takes note that the proposed Bill has not yet been debated in Parliament.

THE WAY FORWARD

The year 2017 has been a challenging year in which many issues concerning human rights have yet to be resolved as evident in the issues highlighted above. The Commission acknowledged that the concerns raised by the stakeholders are legitimate, and the failure to address these issues will lead to the deterioration of human rights in Malaysia and inevitably, reduce the standing of Malaysia in the eyes of the world. On a positive note, the continuous efforts of the Commission undertaken years ago have finally borne fruits such as the acceptance of the Syariah Judiciary in recognising the role that the Commission could play in advising the Syariah Courts and positive development in the movement to abolish the death penalty. The Commission, as the body created by the Parliament, strives to remind the government of its commitments and to uphold the principles of human rights as espoused in the Federal Constitution.

10 Article 1 of CAT.
11 E/CN.4/2003/68, para. 26.
12 Paragraph 32 of the General Comment No. 8 - the Committee notes that in a minority of States, corporal punishment using canes or whips is still authorised as a sentence of the courts for child offenders. As frequently reiterated by the Committee, the Convention requires the repeal of all such provisions.

Policy Division

1. BUSINESS AND HUMAN RIGHTS

a) National Action Plan on Business and Human Rights for Malaysia

On 16 June 2011, the United Nations Human Rights Council unanimously endorsed the Guiding Principles on Business and Human Rights (UNGP), providing a framework for corporations to strengthen their approach in demonstrating respect for human rights. Business integration of the guiding principles provides a roadmap for consistency and accountability in addressing issues throughout business functions and across the supply chain. Upholding international human rights standards has traditionally been the responsibility of governments which aim at regulating relations between the State, individuals and groups. However, the increased role of corporate actors has given rise to the issue relating to the impact of business on the enjoyment of human rights.

So far, many countries have taken the steps to ensure the implementation of UNGP by introducing a National Action Plan (NAP) on Business and Human Rights (BHR). Similarly, in Malaysia, there is an increasing public expectation for private actors including business enterprises to ensure that their conduct respects human rights. Following the launching of the Strategic Framework on a National Action Plan on Business and Human Rights in 2015 by YB Senator Datuk Paul Low Seng Kuan, Minister in the Prime Minister's Department, the Human Rights Commission of Malaysia (SUHAKAM) has assisted the office of YB Datuk Paul Low Seng Kuan in preparing a Cabinet Paper to get the government's approval to develop a NAP on Business and Human Rights for Malaysia. Ultimately, during the 6th UN Forum on Business and Human Rights in Geneva, Switzerland, YB Datuk Paul Low Seng Kuan announced that Malaysia would develop a NAP on BHR. Malaysia is one of the countries in Southeast Asia, apart from Indonesia, Thailand and the Philippines, that has demonstrated its commitments to develop such a NAP. The development of the NAP on BHR would demonstrate Malaysia's leadership in advancing sustainable socio-economic development and protecting and promoting human rights and fundamental freedoms in the region.

The Commission believes that the proposed NAP on BHR should be supported by an effective enforcement of existing laws that regulate the actions of business enterprises. As such, the Commission reiterates that while the government cannot be held responsible for any human rights abuses perpetrated by business enterprises, the government may have breached its human rights obligations if the abuses were the result of the government's failure to take appropriate steps to prevent, investigate, punish and redress private actors' abuses. The Commission is also of the view that in order to successfully develop the NAP on BHR, the government would need the support of stakeholders especially business corporations. The Commission fully supports the commitment shown by the government and would render its assistance to develop the NAP on BHR whenever applicable.

b) Memorandum of Understanding (MoU) involving the Commission, FELDA and FGV

The Commission of Malaysia (SUHAKAM), Felda Global Ventures Holdings Berhad (FGV) and the Federal Land Development Authority (FELDA) have together initiated the first step towards minimising/reducing business impact on human rights. Such an initiative done through a Memorandum of Understanding (MoU), is an important milestone in the efforts of FGV and FELDA to revisit their operations from a human rights perspective. Under the MoU, the collaboration of the parties involved focuses on a number of substantive areas, which may include, but not limited to:

i) To develop an action plan on the Support for Transformation
Initiative in which the Commission agrees to provide strategic advice on the proposed action plan developed by FGV which is paramount in ensuring compliance and respect towards human rights principles.

ii) To organise Stakeholders' Consultation
The parties agree to initiate consultations with civil society organisations, specifically those working on issues related to workers in order to include their input into the action plan on the Support for Transformation Initiative.

iii) To conduct Capacity Building Programmes

The Commission underscores the importance of institutional commitment towards respecting human rights in business operations. On that basis, the Commission agrees, where applicable, to provide human rights trainings and briefings to officials of FGV and FELDA. The Commission is also mindful that the capacity building programmes may extend to other parties' affiliations, including but not limited to, their supply chains and in the case of FELDA, the settlers.

iv) Visit and Monitoring plantations

The Commission emphasises the necessity for its team to undertake on-site visits and monitor activities to identify the gaps and to ensure adherence and compliance to human rights standards.



Memorandum of Understanding (MoU) within Human Rights Comission of Malaysia (SUHAKAM), Felda Global Ventures Holdings Berhad (FGV) and the Federal Land Development Authority (FELDA).

Following the signing of the MoU, various meetings and discussions had been held among the Commission, FGV and FELDA to discuss the proposed action plan by FGV and FELDA and to review the current policies in place in ensuring their compliance and respect towards human rights principles. The Commission

also conducted four (4) visits to FGV and FELDA Plantations in Pahang. During the visits, the Commission's delegation had met and interviewed the plantation managers and employees. The remaining activities stated under the MoU such as capacity building programmes and consultation with stakeholders will be carried out in 2018.

Apart from its engagement with FGV and FELDA, the Commission also explores possible collaborations with other business entities. In relation thereto, an exploratory discussion on the possibility of collaborating with Sime Darby Properties was held in December. Such a collaboration serves as a stepping stone to expand the Commission's engagement with the manufacturing sector in Malaysia besides the plantation sector.

c) Roundtable Discussion on Promoting Business and Human Rights in Malaysia

As part of its commitment to promote business and human rights in Malaysia and as continuation from its efforts in 2015 (where the Commission held a series of discussions on BHR in KL, Sabah and Sarawak), the Commission also organised an RTD on 'Promoting Business and Human Rights in Malaysia' in Pulau Pinang on 16 May 2017 with the following objectives:

i) To introduce the UN Guiding Principles on Business and Human Rights (the Guiding Principles) to relevant stakeholders;
ii) To enhance understanding on ways to implement the Guiding Principles in practical terms;
iii) To identify, exchange and promote good/best practices and lessons learned on the implementation of the Guiding Principles;
iv) To provide an opportunity for various groups including the government, NGOs, Government Linked Companies (GLCs) and other civil society organisations to express their concerns and perspectives on issues relating to business and human rights; and
v) To discuss possible collaborations with various stakeholders in promoting the agenda on business and human rights in Malaysia.

Several speakers from government agencies, regulators as well as business entities were invited to provide information regarding their efforts, and the challenges they faced in promoting human rights. The speakers were Ms. Nor Azimah from the Companies Commission of Malaysia (SSM), Ms. Ong Li Lee from Bursa Malaysia, Mr. Ong Kam Loon from the Teleplan and YB Dato

Rashid from the Pulau Pinang state government. 45 participants comprising representatives from various government agencies, civil societies, business entities, academicians, members of bar council and trade union attended the RTD.



Roundtable Discussion on 'Promoting Business and Human Rights in Malaysia' in Pulau Pinang on 16 May 2017.

Majority of participants were of the view that the human rights principles should not only be on paper, but it should also be translated into practices. Although issues related to workers were the prominent issues discussed at length during the open discussion, the following issues were also raised during the open discussion:

a) Respecting the rights of Foreign Workers and Refugees

It is proven that foreign workers have been important contributors to the development of the country. However, the participants were of the view that despite the contribution of these foreign workers, they were not accorded with the rights, recognition and respect they deserved for their contributions. International human rights laws require equal protections of foreign workers' rights; however, many suffer from violations

and abuses of human rights. In addition, discriminating practices exist between the foreign workers and local workers in terms of wages, benefits and participation in trade union activities.

The foreign workers have also been blamed for street crimes they did not commit. Statistics revealed that the locals were actually posing a bigger threat to social stability compared to the migrants. The participants also suggested that the Commission conduct a national inquiry on the rights of migrant workers to address the violations that they face and make recommendations to the current legislation so that the rights of the migrant workers are protected.

Furthermore, these refugees have no legal protection because Malaysia has not signed the 1951 UN Convention recognising refugees. Thus, the refugees become illegal workers in the country while they wait for their repatriation/ resettlement. However, as these refugee are not supposed to work in Malaysia, they are at high risks of being arrested at any time and taken to the detention centres by the authorities.

Without recognition of the refugee status, the refugees are constantly harassed, ill-treated and denied their fundamental rights. There are also incidents where refugees who hold UNHCR cards are also arrested and placed at immigration detentions. Besides that, discoveries of mass graves in Wang Kelian also revealed that the lack of formal status of refugees make them vulnerable to becoming victims of trafficking. Therefore, the participants suggested that all refugees (regardless of their country of origin) should be accorded the opportunity to work in Malaysia and that Malaysia make an effort to expedite the ratification of the 1951 Refugee Convention.

b) Plight of Domestic workers/ Invisible workers

The domestic workers, also known as invisible workers, were described as one of the most exploited workers in this country. Similar to the foreign workers, the domestic workers have also contributed massively to the country. They provide child care, senior care, house cleaning and many other services; yet, they are often isolated and remain largely invisible and undervalued. Domestic workers are also not offered basic labour

protections by employment laws (including those governing hours of work, rest days and compensation for accidents or benefits), and opportunities for 'decent work' are limited.

According to a participant from the Bar Council, the number of abuse cases reported involving domestic workers is unbelievable. Many of the workers claimed that their employers (particularly the CEOs of the companies) failed to pay their salaries (some employers withheld payment of wages until the completion of their contract, and many were not given full wages). Many employers also routinely confiscated the passports of domestic workers, making it difficult for them to escape. He further highlighted the absence of mechanisms to monitor workplace conditions of these workers and therefore, suggested that the government establish an effective mechanism for inspection, enforcement, monitoring and prompt investigations of any complaints regarding foreign workers including the domestic workers and to create a toll-free helpline to receive reports on violations of workers' rights including abuses against domestic workers.

c) Right to association

Trade unions can be seen as an important instrument for protecting workers' interests and rights. Yet, it was highlighted that less than 10% of the workers in Malaysia were organised workers. Many workers faced harassment at the work place such as discrimination, dismissal, lack of freedom to be a part of an association and many others. Therefore, it is important to have trade unions in the workplace to ensure that the rights of workers, for example protections against unfair treatment or job security, are protected.

Even though the act allows the workers (including the migrant workers) to join the union, in reality, the workers face various tactics and threats by employers to keep them out of trade union membership. Many employers use the suppression strategy to create an atmosphere of fear and through intimidation to put an end to existing unions. Actions such as sackings, dismissals and sabotage have prevented union bearers from being active in dealing with the members' concerns, organising meetings and recruiting new members.

Union busting is a serious matter and rampant among in-house unions (rather than the national union). Disputes often happen during collective agreement discussions whereby the main union leaders are often sacked or dismissed from companies for trivial reasons. This is a violation of human rights.

One participant from the trade union highlighted that there was a small group of employers who was in favour of and support the union for its activities although many still viewed trade unions as a threat to companies. The participant also expressed his hopes that through business and human rights approaches, workers could join the union so that their rights are protected.

d) Education and Awareness

Participants are of the view that it is important to adopt a corporate governance culture amongst businesses especially among the small and medium enterprises (SMEs) as they make up over 96% of all businesses in Malaysia. This could be done through continuous education and awareness raising programmes, whereby, the businesses are well-informed of the benefits that would be enjoyed by adopting corporate governance and respecting human rights in their day-to-day operations. It is undeniable that cost is crucial in implementing human rights elements in the day-to-day operations, but they would have enjoyed the high revenue that enhances their reputations. Their businesses would be more efficient; they would be included in the value chain (whereby more multinational companies will engage with them); and their employees and customers would be loyal to them.

e) Sustainability

It was emphasised that by reporting on sustainability issues, the businesses tend to act more sustainably. The benefits of sustainability reporting include the integration of corporate sustainability into operations, improvement of company's reputation, enhancement of company's commitments, creation of values and jobs, and the strengthening of the relationship with stakeholders and investors.

Businesses that perform in a sustainable manner are warmly connected to healthy economic, social and environmental systems. These businesses

would create economic value and contribute to a healthy ecosystem and strong communities.

The companies that integrate sustainability principles into their businesses would also be listed in the stock exchange. Statistics shows that sustainability ethics and programmes contribute positively towards their short and long-term values. Businesses that fail to report or to meet the criteria over time may be removed or unlisted and in long run, will disappear from the market.

The RTD reveals that despite substantial standards of human rights, the reality on the ground is that human rights violations such as union busting/bashing, discrimination, mistreatment of migrant workers and refugees are common. Although the primary responsibility for protecting human rights rests with the government, the businesses equally share the responsibility to ensure that they respect and maintain human rights throughout their supply chains. All businesses, regardless of their size or where they are based, should "avoid causing and contributing to adverse human rights impacts through their own activities and address such impacts when they occur."

2. FOLLOW UP ON THE NATIONAL INQUIRY INTO THE LAND RIGHTS OF INDIGENOUS PEOPLES

In demonstrating its commitments towards implementing the recommendations made by the Commission in National Inquiry (NI) report, the government established a Cabinet Committee on Native Land Rights, chaired by the Deputy Prime Minister, YAB Datuk Seri Ahmad Zahid Hamidi. Even though the Cabinet Committee was established in 2015, the Committee only met once in 2016. Nevertheless, the Commission continued its engagement with *Jabatan Integriti dan Tadbir Urus Negara* (JITN), formerly known as *Bahagian Integriti dan Tadbir Urus* (BITU), to obtain information on the progress of the NI recommendations. Following the discussion with JITN, the Commission was able to bring along JITN in its meeting with peoples, particularly indigenous peoples to update the community regarding the implementation of the NI recommendations. Several briefing sessions by JITN were held in Kuching, Sarawak, Ranau, Sabah and Kuala Lumpur.

The Commission is very concerned of the slow progress in implementing the NI recommendations by the government, which has resulted in human rights violations of indigenous peoples, especially the encroachment into their native land for the purpose of development which still occurs today. As such, the Commission took an initiative to facilitate a meeting between JAKOA and Selangor state government regarding gazetting of indigenous peoples' land in Selangor. At the meeting, both parties agreed to work together and ensure that all impeding factors in gazetting indigenous peoples land be addressed smoothly. The Commission would continue and expand its engagement with other states such as Kelantan, Pahang and Johor in 2018, not limited to gazetting of indigenous peoples land but also other indigenous peoples related issues which fall under the purview of the states.

Based on the *Maklum Balas Kerajaan Terhadap Laporan Tahunan SUHAKAM 2016*, it was stated that the Ministry of Rural and Regional Development, in collaboration with the Institute of Social Studies, Universiti Putra Malaysia, is currently developing a guideline, particularly on the involvement of Orang Asli in development agenda. The development of such a guideline would illustrate the government's initiatives to implement Free, Prior and Informed Consent (FPIC) principle in all development involving Orang Asli. However, the Commission is concerned if such initiatives would prolong or in other words, delay the implementation of the Commission's recommendations.

3. NATIONAL HUMAN RIGHTS ACTION PLAN

Since the Cabinet announced in 2012 that it would develop Malaysia's National Human Rights Action Plan (NHRAP), the Commission has been active in urging for this process to be expedited, in addition to making several submissions to propose the parameters and substance of the upcoming NHRAP. The Commission notes that the NHRAP is an important document that must be thought out and crafted carefully, especially given that the five listed NHRAP thrusts are immensely broad. The Commission reiterates the essentiality for the Plan to be realistic, with specific timeframes. The Commission also recommends that CSOs should be consulted to gain their valuable insights concerning human rights issues currently affecting Malaysia. This inclusive and participatory approach is important at all stages

of the NHRAP, including the planning, development, implementation and monitoring stages. However, during the development of the NHRAP by the consultant, the Commission had only met twice with the consultant. Given the status of the Commission as the National Human Rights Institution, the Commission felt that there should be more engagement with the Commission in developing the NHRAP.

In *Maklum Balas Kerajaan Terhadap Laporan Tahunan SUHAKAM 2016*, it was stated that the NHRAP draft was finalised through a roundtable discussion with all stakeholders, and that the said draft would be tabled for cabinet approval. The Commission would like to put on record that no discussion was held with the Commission after the consultant concluded its consultation session with all stakeholders although the Commission had put forward it request to the consultant. The Commission was also not involved during the shortlisting of issues received from the stakeholders and only had access to the NHRAP draft after it was finalised by the consultant.

Having said that, the Commission still forwarded it views and **recommendations** based on the NHRAP draft prepared by the consultant which includes the following:

i) Cultural Relativism vs Universality of Human Rights

The Commission **is concerned with the use of cultural relativism element which would restrict the concept of human rights** according to local culture and religious norms. Hence, the concept of 'universal' UDHR will be limited.

*ii) **Language used in NHRAP does not reflect action-oriented** and is general in nature*

Most of the proposed action plans outlined in the NHRAP do not take into consideration the 'S.M.A.R.T.' (Specific, Measurable, Achievable, Reasonable, Time Bound) criteria. As such, the Commission is of the view that they are general and difficult to evaluate.

iii) NHRAP and other Government Action Plans

The Commission also recommended that **other action plans** such as Women Action Plan, Children Action Plan and Person with Disability Action Plan and other action plans which would be developed by the government **should complement the NHRAP as human rights issues are inter-related and inter-dependent.**

4. SUSTAINABLE DEVELOPMENT GOALS

In January 2016, the 17 Sustainable Development Goals of the 2030 Agenda adopted by world leaders in September 2015 at a historic UN Summit officially came into force. Over the next fifteen years, with these new goals that apply universally to all, countries will mobilise efforts to end all forms of poverty, fight inequalities and tackle climate change while ensuring that no one is left behind. While the SDGs are not legally binding, governments are expected to take ownership and establish national frameworks for the achievement of the 17 Goals. Countries have the primary responsibility to follow-up and review of the progress made in implementing the goals, which will require quality, accessibility and timely data collection. Regional follow-up and review will be based on national-level analyses and contribute to follow-up and review at the global level.

The Commission commended the initiative of the government in establishing a Steering Committee on SDGs which would be chaired by the Director General of the Economic Planning Unit (EPU), and its membership would comprise multi-stakeholders including government agencies and CSOs. However, the Commission's proposal to be part of the Steering Committee was not accepted by the EPU. Nevertheless, the Commission was invited to give its views and comments during the development of Malaysia's Voluntary National Review (VNR) on the implementation of the 2030 Agenda for Sustainable Development by the EPU.

5. PARLIAMENTARY SELECT COMMITTEE ON HUMAN RIGHTS

The Commission held a meeting with the Inter-Parliamentary Union (IPU) chaired by YB Dato' Seri Mohamed Nazri bin Abdul Aziz on 27 July. The meeting was aimed to discuss the establishment of Parliamentary Select Committee (PSC) as proposed by YB Dato' Seri himself back in 2011. During the meeting, YB Dato' Seri Mohamed Nazri bin Abdul Aziz proposed that instead of PSC, the Parliamentary Caucus on Human Rights should be established. This caucus will comprise parliamentarians from various political parties and will be the liaison between the Commission and other government agencies to discuss issues related to human rights in Malaysia. The idea of setting up a Parliamentary Caucus on Human Rights was also mooted by YB Tan Sri Pandikar Amin Haji Mulia during the previous meeting

with him, as the initial step for the Commission to engage Parliamentarians from both the ruling and opposition component parties to discuss contentious human rights. YB Tan Sri Pandikar also expressed his readiness to help facilitate the formation of the Caucus.

A Parliamentary Caucus on Human Rights had been established beforehand in 2004 by the then Minister in charge of Parliamentary affairs, YB Dato' Seri Nazri Aziz. The Caucus comprised members of Parliament from both sides of the divide and had organised among others, a joint visit to Kamunting Detention Centre in 2005[13], as part of their work on ISA detainees. Other Parliamentary Caucuses that have been established thus far include:

- Parliamentary Caucus on the Trans Pacific Partnership Agreement (TPPA)
- Parliamentary Caucus on Illegal Gambling
- Women's Parliamentary Caucus
- Parliamentary Caucus on Worker
- Parliamentary Caucus on Human Rights and Good Governance

At the meeting with IPU, the Commission was informed that PCHR would assist the Commission on critical human rights issues such as ratification of the remaining international treaties pertaining to human rights and the withdrawal of reservations that have been made to the ratified treaties. In addition, the Commission also hopes that the PCHR will serve as a platform for other human rights issues such as the debate on the Commission's annual report and alternative to the detention for children (ATD).

Accordingly, the Commission **recommends** that the functions and terms of reference of Parliamentary Caucus on Human Rights to be as follows:

i) To steer discussion and encourage the government to accede to all human rights treaties;
ii) To review the legislation tabled before the House of the Parliament for consistency with human rights obligations and principles.
iii) To review and discuss the reports by Human Rights Commission of Malaysia and to raise issues and recommendations which deem appropriate in the Parliament; and
iv) To pursue the establishment of Select Committee on Human Rights.

13 https://www.hrw.org/reports/2005/malaysia0905/6.htm accessed on 1/8/2016

6. REDELINEATION

On 13 September 2016, a press release was issued by the Election Commission (EC) stating that it would carry out a review of the redelineation of electoral boundaries for parliamentary and state seats in the Peninsula and Sabah. The review would be conducted based on the provisions of Clause (2) Article 113 of the Federal Constitution and amendments to Clause (2) Article 14 of the Sabah State Constitution, which was gazetted on 18 August 2016. Subsequently, on 4 October 2016, the Human Rights Commission of Malaysia (the Commission) received a memorandum from YB Nurul Izzah (Lembah Pantai), YB Charles Santiago (Klang) and YB Dr. Hatta Ramli (Kuala Krai) with regard to redelineation exercise that was currently undertaken by EC.

Following that, the Commission conducted an internal discussion with several experts to obtain further information on this matter. The Commission also held a roundtable discussion (RTD) on the Proposed Redelineation by EC with the relevant government agencies, political parties, academician and civil society organisations (CSOs) on 8 February. The Commission had extended its invitation to EC to participate in the RTD as well. However, the Commission was made to understand by EC that the subject matter was currently pending in court and therefore, to avoid any sub-judice, EC would not be attending the said RTD. The Commission on the other hand was of the view that the discussion on the subject matter should be proceeded as it may not in any way influent any court in their decision.

Based on the issues that were raised, the Commission had forwarded its **recommendations** to EC for consideration as follows:

i) Revising Electoral Districts and Size of Constituencies

A Handbook on the Legal, Technical and Human Rights Aspect of Elections prepared by Centre for Human Rights Geneva clearly stated that the process of delimitation should respect the international norm of equal suffrage and not be designed to dilute or discount the votes of any particular groups or areas. The procedures taken should be fair and take into account the range of information which includes among other, the available census data, territorial integrity, geographical distribution

and topography. In conjunction, the polling stations should be distributed so as to guarantee equal access within each constituency.[14]

In relation thereto, the Commission is of the view that any proposed redelineation exercise by EC should not dilute or increase the electors of a particular candidate or party in light of international norm of equality of suffrage. In this respect, the Commission urges that the principle of democracy enunciated in the Federal Constitution, Article 21 of the UDHR and Article 25 of ICCPR be respected and given due consideration in the delineation of the constituencies.

The Commission also echoed the recommendations made by the Special Committee on Electoral Reforms which call EC to review the 13th Schedule of the Federal Constitution to give full meaning to the principle of 'One Person, One Vote' and if necessary, restore the rural weightage. The Committee also recommended that EC determine a fair and equitable formula based on a fixed principle in determining the number of electors in a constituency to ensure that there are no huge disparities among other areas in the state.

ii) Ensure Meaningful Consultations with the Public during the Redelineation Exercise

The Commission was made to understand that meaningful consultations held by EC with the public with regard to the proposed redelineation were lacking. Even though Part II of the 13th Schedule stated that it would be sufficient for EC to publish the proposed redelineation in at least one newspaper circulating in the constituency[15], the Commission

14 Source from: A Handbook on the Legal, Technical and Human Rights Aspect of Elections, pg. 15

15 Where the Election Commission have provisionally determined to make recommendations under Clause (2) of Article 113 affecting any constituency, they shall inform the Speaker of the House of Representatives and the Prime Minister accordingly, and shall publish in the Gazette and in at least one newspaper circulating in the constituency a notice stating—
(a) the effect of their proposed recommendations, and (except in a case where they propose to recommend that no alteration be made in respect of the constituency) that a copy of their recommendations is open to inspection at a specified place within the constituency; and
(b) that representations with respect to the proposed recommendations may be made to the Commission within one month after the publication of such notice, and the Commission shall take into consideration any representations duly made in accordance with any such notice.

recommends that the public especially the affected electors should be properly informed and consulted by EC.

iii) Enhance the procedure of the local inquiry to ensure better transparency

The Commission recommends that when an objection is rejected, EC should provide information on the number of objections that were rejected and the reasons as well justification of such rejections. The local inquiry should be open to the public as it will boost public confidence and ensure transparency in the process. In addition, spokespersons at the inquiry should have access to a lawyer of their choice.

iv) Ensure Availability of Public Information

The Commission recommends that once the proposed redelineation by EC is displayed, the public especially the affected electors should be provided with all the relevant information including detailed maps, the purposes of such redelineation and the full electoral roll. This information is very crucial in order for the affected electors to analyse and make any representation objecting to the proposed redelineation as provided under Section 5 of the 13th Schedule.[16]

THE WAY FORWARD

The Policy Division will continue to monitor the government's actions with regard to the Commission's recommendations and identify areas for further advocacy. In relation to this, the Policy Division will work closely with all the relevant stakeholders including business entities, CSOs and the media to promote and protect human rights in the country. Although some of the Commission's recommendations, particularly the Policy Division, are yet to be implemented due to various reasons, the Policy Division will continue to peruse the matter for the betterment of the peoples and the affected communities.

16 Where, on the publication of the notice under section 4 of a proposed recommendation of the Election Commission for the alteration of any constituencies, the Commission receive any representation objecting to the proposed recommendation from—
(a) the State Government or any local authority whose area is wholly or partly comprised in the constituencies affected by the recommendation; or
(b) a body of one hundred or more persons whose names are shown on the current electoral rolls of the constituencies in question, the Commission shall cause a local enquiry to be held in respect of those constituencies.

International Coordination Division

The work of the Commission, as a national human rights institution (NHRI), would not be thorough without having a stake in the international dimension of human rights promotion and protection. The international human rights system – made up of a vast web of international human rights law, UN bodies and mechanisms and as well as regional instruments – plays an important part in leveraging how human rights issues are dealt with at the national level. Similarly, efforts made at the domestic front may also have implications on the advancement of human rights in other parts of the world. In this light, the Commission finds it necessary to also dedicate its energy to engage with human rights mechanisms at both regional and international levels. The year 2017 witnessed a number of significant events relevant to the Commission's work in this regard, that are worth reflecting on. In this chapter, the Commission seeks to examine and comment on some of those events.

1. THE PLIGHT OF THE ROHINGYAS

The plight of the Rohingyas continues to become a matter of serious concern for the international community and for Malaysia. The dire human rights situation facing the Rohingya community in the Rakhine State of Myanmar deteriorated dramatically in the last quarter of 2016 and further exacerbated in August and September 2017 as a result of the heavy-handed actions taken by the Myanmar authorities including the military in response to attacks by insurgents against government security posts. Such violent response, which is believed to be part of a wider and systematic state-sponsored campaign against the Rohingya population in Myanmar, has led to the displacement of more than half a million persons and egregious human rights violations against the Rohingyas including extrajudicial killings, enforced disappearance, arbitrary detention, rape and other forms of sexual violence, torture and discrimination. In the wake of these horrific humanitarian and human rights circumstances, the UN Secretary General, Antonio Guterres has called upon the Myanmar government to immediately end its military operations against the Rohingyas.

In January 2017, the Malaysia government convened an Extraordinary Session of the Organisation of Islamic Cooperation (OIC) Council of Foreign Ministers to deliberate on the situation of the Rohingya Muslim minority in Myanmar. The Extraordinary Session resulted in an OIC Resolution and Communique, in which the OIC urged the Myanmar government to, among other things, restore peace and inter-communal harmony, restore citizenship for the Rohingyas, as well as take measures for the safe return of Rohingya refugees to the Rakhine State and for an effective reconciliation process.

In the course of the year, the Malaysian government has also sent humanitarian missions to Myanmar and to refugee camps located near Cox's Bazar in Bangladesh where hundreds of thousands of Rohingya's have sought refuge. In addition, the Malaysian government has also decided to build a field hospital at the refugee camp to provide medical and healthcare treatments to the Rohingya refugees.

The Commission commends the Malaysian government for its efforts in providing humanitarian aid to alleviate the sufferings of the Rohingyas, and for taking a firm stance against the atrocities and human rights violations committed against the Rohingya community and for calling for an end to the violence in the Rakhine State of Myanmar. The Commission hopes that the Malaysian government will continue to be at the forefront in raising the plight of the Rohingyas. **While welcoming the government's pilot project to provide Rohingyas in Malaysia with access to employment, the Commission calls upon the government to extend such opportunities to other refugees.** A lot more needs to be done to address the gaps in safeguarding the rights of all refugees in Malaysia particularly their right to education and healthcare and to be free from discrimination and mistreatment.

2. MALAYSIA'S BID FOR THE HUMAN RIGHTS COUNCIL

The Human Rights Council (HRC) serves as the principal body within the UN system for deliberations and decisions on human rights matters. The HRC is made up of 47 members who are elected by the UN General Assembly from amongst UN member states. A seat at the HRC is a prestigious and an extremely important position as countries assuming such a role are supposed to demonstrate the highest level of commitment and devotion to human rights.

Malaysia had previously been on the HRC from 2006 to 2009 and from 2010 to 2013. This year, Malaysia submitted its candidature for a third term as a member of the HRC. Regrettably, Malaysia was not elected to the HRC after receiving the lowest number of votes among the five candidates from the Asia Pacific region, namely Afghanistan, Malaysia, Nepal, Pakistan and Qatar. Malaysia fell short by only one vote behind Afghanistan. The Commission sees this as an unfortunate break in tradition as Malaysia has been able, on almost all occasions in the past, to win seats at various UN bodies it has bid for including the UN Security Council and HRC.

According to the Ministry of Foreign Affairs, there were several possibilities that could have contributed to Malaysia's unsuccessful bid for the HRC seat such as the strong support afforded to Nepal, which was contesting for the HRC seat for the first time; the likelihood of sympathy votes given to Pakistan, which failed in its last bid for the HRC seat; as well as the relatively late announcement of Malaysia's candidature to the HRC. While these could have all been valid reasons, the Commission is of the view that Malaysia's inability to secure a seat at the HRC was an eventuality that could have stemmed from an amalgam of other factors and circumstances.

For instance, in comparison to the other four countries, Malaysia's track record in terms of accession to core international human rights treaties is the least impressive with only three treaties to which it is a party. Although the number of human rights treaties a country is a party to is not a measurement for its human rights performance, it does denote, to some extent, the country's commitment to international human rights standards.

In addition, there is a considerable delay in the submission of Malaysia's periodic reports to the relevant treaty bodies. Malaysia submitted its combined third to fifth report to the CEDAW Committee in September 2016, which was several years after its due date. Malaysia has yet to submit its combined second to fourth report to the CRC Committee and its first report to the CRPD Committee, respectively. Whereas such delay in the submission of periodic reports to treaty bodies is not uncommon even for other countries, it certainly does not bolster Malaysia's image as a country that gives priority to its human rights treaty obligations.

Also, certain issues and practices at the domestic level have become serious human rights concerns. The escalation of arrests under the Sedition Act especially in 2014 is perceived to be an unnecessary restriction to freedom of expression. The number of deaths in places of detention as well as the relatively large number of cases on ill-treatment of detainees that possibly amount to acts of torture or inhuman or degrading treatment or punishment, is also alarming. These are among some concerns that surely do not reflect well on Malaysia at the international arena.

The aforesaid factors could also have contributed to the erosion of the international community's confidence in Malaysia, and the Commission believes that Malaysia's unsuccessful bid for a HRC seat is a reflection of an unimpressive image the country portrays as an advocate of human rights.

3. UN GENERAL ASSEMBLY RESOLUTION ON MODERATION

The Commission congratulates the government in particular the Ministry of Foreign Affairs for the adoption of the UN General Assembly Resolution on Moderation at the 72nd Session of the UNGA in December 2017. The resolution, which was sponsored by Malaysia, was adopted with a recorded vote of 135 member states in favour, two against and no abstention. The resolution underscores moderation as an important approach for countering terrorism and calls upon the international community to support the Global Movement of Moderates initiative as well as to continue promoting moderation as a value that reinforces peace, security and development. The Resolution also decides to proclaim 2019 as the International Year of Moderation. The Commission is particularly pleased that the Resolution also emphasises the importance of human rights education for the effective realisation of human rights.

Although questions have been raised regarding the delay in introducing the Resolution, considering that the proposal for the Global Movement of Moderates was mooted by the Honourable Prime Minister seven years ago, the adoption of the Resolution showcased the Malaysian Government's leadership and resolve to champion moderation as a means to create a more peaceful and secure world.

The Commission is fully supportive of the government's efforts in this regard but is concerned about certain actions taken by the government at the domestic front such as the banning of the publication by G25 entitled 'Breaking the Silence: Voices of Moderation - Islam in a Constitutional Democracy' and the arrest and detention of a Turkish journalist, Mustafa Akyol. These acts are in stark contradiction to what the government is advocating internationally about moderation, and by taking such a conservative approach on matters pertaining to freedom of expression, the government is sending mixed signals to both the international community and Malaysians about its actual stance on moderation. **The Commission hopes that the government will cease to undertake actions that are not only inconsistent with the principle of press freedom but also actions that will taint the government's image at the international stage. Surely, what is championed externally must also be embraced and practised at home.**

4. ASEAN CONSENSUS ON MIGRANT WORKERS

After a decade of negotiations, ASEAN member states finally agreed on a document that would constitute an ASEAN instrument on migrant workers, as stipulated by the 2007 ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers. The document which is called the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers was endorsed by ASEAN Heads of Government at the 31st ASEAN Summit in Manila in November 2017.

The Commission welcomes the adoption of the ASEAN Consensus on Migrant Workers as it signifies a renewed commitment by ASEAN member states to strengthen rights protection, enhance access to justice and uphold fair treatment, for migrant workers in the region. It is a positive step in promoting greater respect and fulfilment of the rights of migrant workers.

Nonetheless, it is regrettable that the ASEAN Consensus falls short of expectations as it is not a binding instrument and most of the provisions in the document, although well-intentioned and supportive of migrant workers' rights, are subject to national laws and policies, which in the case of Malaysia, are not entirely on par with international standards at the

moment. **Therefore, the Commission calls on the government to review relevant domestic laws with a view to making them in line with established human rights standards.** Only then can Malaysia live up to the spirit and intent of the ASEAN Consensus on Migrant Workers.

Migrant workers are seldom given the recognition they deserve for their painstaking efforts and instrumental role in the country's nation building especially in sectors such as construction and plantation.

The Commission comes to terms with the reality that ASEAN operates on the basis of consensus, which would normally mean having to settle on the lowest common denominator. Nevertheless, the Commission hopes that the ASEAN Consensus on Migrant Workers, despite its shortcomings, would become an impetus for improved protection of migrant workers' rights in Malaysia and in Southeast Asia.

5. MALAYSIA'S UNIVERSAL PERIODIC REVIEW (UPR)

Malaysia is due to be reviewed for the third time under the Universal Periodic Review (UPR) mechanism in October 2018. This upcoming UPR seeks to mainly examine the progress and achievements made by Malaysia in implementing the commitments it made during the second UPR, which took place in October 2013. At its second UPR, Malaysia received a total of 232 recommendations from 104 UN member states. Of the 232 recommendations, the Malaysian government accepted 150. These recommendations related to various human rights issues including accession to international human rights treaties, civil and political rights, economic, social and cultural rights, rights of vulnerable groups, trafficking in persons and human rights education. The Malaysian government is expected to fulfil the accepted recommendations and report on their implementation come the third UPR, as part of the underlying goal of the UPR process to improve the human rights situation in the country.

This year, the Ministry of Foreign Affairs in its capacity as the coordinating agency for Malaysia's UPR, organised a series of consultations involving government agencies and civil society organisations to obtain comments and input on the status of implementation of the accepted recommendations.

The consultations were held between June and September and consisted of four sessions that focused on the different clusters of recommendations. The Commission attended all four sessions and provided its feedback on the issues discussed, but noted that there was no consultation held to address the UPR recommendations relating to accession to human rights treaties.

Altogether, the sessions were useful as they enabled participants, especially from the civil society, not only to keep abreast of the progress made with regard to the UPR recommendations but also to allow them to interact directly with the relevant agencies to seek further clarifications on various human rights issues. However, there were several instances when certain government representatives were not able to provide substantive responses to the issues raised, perhaps on account of their unfamiliarity with the subject at hand.

The Commission commends the Ministry of Foreign Affairs for organising the consultations as such engagements with stakeholders and CSOs are consistent with the spirit of the UPR, which encourages active participation and involvement of all stakeholders in the process. **The Commission, however, is of the view that these engagements should have been carried out at all stages of the UPR process including during the implementation of the recommendations, and not just during the later phase of the UPR cycle.**

In April, the Commission co-organised, in partnership with the Migration Working Group and the Bar Council, a roundtable discussion in Kuala Lumpur involving relevant governments agencies and CSOs to deliberate on Malaysia's UPR commitments on the rights of migrant workers. The Commission also jointly organised a consultation on the UPR recommendations relating to statelessness with EMPOWER in November in Sandakan, Sabah.

6. 6th UN FORUM ON BUSINESS AND HUMAN RIGHTS

The UN Forum on Business and Human Rights is an annual event that serves as a global platform for various stakeholders to discuss issues relating to business and human rights, particularly trends and challenges in the implementation of the UN Guiding Principles on Business and Human Rights (UNGPs).

The Commission attended the 6th UN Forum on Business and Human Rights, which was held at the UN Office in Geneva on 27-29 November. The central theme for the forum was 'Realizing Access to Effective Remedy'. At the invitation of UNDP, Commissioner Prof. Dato' Dr. Aishah Bidin participated as a panelist in one of the sessions of the forum entitled 'Moving Forward with the National Action Plans on Business and Human Rights and Implementing Pillar 3 in Southeast Asia'. Prof. Dato' Dr. Aishah Bidin also accepted the invitation by the UN Working Group on Business and Human Rights to become a speaker for the 'Consultation on the Gender Lens to the UNGPs', which was held in the margins of the forum.



Commissioner Prof. Dato' Dr. Aishah Bidin delivering her presentation at the 6th UN Forum on Business and Human Rights, Nov, Geneva.

The Commission was very pleased that YB Senator Datuk Paul Low Seng Kuan, Minister in the Prime Minister's Department, agreed to deliver a speech at the closing plenary of the forum alongside the UN High Commissioner for Human Rights and other eminent personalities, during which he had announced the Malaysian government's decision to develop a national action plan on business and human rights for Malaysia. The Commission

welcomes this decision as it reflects the Government's strong political will to apply the UNGPs in Malaysia and to promote greater respect for human rights by business entities in the country. **The Commission hopes that in developing the national action plan, the government will engage with a wide range of stakeholders particularly the business community as well as the civil society. Recognising the interface between human rights and sustainable development, the Commission expects that the action plan will also emphasise the indispensability of business respect for human rights in achieving the Sustainable Development Goals (SDGs).** The Commission stands ready to offer its advice and input towards formulating a plan that is ambitious and at the same time practical. In relation to this, the Commission is of the view that the government should extend an invitation to the UN Working Group on Business and Human Rights to visit Malaysia. Such a visit would be useful as Malaysia would be able to avail itself of the expert views and recommendations provided by the Working Group based on its findings during the visit, especially in addressing the gaps and challenges relating to the application of the UNGPs in the country.

Considering the progress made by many other countries in the field of business and human rights, as showcased during the forum, the Commission hopes that with the government's commitment to develop a national action plan on business and human rights, Malaysia will also be able to make headway in fostering a culture of respect for human rights by businesses in all stages of their operations with the appropriate grievance mechanisms in place.

7. ASEAN INTERGOVERNMENTAL COMMISSION ON HUMAN RIGHTS (AICHR)

The Commission places high expectations on the ASEAN Intergovernmental Commission on Human Rights (AICHR), as the primary human rights body in ASEAN, despite skepticism by certain quarters about its ability to effectively promote and protect human rights in the region. The Commission believes that AICHR has the potential to meaningfully address the various human rights issues facing the region, granted that its representatives manifest the collective will to uphold the highest standards of human rights promotion and protection.

AICHR has continued to perform its mandate to promote human rights especially through numerous events such as capacity building programmes, roundtable discussions and consultations on a range of thematic issues, several of which the Commission had the benefit of attending including the 3rd AICHR Regional Dialogue on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community held in Phuket in June and the AICHR Training on Business and Human Rights held in Bangkok in November.

The Commission also had the pleasure of participating as a partner in the AICHR Regional Consultation on the Right to Safe Drinking Water and Sanitation, which was hosted by AICHR Malaysia in Sabah on 25-27 October. During the Regional Consultation, Commissioner Datuk Godfrey Gregory Joitol delivered a presentation on the situation in Malaysia with regard to the enjoyment of the right to water and sanitation.

The Commission is encouraged to note that one of the key goals of the Regional Consultation, as envisioned by Malaysia's Representative to AICHR, Mr. Edmund Bon, is to elaborate on a normative content of the right to safe drinking water and sanitation pursuant to Article 28(e) of the ASEAN Human Rights Declaration. This effort would set the minimum standards for the fulfilment of the right to safe drinking water and sanitation for the region. In this regard, **the Commission calls on AICHR Malaysia to ensure that the normative content developed by AICHR commensurates with established international human rights standards, at the very least. The Commission is of the position that all ASEAN member states should take every possible measure towards enabling all individuals residing within their territorial borders to enjoy their right to water, which should come from improved water sources that are accessible on premises, available when needed, affordable, free from contamination, and be of an acceptable colour, odour and taste for personal and domestic use.**

In addition, the Commission looks forward to seeing greater priority accorded by AICHR into addressing transboundary human rights concerns including issues pertaining to trafficking in persons as well as the Rohingya refugee crisis.

8. THE WAY FORWARD

The Commission cannot but heed the interconnectedness of the domestic and international dimensions of human rights promotion and protection. Thus, in carrying out its duty to advance the human rights agenda in the country, the Commission will continue to pursue a pathway that also gives priority to its international presence. The Commission will take a more proactive approach to amplify its role at the regional and international stages, with a view to achieving better results in fulfilling its mandate nationally.

CHAPTER 2

Monitoring Violation of Human Rights, Inquiries and Remedies



Standing (from left)
Ms. Aida Suraya Haron, Mr. Ahmad Zaidi Baharuddin, Mr. Abdul Saat Hamid, Mr. Mohd Tan'im Tajuddin

Sitting (from left)
Mr. Simom Karunagaram, Mr. Shahizad Sulaiman

Not in the picture
Mr. Muhammad Faiz Abd. Rahman, Ms. Yustina Ishak, Ms.Nur Adlin Abdul Ghaffar

Complaints and Monitoring Group

1. OVERVIEW

In 2017, the Commission received a total of 803 complaints, monitored 8 public assemblies and 3 eviction cases and conducted 18 monitoring visits to places of detention.

Following the publication of two research reports in the previous year, namely 'Deaths in Police Custody: A Study on the Conditions of Lock-Ups and Factors Contributing to Death' and 'Prison Healthcare in Malaysia: Results of a Nationwide Survey and Report', the Commission organised two round-table discussions on 21 March and 25 October, respectively, as a follow-up to the reports. The Commission also held several meetings with relevant agencies and organisations as part of the Commission's efforts in resolving complaints.

Table 1 List of Meetings in Addressing Complaints

NO.	PARTIES INVOLVED IN AND PURPOSES OF THE MEETINGS	DATE
1.	Meeting with Civil Society Organizations (CSOs) and Bar Council on the issue of blockades involving Orang Asli in Gua Musang, Kelantan	8 February
2.	Meeting with the Deputy Vice Chancellor (Student Affairs) of Universiti Malaya on complaints pertaining to disciplinary actions against UM students who participated in the MO1 rally	24 March
3.	Meeting with stakeholders on the issue of mass graves in Wang Kelian	3 April
4.	Meeting with the Ministry of Health on complaints pertaining to allegations of medical negligence	17 April

5.	Meeting with Industrial Relations Department on 'Union Busting' complaints	18 May
8.	Meeting with the Deputy Vice Chancellor (Student Affairs and Alumni) of Universiti Kebangsaan Malaysia on complaints pertaining to disciplinary actions against UKM students who participated in the MO1 rally	29 May
8.	Meeting with the Social Welfare Department on complaints of inhumane treatment of children at shelter homes	19 June
9.	Meeting with Kelantan Menteri Besar and state agencies on the issue of Orang Asli blockades in Gua Musang	23 August
10.	Meeting with the Director General of the Department of Lands and Mines on the eviction of residents of three villages in Klang to give way for the construction of the West-Coast Expressway (Taiping-Banting)	16 October
11.	Meeting with the National Anti-Drugs Agency on complaints pertaining to inhuman treatment and custodial death at private drug rehabilitation centres.	24 October
12.	Meeting with Ampang Jaya City Council (MPAJ) on complaints by petty traders at Bukit Ampang Saujana regarding their economic activities	22 November

To enhance the expertise of the staff and officers of the Commission in investigating custodial death cases, the Commission with the collaboration of the National Institute of Forensics Medicine (IPFN) and Forensics Department of Pulau Pinang Hospital organised a workshop on 'Custodial Medicine- Preventing Death in Custody' on 22 and 23 October. In November, the Commission initiated a public inquiry into the disappearance of several individuals after a memorandum was submitted to the Commission on 20 April.

2. ACTIVITIES

(A) Inquiries on Complaints

The number of complaints lodged with the Commission has decreased to 8.65% from the year before, with 369 complaints received at its Kuala Lumpur office, 388 complaints received at its Sabah office and 46 complaints received at its Sarawak office during the year. Nonetheless, the total number of complaints with regard to violations of human rights which are within the Commission's jurisdiction has increased as compared to the previous year. The increase in the number of such complaints correlates with the active promotional activities organised by the Commission throughout the year and indicates the increasing awareness among Malaysians of their rights. With regard to the method of receiving complaints, 62.5% were made by the complainants at the Commission's office, of which 26 were in the form of memoranda. The locations of the Commission's offices which are in the city centre and are accessible by various forms of transportation made it easy for the public to come and lodge their complaints personally. The remaining complainants were submitted through other means such as email, correspondence, phone calls, e-complaint system and submission during the Commission's roadshow programme.

Table 2 List of Memoranda Received in 2017

NO.	DETAILS	DATE
1.	Memorandum by Orang Asli Ledang Action Committee regarding the encroachment on native customary land in Ledang, Johor	13 January
2.	Memorandum by Nambikkai pertaining to the detention of two individuals under the Prevention of Crime Act (POCA)	18 January
3.	Memorandum by Paramasivan s/o Muniappen @ Muniandy on the allegation of excessive use of force during interrogation by an enforcement agency	24 January
4.	Memorandum by Orang Asli Lojing's Native Customary Land Action Committee on the encroachment on Orang Asli area in Lojing, Gua Musang	25 January

5.	Memorandum by Parti Keadilan Rakyat on the detention of four individuals under POCA	2 February
6.	Memorandum by Nambikkai regarding detention under POCA	10 February
7.	Memorandum by Nambikkai on the detention of two individuals under the preventive laws	2 March
8.	Memorandum by Pusat Komas on the charge against Leena Hendry for screening a film	16 March
9.	Memorandum by Charles Hector, Syed Shahir, Mohd Roszeli, Pranom Somwong and 55 organisations on the Union Busting issue in Malaysia	17 March
10.	Memorandum by Nambikkai on the death of a child, Laraniya Wilbert at Tengku Ampuan Rahimah Hospital	27 March
11.	Memorandum by Suaram and family members of the victims on the issue of the disappearance of Raymond Koh, Amri Che Mat, Joshua and Ruth Hilmy	20 April
12.	Memorandum by the Jinjang Selatan Tambahan Residents Committee on the issue of eviction	12 May
13.	Memorandum by Nambikkai regarding detention under POCA	30 May
14.	Memorandum by Pemuda Amanah Nasional on the alleged failure of the Election Commission to provide the Additional Electoral Roll bill to the political parties	6 June
15.	Memorandum by Nambikkai on the eviction of residents of Kampung Thangavelu, Kampung Papa and Kampung Mohan	5 July
16.	Memorandum by SUARAM on the death of a detainee, Benedict Thanilas, at Jinjang Police Station	21 July
17.	Memorandum by the Malaysia Socialist Party (PSM) on the alleged discriminatory action against the minority 'Ansar' group by the authorities	3 August

18.	Memorandum by 39 Koi fish breeders of Bali Village, Tronoh on land status	16 August
19.	Memorandum by the petty traders at the junction of MRR2 and road leading towards Ukay Perdana regarding the quantum of compensation for eviction	6 September
20.	Memorandum by SUARAM on the detention of a minor, Ang Kian Kok, under the Prevention of Crime Act	2 October
21.	Memorandum by Jaringan Melayu Malaysia regarding the alleged discrimination against petty traders at Bukit Ampang Saujana by the local council	25 October
22.	Memorandum by SUARAM on the allegation of excessive force used against an UBER driver by auxiliary policemen	1 November
23.	Memorandum by Orang Asal/Asli on several issues pertaining to Orang Asal/Asli in Pahang, Johor and Kelantan	7 December
24.	Memorandum by Orang Asli villagers of Pengkalan Tereh on the issue of native customary land	8 December
25.	Memorandum by SUARAM on the alleged unlawful detention of an individual by Travers Police Station officers	14 December
26.	Memorandum by Cartoonist Zunar on the overseas travel ban imposed on him	20 December

Upon deliberation, the Commission decided that 237 complaints fell outside its jurisdiction as they involved administrative issues which should be addressed by other relevant agencies; general enquiries and suggestions by the public; complaints requiring criminal investigations or civil litigation; and complaints that were either pending trial or had been disposed off by the courts. As for those complaints, the Commission referred the complaints to other relevant agencies or informed the complainants of other alternatives that could be taken with regard to such complaints. Of the 566 complaints accepted, the

Commission completed investigations into 100 cases while the rest are still being investigated. 82.23% cases have yet to be resolved mainly due to the Commission's dependence on the relevant agencies to provide feedback on the allegations; certain cases which required in-depth investigations by the Commission; and several complicated complaints that can only be resolved through the amendments of laws and/or changes in government's policies.



Orang Asli groups submitted a memorandum on several issues pertaining to Orang Asli in Pahang, Johor and Kelantan to the Chairman of the Commission, Tan Sri Razali Ismail on 7 December.

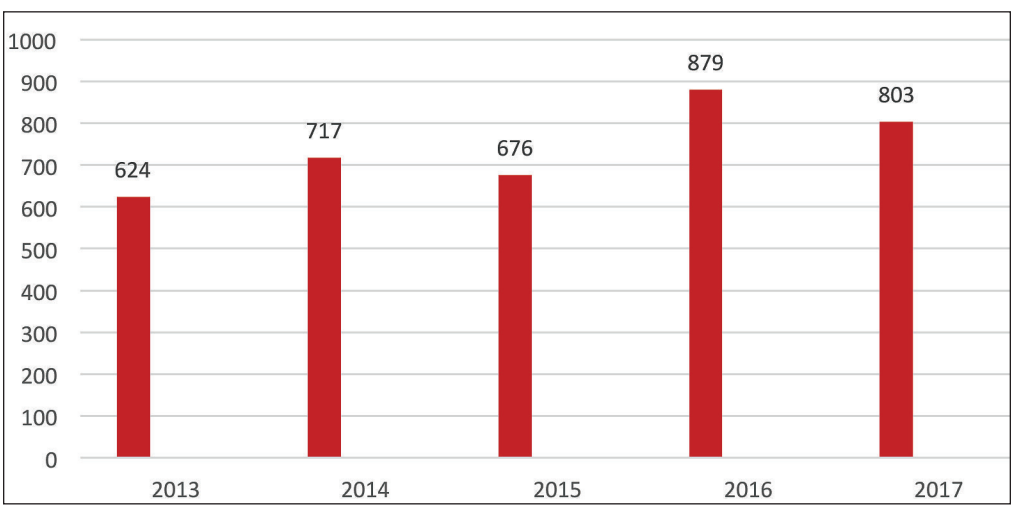


Figure 1 Total Number of Complaints Received, 2013–2017

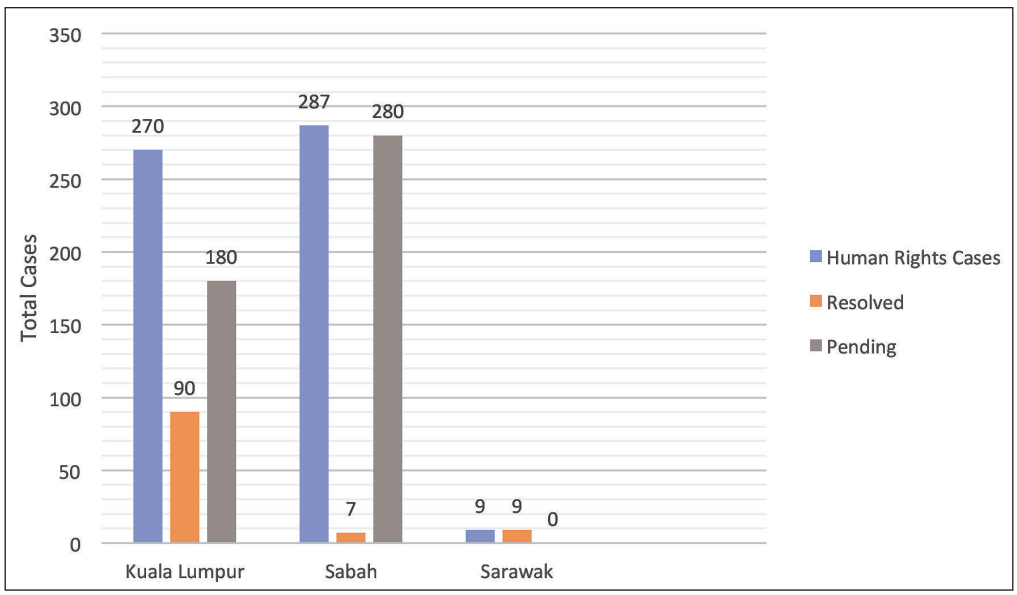


Figure 2 Number of Cases Resolved and Pending in 2017

Table 3 Breakdown of Human Rights Complaints, 2017

NO.	SUBJECT MATTER	PENINSULAR	SABAH	SARAWAK
1.	Human dignity	3	-	-
2.	Equality/discrimination (on the basis of race, religion, gender, disability, political affiliation, etc.)	10	-	-
3.	Right to life	14	1	-
4.	Liberty and security of person	19	1	1
5.	Human trafficking/smuggling	12	2	-
6.	Cruel, inhumane or degrading treatment or punishment	53	1	2
7.	Arbitrary arrest, detention or exile	23	28	1
8.	Equality before the law/right to a fair and public hearing	15	-	-
9.	Right to privacy	1	2	-

10.	Freedom of movement	3	2	1
11.	Right to seek asylum and refugee status	30	-	-
12.	Right to nationality	12	169	1
13.	Right to own property	1	19	-
14.	Freedom of thought, conscience and religion	6	-	-
15.	Freedom of opinion and expression	-	-	-
16.	Right to peaceful assembly	1	2	-
17.	Freedom of association	1	-	-
18.	Right to take part in government/voters' rights	1	-	-
19.	Right to work/employment and migrant workers' rights	21	10	2
20.	Right to rest and leisure	3	-	-
21.	Right to adequate standard of living (food, clothing, housing, healthcare)	12	7	-
22.	Right to education	7	4	-
23.	Right to freely participate in the cultural life of the community	-	-	-
24.	Environmental rights	2	1	1
25.	Right to native customary land	13	29	-
26.	Child's rights	2	-	-
27.	Others	5	9	-
TOTAL		**270**	**287**	**9**

(i) Public Inquiry into Disappearance of Individuals

On 21 April, the Commission received a complaint from a group of civil society organisations and the family members of the affected individuals in the disappearance of Raymond Koh, Amri Che Mat and Joshua and his wife, Ruth Hilmi. It was reported that Raymond Koh, the founder of Komuniti Harapan and a former pastor, was kidnapped by a group of individuals on 13 February 2017, and the incident was captured in CCTV recordings. Amri Che Mat, a social activist of Perlis Hope, was reported missing since 24 November 2016 when he went out in the late evening and was intercepted by a number of vehicles about 500 meters from his house. As for Joshua Hilmi and his wife Ruth, known as Christian missionaries, they were discovered missing since November 2016. The group was hoping that the Commission could hold a public inquiry into the disappearance of the individuals as they were concerned on the seemingly lack of response by the police to look into the cases and the snail-pace progress of the cases. Several candle light vigils were also organised by civil societies at several places in the country to urge the authorities to take more serious and concerted efforts to find the missing individuals.

Following the submission of the complaint, the Commission conducted several interviews of witnesses and made field visits as part of the Commission's closed investigation into the complaint. On 5 October, the Commission formed a panel of inquiry comprising Commissioner Dato' Mah Weng Kwai, Commissioner Prof. Dato' Dr. Aishah Bidin and Commissioner Dr. Nik Salida Suhaila Nik Salleh, to conduct an inquiry into the disappearance of the individuals. **This is the first time the Commission conducted an inquiry into a case related to the International Convention for Protection of all Persons from Enforced Disappearances.** The Panel of Inquiry is tasked with the following Terms of Reference:

a) To determine whether these are cases of enforced disappearances[1] as defined under the International Convention for Protection of all

1 Article 2 of International Convention for the Protection of All Persons from Enforced Disappearance (ICPED) interprets «enforced disappearance» as the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.

Persons from Enforced Disappearances or involuntary disappearances amounting to criminal offences or breaches of civil liability/human rights under Malaysia law;

b) If (a) has been established at the inquiry:
   i. How such criminal offences or breaches of civil liability/ human rights came about;
   ii. Which person(s) or agency(ies) was/were responsible for such criminal offences or breaches of civil liability/human rights; and
   iii. What administrative directives or procedures, or arrangements contributed to such criminal offences or breaches of civil liability/ human rights.

c) To consider whether the authorities, specifically the Royal Malaysia Police have taken adequate steps to investigate these cases.

d) To recommend measures or guidelines to be taken to ensure that such breaches of civil liability/human rights do not recur.

At the time of writing, 11 witnesses including police officers had testified before the Panel of Inquiry in the Raymond Koh case during the 11 days of Public Inquiry. The Public Inquiry will resume its session next year.

(ii) Rights of the child

Malaysia is a State Party of the Convention on the Rights of the Child (CRC), and the convention obligates the State Parties to ensure the child such protection and care as is necessary for his or her well-being. During the year, there were several tragedies involving children at religious/Tahfiz schools which saddened the Malaysians.

In April, an 11-year-old boy, Mohamad Thaqif Amin Mohd Gadaffi, passed away at Hospital Sultan Ismail, Johor Bharu after he was admitted for several days and had his legs amputated. Prior to his death, the boy who was a former student of a Tahfiz school in Kota Tinggi was reportedly assaulted with a rubber hose by the school dormitory assistant warden. The Commission visited the Tahfiz school on 3 May as part of the Commission's initiative to investigate the case from the human rights perspective. During the visit, the Commission viewed the CCTV recording of the alleged assault and had a dialogue with the school management. Although the school is registered

with the State Religious Authority, equipped with sophisticated facilities, well-funded and adopted the Ministry of Education's guideline on disciplinary rules, **the incident should be a reminder to the management of religious schools of their responsibility to check on the suitability of potential staff before they are allowed to work with children. State authorities are also responsible to continuously monitor and provide periodical training to the religious school management.** On 10 July, the Health Director-General, Datuk Seri Dr. Noor Hisham Abdullah, announced that the post-mortem result indicated that the child had died due to leptospirosis and had a complication with skin necrosis, along with the formation of micro blood clot in the blood vessels.[2] At the time of writing, the Commission was waiting to meet with the Ministry of Health (MoH) to discuss the case further.

In September, the country was shocked with the tragic deaths of 21 children and two teachers in a fire at Pusat Tahfiz Darul Quran Ittifaqiyah in Jalan Datuk Keramat, Kuala Lumpur. The Commission visited the location of the tragedy on 14 September. It was later discovered that seven teenagers were involved in the burning of the school as a revenge, and they were being charged in court. The tragedies had raised concerns of the safety standards at religious schools as well as the authorities' responsibility to ensure compliance of the religious/Tahfiz schools with the regulations.

On 12 December, the Commission was invited by the Pahang religious authorities to give a talk on children's rights to the administrators of religious/Tahfiz schools in Pahang. Apart from imparting knowledge to the administrators of religious/Tahfiz schools on the safety aspects and rights of the children under their care, the programme also aimed to appeal to the administrators to register their schools with the State Religious Department for the purpose of monitoring. Among other agencies that gave talks at the programme were Fire and Rescue Department of Malaysia, Pahang State Education Department and Ministry of Health. **The Commission applauds such initiative by the state religious authorities and encourages the religious authorities in other states to organise such programmes in their respective states.**

2 "Alleged abuse victim Thaqif died from rat urine disease", *The Star*, viewed at https://www.thestar.com.my/news/nation/2017/07/10/thaqif-died-due-to-infection/ on 30 November 2017.

(iii) Detention under Preventive Laws

During the year, the Commission received a total of 25 complaints regarding detention under the preventive laws. Out of the 25 of the total complaints, 20 were on the detention under the Prevention of Crime Act 1959 (POCA), two complaints were on the detention under Dangerous Drugs Act (Special Preventive Measures) 1985 (DDASPM) and three complaints were on SOSMA. Most of the complaints in relation to POCA were lodged by the families of the detainees, and each of the complaints had similar requests i.e. to seek for the release of the detainees. It was understood from the complaints that these detainees were mostly from poor families who were also the main breadwinners. As such, the detention of these breadwinners has caused financial difficulties to the families. In addition to the issue of detention without trial in an open court, the Commission was also alerted to the following concerns:

a. Detention of Children under POCA

On 8 November, it was revealed in Parliament that 142 children have been detained under POCA since it was enforced in 2014[3]. Thus far, there were only three complaints on the detention of children under POCA that were brought to the Commission's attention. The Commission is concerned with the high number of children detained under the preventive laws as it goes against the spirit of the Convention on the Rights of the Child (CRC) in which incarceration should be the last resort, considering the best interests of the child.

b. Allegation of excessive force used on detainees

There were also allegations of physical force being used on the detainees to obtain confessions when they were under remand prior to being detained under POCA. In the government's response to the Commission Annual Report 2016 regarding the Commission's recommendation for the interrogation processes conducted on detainees to be mandatorily video recorded, the government simply dismissed the recommendation by stating that there is no provision in the law for such requirement while noting that such approach can be studied for future improvement.[4] The Commission hopes that the government would look into the

3 "159 Kanak-Kanak ditahan di bawah POCA, SOSMA", Freemalaysia Today, viewed at http://www.freemalaysiatoday.com/category/bahasa/2017/11/07/zahid-159-kanak-kanak-ditahan-poca-sosma/ on 8 November 2017

4 Maklum Balas Kerajaan Terhadap Laporan Tahunan SUHAKAM 2016, page 22.

recommendation seriously as the allegation of excessive use of force by the police is not new and has being recurring over the years.

c. Allegation of soliciting bribery for freedom

Some of the families of the detainees also highlighted to the Commission of phone calls received from unknown persons who claimed that they could assist in the release of detainees under POCA detention by payment of money. In these cases, the Commission advised the families to lodge reports with the Malaysian Anti-Corruption Commission (MACC) or the police for them to investigate the allegations.

As part of the Commission's initiative to monitor the use of the preventive laws, the Commission has requested from PDRM the statistics of individuals detained or restricted under the preventive laws. However, at the time of writing, the requested information was not forthcoming.

(iv) Human Trafficking

In June, Malaysia was upgraded to Tier 2 in the US State Department's 2017 Trafficking in Persons (TIP) Report. The Commission welcomes the positive progress and acknowledges the improvements that have been made in the handling of ATIPSOM cases especially with the establishment of a Task Force on Anti-Trafficking in Persons and Anti-Smuggling of Migrants (Task Force ATIPSOM) in December 2016. Of the 14 complaints involving allegations of human trafficking that the Commission received in the year under review, seven complaints were referred to the Task Force ATIPSOM (Task Force) while the rest were not due to the lack of substantial information in the complaints as well as the complainants' lack of cooperation to provide further information when requested.

One of the cases referred to the task force was on a human trafficking syndicate which was operating at an apartment in Cyberjaya. The information on the case was provided to the Commission on 24 January, and the Commission immediately forwarded the information to the task force. Acting on the tip off, the task force raided the place, arrested the traffickers and rescued five Nigerian women. The action was communicated to the Commission on 27 July. In another case, the Commission was contacted by a Thailand-based civil society, Alliance Anti Traffic (ATT), informing that they had intercepted the smuggling of two Shan girls in Thailand when they were

being en routed from Malaysia to Vietnam. The two girls then divulged to the ATT that more girls were kept at a location in Ipoh, Perak. The Commission immediately notified the task force of the tip-off on 3 March and as a result, the police arrested three suspects and saved 19 Shan girls and a Vietnamese on 10 March. Later, the Commission was informed that the three suspects were charged under Section 12 of ATIPSOM.

The Commission appreciates the swift actions taken by the task force on the referred cases as well as the good cooperation extended in providing updates of the cases to the Commission. The Commission had requested from MAPO Secretariat the statistics on ATIPSOM cases that were investigated and charged in 2017; however, at the time of writing, the response has yet to be received.

In the government's response to the Commission Annual Report 2016 regarding the Wang Kelian mass grave case, the government informed that it has made an official request to the Thai government to extradite 11 suspects in the Wang Kelian case, and three of them were already under the custody of the Thai authorities. It is disappointing to note that there has been no further progress to the request at the time of writing this report. The Commission hopes that the government would put some efforts to ensure that the suspects are brought to justice.

(v) Complaints on Business and Human Rights

The obligation to respect, protect and fulfil human rights lies both on the government and private companies. Over the years, the Commission has been receiving complaints involving allegations of infringements of a wide range of human rights related to business operations including exploitation of migrant workers, employment, indigenous peoples' rights and environmental rights.

In January, a group of Myanmar CSOs submitted a complaint to the Commission regarding the environmental degradation and human rights abuses allegedly committed by a joint-venture company (JVC) between a Malaysian company and a Myanmar company, in executing the oil palm project in Tanintharyi Township, South-eastern Myanmar. The complainant claimed that the JVC did not follow the procedure to acquire the land of the communities involved for the project by not obtaining permission from

the Central Committee for the Management of Vacant, Fallow and Virgin Lands or putting up acquisition notices issued under the Myanmar Land Acquisition Act 1894.

The complainant further claimed that the JVC activities have caused severe negative social and environmental impacts on four indigenous Karen villages, home to approximately 4,480 people, within the concession area and affected the livelihood of the villagers who depend on betel nut and cashew orchards. It was further claimed that the families who have lost their productive land have fallen into high levels of debt or been forced to work as day labourers with low wages. Furthermore, run-off from chemical fertilisers and pesticides used by the JVC has allegedly polluted local water sources, resulting in the villagers suffering from skin irritation and other health issues apart from watching their livestock die off. In response to the complaint, the Commission wrote to its counterpart in Myanmar and received feedback on 6 November in which the Myanmar National Human Rights Commission (MNHRC) informed that they have written to the Myanmar Ministry of Agriculture, Livestock and Irrigation, the Myanmar Investment Commission (MIC) and Tanintharyi Regional Government with a view to obtain a response. As a result, the MIC provided the following salient points contained in a reply dated 12 October:

- The regional authorities have permitted the use of a total of 42,200 acres of wild land in Tanintharyi Township. This permission by the Central Committee, however, does not include vacant, fallow and virgin lands which the company has, so far, cultivated 3,144 acres.
- According to the company's report of 7 August, it has compensated (200.4) million Kyats for 3,089.99 acres of land. According to the report submitted by the company to the Tanintharyi Regional Government on 30 May, co-ordination is being made for compensation of the remaining land.
- Environmental Impact Assessment (EIA) is being prepared.
- Arrangements are being made to make a field investigation trip by a team led by members of the Investment Committee and Permanent Secretary of the Ministry of Natural Resources and Environmental Conversation.

At the time of writing, the Commission has yet to obtain feedback from the Malaysian company as the Commission is waiting for further response from the MNHRC prior to engaging with the Malaysian company.

(vi) The Rights of Indigenous Peoples

In 2017, the Commission received 42 complaints in relation to the rights of indigenous people. The issue of native customary land rights continues to be the main concern of the Orang Asli as the implementation of the National Inquiry's recommendations has not shown any significant result.

As reported the year before, the Commission has requested to meet and discuss with the Kelantan state government on the Orang Asli's land issues following the blockade incidents in Gua Musang. The Commission only received a reply letter dated 10 January from the Kelantan state government in which the state government flagged that, inter alia, it does not adopt wholly the Aboriginal Peoples Act 1954; does not recognise the Orang Asli roaming areas; stresses the State's authority in managing land issues; emphasises on the role of JAKOA; and debunks the application of the principle of free, prior and informed consent in regard to Orang Asli Native Customary Rights land development. Instead, it informed that it has its own procedures in consulting the Orang Asli, and it declined to meet the Orang Asli groups for a discussion by shifting the responsibility to the Orang Asli Development Department (JAKOA).

The state government also underscores that land titles and the National Land Code should be the main documents in determining the status of any land. The policy paper prepared by the state government further highlighted that there appears to be some conflicting claims by Orang Asli on lands which have already been gazetted as Malay Reserved land. It pointed out that the Malay Reserve Enactment was enacted and enforced since 1930 whereas the Aboriginal Peoples Act came into effect only in 1954. Further, the letter mentioned that the Orang Asli can file their claim/case in court for a decision on the status of the land. The Kelantan state government also requested the Commission to conduct a transparent and accurate investigation into the issue based on the laws in force. The response was ended by a recommendation to the Commission to discuss this matter with JAKOA.

Taking the cue from the Kelantan state government's recommendation, the Commission met with the Director-General of JAKOA (DG) on 19 January during which the DG admitted that the blockade issue in Gua Musang was difficult to be resolved as both parties involved, the Orang Asli community

and the Kelantan state government, were not willing to compromise their conflicting stands and interests on the issue. The Commission then organised two discussions with the civil society organisations and the Malaysian Bar Council on 8 February and 1 March, respectively. At the discussion, everyone fully supported the proposal to hold a public inquiry into the blockade incidents; nonetheless, the Commission was informed that there were ongoing court cases in relation to the claim of native customary land rights in Gua Musang, and another fresh suit will be filed soon. Thus, the inquiry proposal was put on hold to give way to the court cases.

Eventually, after several requests, the Kelantan Menteri Besar met with the Commission on 23 August. Prior to the meeting, the Commission visited the Orang Asli in Gua Musang and Lojing areas to listen to their grievances. At the meeting which was also attended by the Deputy Menteri Besar, Kelantan State Secretary Office, State Land and Mines Department, State Forestry Department and Kelantan and Terengganu branch of Orang Asli Development Department (JAKOA), the Commission highlighted the findings of the visit and the Orang Asli's grievances. In addition to reiterating its position articulated in the reply letter, the Kelantan state government explains that the state government has reserved 7,286 hectares of land for Orang Asli settlements under Section 62 of the National Land Code[5]; the Forestry Department has stipulated that 50-meter area from the river as buffer-zone to address the issue of river pollution; the state government also out rightly denied that the logging activities were the cause of the worst floods that hit Kelantan in 2014 and instead, provided a finding of a study which indicated that the causes of the floods were due to the unusual rainfall and strong winds that occurred during the northeastern monsoon.

5 62. Power of reservation of State land.
(1) The State Authority may by notification in the Gazette reserve any State land for any public purpose.
(2) Any notification gazetted under sub-section (1) shall- (a) describe the reserved land; (b) describe the purpose for which the land is reserved; (c) designate the public officer for the time being having the control of the reserved land; [Am. Act A1333] (d) be conclusive evidence that the land so described is reserved for a public purpose.
(3) Copies of any such notification shall be published in accordance with the provisions of section 433.
(4) Without prejudice to the provisions of any other written law for the time being in force, reserved land shall not be- (a) disposed of by the State Authority except to the extent permitted by, and in accordance with the provisions of, section 63 and Chapters 2, 3 and 4 of this Part, or (b) used for any purpose other than that for which it is reserved except in pursuance of a disposition made by virtue of any of those provisions.



Meeting with the Menteri Besar of Kelantan, Dato' Haji Ahmad Bin Yakob on 23 August.

The Commission appreciates the state government's openness to discuss the issue of Orang Asli's customary land rights with the Commission and the approval for the Commission to have separate discussion with the state agencies on the specific cases. As a follow-up, **the Commission has planned to organise two activities in Kelantan next year, with the collaboration of the Kelantan state government, namely a roundtable discussion on the concept of Orang Asli customary land rights and a forum on Business and Human Rights.**

(vii) Deaths in custody

During the year under review, the Commission investigated 10 cases of custodial deaths which were reported to the Commission or highlighted by the media, of which six deaths occurred while under the custody of the police, three deaths occurred while under the custody of the Prison Department, and one death occurred while under the custody of the National Anti-Drug Agency (AADK). Among the cases investigated were the deaths of S. Balamurugam at North Klang District Police Headquarters on 7 February, M. Thanaseelan at Bukit Sentosa lock-ups on 25 February, K. Parthiban at Hospital Melaka under the custody of Melaka Tengah Police on 22 May and Benedict Thanilas at Jinjang Centralised lock-up on 10 July. The Commission's investigations into the custodial deaths found that not all the deaths were attributed to assault and torture as there were cases where the detainees died of diseases which could have been prevented

had there been medical screening carried out before the detention as stipulated under the Lock-up Rules 1954.

During the workshop on 'Custodial Medicine- Preventing Death in Custody' on 22 and 23 October, the Commission was informed that the Ministry of Health (MoH) is in the discussion with the relevant agencies on the setting up of a custodial medical team as part of the efforts to address the issue of custodial deaths. **The Commission welcomes the initiative as it is one of the recommendations that the Commission has made in the 'Deaths in Police Custody: A Study on the Conditions of Lock-Ups and Factors Contributing to Death' report. In this regard, the Commission urges the government to expedite the establishment of the custodial medical team by providing all necessary supports.**

As for the statistics of death in custody in 2017, there were 319 deaths while under the prison's custody, an increase of 19% from the previous year and 24 deaths under the Immigration's custody, a reduction of 40% from the previous year. At the time of writing, the police, however, have yet to provide the number of deaths while the detainees were under their custody.

Table 4 Number of Deaths in Detention in 2015 - 2017

PLACE/YEAR	2015	2016	2017
Prisons	252	269	319
Immigration Detention Centres	87	40	24[1]
Police Lock-Ups	12	15	NA

(B) Monitoring Public Assemblies and Forced Evictions[6]

During the year under review, the Commission monitored 8 public assemblies/ rallies. The Commission observed that the management of the rallies has improved significantly, and there was no untoward incident occurring

6 The UN Committee on Economic, Social and Cultural Rights described forced eviction in the general comment No. 7 (1997) on the right to adequate housing as "the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection"

during the assemblies/rallies. In 2016, the Commission made several recommendations for the improvement of the Peaceful Assembly Act 2012 based on the Commission's monitoring of the rallies. The Commission took note of the government's stance as expressed in the government's response to the Commission Annual Report 2016 that there is no need for the provisions in the Act to be reviewed. Nevertheless, the Commission believes that the positive changes would come when the time is right.

Table 5 Assemblies and Rallies Monitored in 2017

NO.	ASSEMBLY	DATES
1.	'Himpunan 355' at Padang Merbok, Kuala Lumpur	18 February
2.	'People's Objection to Hadi's RUU' at Taman Jaya, Petaling Jaya	18 February
3.	'Candle light Vigil for Pastor Raymond, Amri Che Mat, Joshua Hilmi and Ruth' at Dataran Merdeka, Kuala Lumpur	8 April
4.	'May Day Rally' from National Mosque to Bukit Bintang	1 May
5.	Anti-Kleptocracy assembly at Padang Timur, Petaling Jaya Utara	14 October

In addition to monitoring the public assemblies, the Commission also monitored three eviction cases in the Klang Valley. The purpose of the Commission's monitoring is to ensure state compliance with the United Nations Basic Principles and Guidelines on Development-Based Evictions and Displacement and other International laws. In some of the cases, the Commission was involved in facilitating discussions between the enforcement personnel and the aggrieved residents.

Table 6 Forced Evictions Monitored in 2017

NO.	LOCATION	DATES
1.	Eviction of residents at Jinjang Selatan	2 August
2.	Eviction of residents at Bukit Tangki Air, Cheras	27 September
3.	2nd Eviction of residents at Jinjang Selatan	14 November

(C) Visits to Places of Detention

During the year, the Commission conducted a total of 56 visits to places of detention, made up of 18 periodic visits to lock-ups (6), Prisons (6), Immigration Detention Centres (4), Military Detention Centre (1) and Drug Rehabilitation Centre (1) and 38 visits for the purpose of inquiring into complaints.

In 2016, the Commission flagged several issues that the Commission observed during its visit to places of detention. Despite the positive feedback that the government provided in its response to the Commission Annual Report 2016, the Commission observed that the same issues still persist at the places of detention in the year under review. For instance, the Commission had highlighted the issue of basic personal hygiene tools and bedding which were insufficient for the detainees. The government responded by stating that all relevant detaining authorities always ensure that the basic necessities are sufficient for the detainees, and certain detainees were not provided clothing for security and health reasons after assessment were being made by the experts[7]. However, based on the visits conducted in the year under review, the reality on the ground was in contradiction with the statements. The following are the Commission's observations on each of the places of detention visited:



Commission's periodic visit to the Tanah Merah Immigration Detention Centre on 23 August.

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Table 6 Periodic Visits to Places of Detention in 2017

NO.	DATES	PLACES OF DETENTION	ISSUES OBSERVED
1.	23 March	Sikamat Police Station's Lock-ups and Senawang Police Station's Lock-ups	The detainees were not provided with basic personal hygiene tools such as soap, toothbrush and toothpaste due to shortage of budget. No medical screening of detainees prior to their entry into lock-ups. The lock-up sentry was not aware of the updated lock-ups rules and procedures.
2.	14 June	Sentral Police Station's Lock-ups, Ipoh	The lock-up was an old lock-up, and the amenities were not in good conditions. Due to limited space and the small-sized compound, there is no room to conduct body-search on detainees, so it was conducted in a toilet. The detainees were not provided with lock-up uniform, and there was no health screening on detainees upon entry. The police also complained that they had to wait for almost seven hours at the nearest hospital to get a medical treatment for a detainee. In addition, many detained suspects were already suffering from serious diseases, exposing the police personnel to infection. The detainees complained that they were fed with unhealthy and small quantity of meal. They also complained that due to being fed with boiled fishes, they had skin itchiness.
3.	16 June	Hilir Perak Police Station's Lock-ups	No health screening was conducted on detainees upon entry. The police personnel manning the lock-ups were not given vaccination; thus, they were exposed to contagious diseases. As the lock-ups only has a small window, ventilation was inadequate. The detainees were not provided with basic personal hygiene tools such as soap, toothbrush

			and toothpaste. There was no CCTV installed at the lock-ups, and only one sentry was assigned to monitor about 60 detainees at a time. Out of three telephones at the visiting room, only one was working.
4.	31 July	Johor Bahru Selatan Police Station's lock-ups	The conditions of the cells were extremely poor, with decaying flooring and dilapidation in most cells. The cells were small, without adequate lighting and ventilation or bedding. Drinking water was only provided three times a day. There was also an overall shortage of clean lock up clothes. The daily food budget for detainees is RM 8 for three meals per detainee. There were complaints from detainees regarding small quantity and low quality of food provided.
5.	3 October	Taiping Police Station's lock-ups	The detainees were not provided with basic personal hygiene tools such as soap, toothbrush and toothpaste. Drinking water was only provided during meal time, and the detainees complained of insufficient drinking water. The toilet was clogged, and the police informed that they had requested for budget to repair, but it is yet forthcoming. The CCTVs were functioning, but there were no police personnel assigned to watch the CCTV monitors.
6.	13 December	Kangar Police Station's Lock-ups	The detainees were not provided with basic personal hygiene tools such as soap, toothbrush and toothpaste. The toilet in the lock-ups was old and not equipped with a flush system, causing an unhygienic condition.

7.	23 March	Seremban Prison	The prison is old. It is a dilapidated building whereby many facilities are no longer suitable for the prisoners. The prison cell was clean during the visit despite some unpleasant smell. Each cell was provided with a bucket for the prisoners to urinate as all the cells were not equipped with built-in toilets. The prison was also overcrowded with only two buildings still in use.
8.	14 June	Batu Gajah Correctional Institution	The prison is old. It is a dilapidated building whereby many facilities are no longer suitable for the prisoners. Each cell was provided with a bucket for the prisoners to urinate as all the cells were not equipped with built-in toilets.
9.	15 June	Tapah Prison	The kitchen's flooring was cracked and slippery. The floor was greasy though it had just been cleaned up during the visit. Some of the prisoners' meal trays were not in good conditions, but they were still in use because the prisoners outnumbered the quantity of available trays. At the time of visit, there were only 2300 trays for the 2821 prisoners. There were complaints from the prisoners regarding the low quality of food provided, and prisoners who suffered from diseases were not provided with food suitable with their health conditions. Death row prisoners were not allowed to exercise under sunlight due to security reasons. The internal health clinic was not equipped with new and sufficient wheelchairs to commute sick prisoners.
10.	20 September	Alor Setar Prison	The ventilation at the block where death row prisoners were held was poor especially the block located on the ground floor. The prisoners also complained about the mosquito problem in their cell.

11.	30 September	Taiping Prison	This prison was also facing the same problem as faced by the Seremban Prison where the prisoners in each cell were provided with a bucket to urinate as the cells were not equipped with built-in toilets. However, some blocks in the prison were equipped with built-in toilets. The Commission also came across Indonesian nationals who were held under SOSMA, but they were unable to inform their family members about their detention. This is because they had no money to use the telephone facilities provided at the prison.
12.	4 October	Kamunting Rehabilitation Centre	The floor at the kitchen was slippery and could cause detainees who work at the kitchen to fall down. There were many flies, and the Commission was informed that it was due to the use of natural fertilisers for the plantation within the prison. The mattresses were old and were not in good condition, but the prison official informed that there was no budget to replace the mattresses. A complaint by the detainees was that they were always served with boiled fishes that caused several of them to suffer from itchy skin.
13.	15 June	Langkap Immigration Detention Depot	The depot did not have a separate cell for the detainees who were infected with contagious diseases such as Tuberculosis. The supply of medicines was not adequate. The health screening conducted by the Medical Assistance (MA) was very basic and not comprehensive due to limited facilities and high number of detainees admitted at any one time. The depot did not receive any medical records of detainees transferred from prison to the depot and therefore, made it difficult for the depot to continue

			the medical treatment required by the sick detainees unless the detainees themselves informed the MA. The immigration personnel were also exposed to contagious diseases, and there had been two cases of the personnel being infected. The detention blocks were dilapidated, hot and foul smelling. The built-in toilets and bathing area were unsanitary. There were complains of inadequate prayer mats and Al-Quran for Muslim detainees, sanitary pads for women detainees and soaps provided to the detainees.
14.	16 July	Semenyih Immigration Detention Centre	The buildings are dilapidated, and the Commission was informed that there was no budget for repair. There were stateless detainees and detainees waiting for deportation who have been staying for a long time in the depot.
15.	23 August	Tanah Merah Immigration Detention depot	Two out of the three main blocks made of wooden structures were dilapidated. The conditions were unsanitary, and the blocks were poorly maintained. Owing to the lack of sufficient ventilation, the blocks were unbearably hot and foul smelling. Almost all wall fans installed for ventilation purposes were not working. In one block that housed male detainees, all five toilets were blocked and not functioning. The toilet conditions in the other male blocks were also wholly unacceptable. Majority of the detainees complained of health problems including scabies, back and stomach pains. The placement of an assistant medical officer (Grade U32) is not adequate to respond to health crises due to the high number of detainees and the severity of their health problems.

16.	20 September	Belantik Immigration Detention Depot	The male block was smelly and unhygienic. The high number of male detainees in each cell contributed to poor ventilation. The cleanliness of the female block was satisfactory as compared to the male block. Each detainee was provided with a mattress and a blanket. Toilet was built inside each cell and bathrooms were located at the end of each level of the block.
17.	2 October	Kantonmen Military Lock-ups	The CCTVs had not been functioning for a month. They have yet to be repaired although the management has been alerted about it. The detainees are required to be naked during body checking upon entry into the detention. In general, the ventilation, lighting and sanitary of the cells are satisfactory.
18.	29 November	National Anti- Drug Agency's Batu Kurau lock-ups (CCRC and Remand Centre)	The overall condition of the lock-up is satisfactory. Although the lock-up has been in use since 1985, there are no CCTV facilities to assist the management in monitoring the inmates. Furthermore, the CCRC is also facing water shortage problem due to low pressure, and the inmates at the remand centre are not provided with basic toiletries such as toothbrush and toothpaste.

3. THE WAY FORWARD

The role of protection of human rights is and will be continued to be carried out by the Commission through its Complaints and Monitoring Division. Several inquiries into complaints which have yet to be completed in the year will continue to be followed-up by the Division in 2018. This will include the public inquiry into the disappearance of individuals. The Division will also expand its monitoring visits to other detention centres such as military centres to ensure that the human rights standards are complied with by the detaining authorities. Realising that such a duty is not easy to be executed, the Commission has charted some plans to empower the Complaints and Monitoring Division with more resources and capacity development programmes. It is hoped that with such trust and focus on the Division, the protection of human rights will be improved.

CHAPTER 3

Human Rights Education and Promotion



Standing (from left)
Ms. Wan Norhafizah Junid, Mr. Muhammad Syafiq Ikhwan Ghazali, Mr. Mohd. Ariff Saifullah, Ms. Norashikin Hamzah, Mr. Abdul Rahman Abdullah, Mr. Mohamad Taufiq Nadzri, Ms. Paremeswari S., Ms. Syairin Adirah Abd Rahman, Ms. Siti Zaihan Zulkarnain, Ms. Lee Pei Hsi, Ms. Fatimah Abdul Wahab, Mr. Ahmad Afiifi Ramli

Sitting (from left)
Ms. Rafidah Yahya, Ms. Jesrina Kaur Grewal

Not in the picture
Ms. Hasmah Abdul Manaf, Mr. Nyak Baqi Kamaruddin, Ms. Nur Maslina Mahdan

Education and Training Division

1. HUMAN RIGHTS EDUCATION IN SCHOOLS

(a) Human Rights Module for Post UPSR And PT3

As a part of the Commission's goal to integrate human rights into the Malaysian education system, the Commission has introduced the Human Rights Module for Post *Ujian Pencapaian Sekolah Rendah* or Primary School Achievement Test (UPSR) and *Pentaksiran Tingkatan 3* or Form 3 Assessment (PT3) students.

As a pilot project, 12 activities were developed by the Commission, and the initial Training of Trainers (TOT) was organised on 28 – 29 September and 23 - 24 October in Seremban, attended by 36 teachers from ATHAM schools from the Federal Territories, Melaka, Negeri Sembilan and Selangor.

(b) Human Rights Best Practices in Schools (HRBPS)

In 2017, the Commission conducted two HRBPS workshops in Kota Kinabalu on 10 - 12 April and in Tawau, Sabah on 9 - 11 August. The aim of the workshops was to provide guidance and advice the teachers on how to best implement the HRBPS programme at their respective schools. A total of 35 teachers attended the workshops conducted in Sabah.

In 2015, the Commission was invited by the Director General of Education Malaysia to introduce HRBPS to all school principals in Sabah and Sarawak. At that time, only a few schools had implemented the HRBPS programme. The SMK Beluran was one of the few schools that had successfully carried out the programme since 2016 and the principal has been sharing their best practices with the Commission.



Training of Trainers (TOT) Human Rights Module for ATHAM school teachers from Selangor and Negeri Sembilan.

The Commission appreciates the effort taken by the Ministry of Education (MoE) in assigning a MoE officer to oversee the implementation of HRBPS in each state. The officer from MoE has worked with the Commission to produce a documentary on ATHAM. The school chosen for the documentary was SK Menson in Pahang which had won the 1st place in the ATHAM competition co-organised by MoE and SUHAKAM in 2016.

Moving forward, some areas could be further improved by all parties that are involved in the programme. They include the following:

(i) The Commission observed that changes in the top management in schools or district offices or heads of divisions in MoE have affected the effectiveness and continuity of the programme. The same scenario was also observed among master teachers in schools. The Commission was informed that several master teachers had been transferred even before they managed to carry out a sharing session with their schools. As a result, the programme was unable to be implemented by the schools as planned.

(ii) One of the aims of HRBPS is to cultivate human rights as a culture in schools; therefore, there is a need to obtain the cooperation from teachers who were not trained or involved with HRBPS in order to ensure comprehensive involvement.

(iii) Some school administrators have a misguided perception that human rights education, child rights and HRBPS were contrary to the rules and regulations at their schools and were concerned that the implementation of HRBPS would interfere with the school management. They raised their concerns about issues that could arise when students start to claim their rights.

(iv) Nevertheless, there have been obvious improvements in most of the schools that have been visited, and positive feedback was also received from heads of schools met in other educational events. Among them were SK Menson, Pahang, SMK Batu Muda, Kuala Lumpur, SMK Sentul 1, SMK Dato Mustaffa Batu Panjang, SMK Sungai Manggis Kuala Selangor and SMK Taman Pelangi, Johor Bahru. SK Menson, Pahang is the school that won the first place in HRBPS competition in 2016 and also won the first place for the School Best Practises in Orang Asli Schools organised by the School Division in the Ministry of Education in October 2017.

(v) It was reported by many HRBPS schools that they had included HRBPS values in their schools' annual planning, and as observed, HRBPS information notice boards and banners were put up at strategic places such as the canteen, classrooms and along the pathways to the school office or field.

(c) Orang Asli (Indigenous People)

The Commission made 5 visits to the following Orang Asli schools:

1. SK Sg. Melut, K. Selangor
2. SK Senibai, Negeri Sembilan
3. SK Menson, Pahang
4. SK Pos Betau, Pahang
5. SK Pos Piah, Perak

The Commission observed that positive changes had taken place in the schools visited. Among them were the following:

(i) Transportation and access roads between the settlements and schools have improved, but there is still room for improvement. The Commission observed that in some villages in Pahang, Johor, Perak and Selangor, the parents themselves took the initiative to send their children to schools instead of using the transportation services

provided by the agency concerned. This change of attitude is heart-warming.

(ii) Children not in school

The Commission was informed that to overcome the issues of school dropouts, some villages in Kelantan, Pahang and Perak had been working with Non-Governmental Organisations (NGOs) to set up community schools. The teachers were appointed among the indigenous people, and mostly were from the settlements themselves. They were trained by the NGOs. The villagers also helped in managing the schools such as cooking for the children and maintaining the facilities at the schools.

(d) Sekolah Agama Rakyat (SAR) and Pusat Tahfiz

The Commission visited religious schools in Selangor, Pahang and Johor. The schools visited are as follows:

1. Mahaad Tahfiz Al Jauhar, Kota Tinggi, Johor
2. SAR Bandar Bukit Puchong, Selangor
3. SAR Amru Ibnu Alas, Bandar Baru Sentul, Wilayah Persekutuan
4. Tahfiz As Shakirin, Pasir Panjang, Kuala Selangor
5. SR Islam Integrasi Al Taquar, Bukit Changgang, Kuala Langat
6. Maahad Tahfiz As Solihin, Kanchung Darat, Kuala Langat
7. SK Maahda Ihyaalmahdi, Sg. Kelambu, Kuala Langat

The SARs and Tahfiz visits were managed by the State Department of Religious Affairs , State Religious Council and individuals.

The purposes of the visits were:

(i) To ensure that children registered with these schools were not denied of their rights to enjoy quality education such as quality facilities, infrastructure and trained teachers.

(ii) To get the cooperation of various government agencies such as the Department of Religious Affairs, Malaysian Islamic Development Department, State Religious Council, Ministry of Education and NGOs to enhance the quality of the facilities and to aid the schools especially in terms of the physical, finance and training of teachers at private Tahfiz schools.

Findings

The Commission discovered that the schools visited were all aware of a child's rights to get quality education as enshrined in Article 29 of the Convention on the Rights of the Child.

(i) Infrastructure and School Facilities

The Commission observed that the schools were now housed in better buildings as compared to 5 years ago. All visited schools were in proper school buildings. Although some hostels were overcrowded such as the one at Maahad Tahfiz and Solihin, Selangor, these schools have taken the steps to enlarge their hostels.

(ii) Teachers

The Commission observed that the teachers at these schools were not trained teachers. Teachers who were interviewed claimed that they taught based on their common sense, through their experience and by observing other teachers.

The Commission was informed that the Ministry of Religious Affairs and the Islamic Affairs Department did provide some short courses; however, these courses were not periodic and not all the teachers were able to attend the courses. Nevertheless, the MoE had invited a small number of teachers to attend its in-house trainings. The Commission also believed that other than mastering pedagogical skills, teachers, administrators and child minders of these schools should be well-trained in handling dangerous situations such as fire, food poisoning, contagious diseases and sexual harassments.

With regard to textbooks, MoE has begun to provide book aids to these schools. However, the Commission was informed that sometimes the books were in a bad condition.

Apart from that, the Commission found an absence of a standardised pay scheme for the teachers and school staff. However, the pay was better compared to the previous years. The Commission believes that private Tahfiz and private SAR schools should pay their teachers in accordance to the government minimum pay scheme.

(e) Awareness Programme on Child Rights to Safety

This programme started in 2016, and the Commission had visited almost 20 MARA Junior Science Colleges (MJSC) last year. This year, the programme was continued to involve more than 10 new MJSCs across the country, as well as follow-up programmes to several MJSCs that were visited the year before. The objective of the programme was to raise awareness among students on their rights to safety and to expose the issue of bully to the students. The programme targeted mainly the students, and most of the schools visited managed to gather all their students from all levels (Form 1 – Form 5) to attend the Commission's two-hour talk.

Maintaining the same format as the previous year, these were the topics covered during the talk:

i. Brief introduction of the Commission's role, functions and powers
ii. The basic concept of human rights and child rights
iii. The definition of bullying
iv. Types of bullying, and
v. The impact of bullying and ways to overcome it

The talks were held in the following MJSCs, namely Kuala Kangsar, Terendak, Kota Kinabalu, Kuching, Serting, Pasir Salak, Tumpat, Kuala Krai, Pengkalan Chepa, Beseri and Kuala Terengganu. A session was also conducted at Permata Insan School, Universiti Sains Islam Malaysia (USIM).

This programme received positive feedback from teachers and counsellors. They thought that the programme was very helpful and informative to assist students in understanding the issue, which would ultimately help to decrease bullying cases in schools. A few principals from the MJSCs mentioned that they had been planning to organise such a session and programme, particularly on the issue of bullying. However, they were not able to carry it out due to the lack of budget, time and a few other constraints. Therefore, they highly appreciated the Commission's initiative and efforts to promote and educate the students on matters related to human rights.



Awareness programme on the rights of the child to safety at MRSM Pasir Salak, Perak.

Apart from the introductory programme, the Commission was also invited to re-visit some MJSCs that had been visited in the previous year for follow-up programmes. The schools involved were Kuala Klawang, Johor Bahru, Tun Ghazali Shafie and Kepala Batas. The follow-up programmes were basically a continuation of the introductory programme that allowed the students to participate in activities conducted during the programme. Students were divided into small groups and asked to prepare a chart based on one of the following themes:

1. What is an ideal school to you?
2. How is a school considered safe?
3. How can theft be prevented in schools?
4. What are the limits (in RM) of valuable items that should be allowed to be brought to boarding schools?

It is the Commission's view that the activity was impactful and that it helped the students to deepen their understanding on the issue of bullying, ways to prevent it and steps to take should there be any cases of bullying. Besides, the activity provided more spaces and freedom to the students to express

their ideas and thoughts as they were given the opportunity to discuss more specifically on the issue with their peers. Furthermore, the presentation session at the end of the activity developed the students' confidence in expressing their ideas to the public, an element that the Commission strongly believes as being very important for the students to acquire.

2. TERTIARY EDUCATION

Collaboration with Universiti Selangor (UNISEL)

The Commission and UNISEL signed a Memorandum of Understanding (MoU) on 25 July 2017 to enhance, encourage and develop cooperation pertaining to human rights involving education, research and community service for mutual benefit. To-date, several programmes have been planned to be organised throughout the MoU 3-year term.

On 27 August 2017, the Commission was invited to deliver an introductory talk on human rights to UNISEL's students in Shah Alam campus. On 30 November 2017, the Commission organised a workshop on the topic of *Death Penalty* to the students in Shah Alam campus. The Commission organised two workshops on the topic of *Death Penalty from the Human Rights' Perspective* to UNISEL's students in Bestari Jaya, Selangor on 30 November and at Universiti Pendidikan Sultan Idris, Tanjong Malim, Perak on 14 December 2017. The workshops were attended by more than 180 students and had successfully given a clearer view to the students on human rights, particularly on death penalty. One of the main objectives of the workshop was to brief the students on the Commission's stand to abolish death penalty in the Malaysian legal system.

During the workshops, surveys were carried out in order to understand the students' point of view on the recommendation to abolish death penalty in Malaysia. The surveys were done before and after the briefings.

3. HUMAN RIGHTS PROGRAMMES FOR LAW ENFORCEMENT AGENCIES

(a) Royal Malaysia Police

SUHAKAM, with the collaboration of OHCHR, had conducted a Human Rights Training programme for senior police officers. It was held from 25 until 27 September 2017 and attended by 35 participants comprising

District Deputy Heads and senior officers of the Investigation Division from Wilayah Persekutuan and the states of Selangor and Negeri Sembilan.

The programme was divided into 9 sessions that involved the discussions of the following topics: i. Functions and roles of the Commission, ii. Introduction to Human Rights, iii. The Rights of Enforcement Officers, iv. Law Enforcement and Violence Exertion, v. Law Enforcement and Investigation, vi. Law Enforcement and Arrestment, VII. Law Enforcement and Detention, VIII. Law enforcement and Anti-Discrimination and IX. Law Enforcement and Accountability.

(b) Prison Department

In 2017, the Commission continued to conduct human rights awareness programmes with the cooperation of the Prison Department. For the first time this year, SUHAKAM conducted a human rights training programme for medical doctors and medical assistants working in prisons. The theme was prisoners' rights to health.

The programme was divided into six sessions that involved the discussion of the following topics: i. Functions and roles of the Commission, ii. Introduction to Human Rights, iii. The Findings of the Commission regarding the Rights of the Prisoners to Health and Death in Police Custody, iv. Discussion of Case Studies, v. Right to Health according to Act/Rules of the Jail and vi. Health Issues among Prisoners.

All the participants involved in the programme claimed that it was their first time attending such a course regarding human rights and rights of health in prisons. The medical officers also shared some of the issues they faced, the challenges and the recommendations towards the betterment of the health issues in prisons. One of the suggestions was to continue this programme further.

THE WAY FORWARD

The Commission would explore new areas such as human rights programmes for judges and civil servants in 2018. Meanwhile, it will continue the programme already being planned with relevant stakeholders as in 2017.

Promotion and Outreach Division

2017 witnessed the Commission intensifying its efforts to deliver one of its core functions to promote human rights in Malaysia through various outreach programmes, partnership projects, joint campaigns, development of human rights materials and tools, as well as engagement with various stakeholders including state and non-state actors at both federal and state levels.

The Commission was also actively engaged with young people, particularly university students and members of youth organisations through human rights workshops aimed at empowering them to act towards promoting the cause of human rights in the country.

1. PROTECTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

In furtherance of the objective of the ACT4CAT (Act for Convention Against Torture) Campaign to promote Malaysia's accession to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), the Commission and its campaign partners, namely the Amnesty International Malaysia, SUARAM, Bar Council and Lawyers for Liberty, had invited **Mr. Abdelwahab Hani, the member of the UN Committee Against Torture (CAT Committee) and board member of the Association for the Prevention of Torture (APT)**, to facilitate a series of dialogue sessions on the UNCAT from 5 till 7 July in Kuala Lumpur. Among the key Malaysian stakeholders involved in the sessions were various government agencies, academicians, members of civil society organisations, the media and key ministries, namely the Ministry of Home Affairs, the Ministry of Foreign Affairs and the Mufti of Federal Territories in Kuala Lumpur.

The programme was co-funded by the Convention Against Torture Initiative (CTI), a global initiative spearheaded by the governments of Chile, Denmark, Ghana, Indonesia and Morocco to assist States on matters pertaining to ratification and implementation of the UNCAT and its Optional Protocol as well as the Association for the Prevention of Torture (APT), a Geneva-based international organisation that works on torture prevention.

The programme provided a useful platform for various Malaysian key stakeholders to discuss with Mr. Abdelwahab Hani on the key issues, challenges and ways forward on Malaysia's accession to the UNCAT. It also promoted greater understanding among the participants on the benefits of acceding to the UNCAT and international examples or best practices on progressive implementation of the convention especially from other Islamic countries.

Based on the series of discussions held with Mr. Abdelwahab Hani and key stakeholders, the Commission observed that the incompatibility of domestic civil and Syariah laws with the UNCAT remained as the main obstacle to Malaysia's accession to the convention. Some government agencies reiterated their concerns on the existing legal provisions that allowed for the implementation of corporal and capital punishments in Malaysia which was deemed as inconsistent with the UNCAT. Similar concerns were also raised in the government's responses to SUHAKAM's Annual Report 2016 whereby the government held the view that the country should ensure full compliance of its domestic legislation with the UNCAT prior to acceding to the convention and that accession to international treaties is the sovereign rights of Malaysia which should be respected by all parties.

While noting the position held by the government in relation to Malaysia's accession to the UNCAT, the Commission opines that there is no perfect situation for accession to the convention and that the incompatibility of domestic laws should not be perceived as an obstacle for Malaysia as the primary aim of this convention is to uphold the dignity of all individuals and their fundamental right to life and liberty, as also enshrined in both Article 3 of the 1948 Universal Declaration of Human Rights (UDHR) and Article 5 of the Federal Constitution of Malaysia.

The fight against torture is an essential element of the promotion and protection of human rights across the world. In the context of Malaysia, the incidents of death in police custody, particularly those that were attributed to the authority's negligence and misconduct had become a matter of public concern and scrutiny. Therefore, it is timely for Malaysia to demonstrate to both local and the international actors of its commitment in support of global fight against torture by acceding to the UNCAT.

The Commission welcomes the positive step taken by the government in establishing an inter-agency Technical Committee on the UNCAT in

2016. The Commission also noted that the lead agency for the Technical Committee, namely the Ministry of Home Affairs (MOHA) had been tasked to study Malaysia's accession to the convention. To this end, the Commission recommends that the government:

(i) review existing civil and Syariah laws that allow for corporal punishment while exploring alternative measures to replace this form of punishment as had been done in other countries such as Egypt, Turkey and Morocco.

(ii) refer to the Report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment which has provided an extensive elaboration on the torture-free investigation methods and new scientific investigation techniques adopted by law enforcement officials in Norway and the United Kingdom.

(iii) hold constructive dialogues with relevant stakeholders concerning the provisions in the Education Regulations (Student Discipline) 2006 which allow for school caning and exploration of alternative forms of effective disciplinary measures, with due consideration of the Country's obligations under the Convention on the Rights of Children (CRC) which also prohibit acts of torture on children. The government's amendment to the Child Act in 2016 in which it replaced the provision on whipping with community service for child offenders was a positive step which should be emulated by the Ministry of Education through the abolition of caning in schools.

(iv) hold a constructive discussion on 'human rights and public order and security' with the primary aim of promoting better respect for international human rights principles by law enforcements in performing their duties.

(v) refer to the 'Istanbul Protocol – Manual on the effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment' as one of the references when organising training sessions to enhance the capacity of public officials in addressing cases of torture.

(vi) seek technical expertise from the Treaty Body Division of the Office of the High Commissioner for Human Rights (OHCHR) for the latter to conduct capacity building programme for government agencies on the UNCAT State Party reporting process. This is to enable all relevant government agencies to familiarise themselves with the reporting process although Malaysia has yet to accede to the convention.

(vii) explore engagement with various other international bodies including the CTI and the APT in seeking technical expertise on accession to the UNCAT.

(viii) undertake a comprehensive study on Malaysia's accession to the UNCAT that focuses on the harmonisation of the existing legal safeguards rather than on immediate reform of the current legal system, as well as benefits for Malaysia to accede to the convention.

(ix) develop a realistic action plan on Malaysia's accession to the UNCAT by taking into account the next cycle of the Universal Periodic Review (UPR) in November 2018 in which Malaysia is expected to report on the progress it has achieved in improving the human rights situation in the country which also includes the progress of ratification of the remaining core human rights treaties.



Mr. Abdelwahab Hani (front left) and the Commission's delegation at the courtesy meeting with the Mufti of Federal Territories on 7 July.

Recognising the need to promote greater public awareness of the campaign, the Commission organised two exhibitions in Sarawak and Sabah on 8-9 August and 10 October, respectively. The Commission observed that the exhibitions which centred on the theme of torture-related issues and the UNCAT were an eye-opener to most of the visitors. They welcomed the

Commission's initiative in organising such events and further suggested that the Commission host similar event at various public places to disseminate the information to wider groups in their states.

As a way forward, the campaign coalition has jointly developed an action plan which focuses on three principal areas, namely awareness-raising, policy and advocacy. The campaign coalition also recognised the need to widen its engagement with various key stakeholders, particularly the policy makers in the government, parliamentarians, academicians, religious groups as well as non-state actors.

2. PUBLIC OUTREACH AND ENGAGEMENT

The 'SUHAKAM Bersama Masyarakat' (Meet-the-People) programme remains a key platform for the Commission to raise public awareness on the work and services of the Commission, as well as for community members to discuss a broad range of human rights issues that affect their well-beings. During the year, the Commission had convened a series of four (4) 'SUHAKAM Bersama Masyarakat' sessions in four different states with **1586** persons participating. The details of the sessions are as follows:

a) Seremban, Negeri Sembilan (22 March)
b) Pekan, Pahang (18 July)
c) Muar, Johor (4 October)
d) Kangar, Perlis (13 December)

The key issues and recommendations raised during these sessions are summarised as follows:

(a) The issues pertaining to the Commission

Some participants held the view that the Commission was a 'toothless tiger' due to its limited power and function, particularly in conducting unannounced visit to places of detention. Participants also perceived the Commission as a national body that lacked independence in addressing contentious human rights issues and in acting against the agencies that failed to heed its recommendations.

There were also repeated suggestions for the Commission to enhance its access and services through the establishment of branch offices in various states in Malaysia, apart from its existing headquarters in Kuala Lumpur and two regional offices in Sabah and Sarawak. This is to improve public's access to the services provided by the Commission, particularly to enable the former to lodge complaints on alleged human rights violations.

(b) Employment

There were concerns regarding the unfair treatment faced by those working in the security services such as security guards who claimed that the salaries and benefits offered by their employers did not commensurate with the amount of work and time they had contributed.

Canteen workers had also raised a similar issue. They claimed that they were underpaid and deprived of basic benefits and entitlement to rest days and job training, and they were also not given vaccination.

A concern was also raised regarding the rising of unemployment rate among local graduates due to the lack of job opportunities in Malaysia.

(c) Housing

The rapid growth in house prices was said to have seriously affected the low-income group's right to affordable housing.

(d) Access to healthcare

There were concerns about the long waiting time experienced by elderly patients at both the government and private clinics or hospitals. In addition, there was a call for the relevant stakeholders to address the issue of limited parking bays within the premises of hospitals.

(e) Persons with Disabilities (PWDs)

PWDs, particularly those with speech and hearing disabilities faced difficulties when seeking access to justice due to the absence of a sign language interpreter in police lock-ups. Similarly, there were concerns raised by the representatives of PWDs that most of the television programmes were not provided with sign language interpretation.

There was also a concern regarding the lack of enforcement on the part of local authorities against members of the public who often occupied parking bays reserved for PWDs.

A representative from the Society of the Deaf further shared the frustration of the deaf community over the lack of recognition and aid for deaf athletes despite their achievements at the international arena.

(f) Stateless children

The right to education of stateless children in Malaysia was highlighted in one of the sessions. The participants urged the government to resolve this 'growing concern' to what they believed could pose social problems if not properly addressed.

(g) Tunas Bakti schools

Concerns were raised regarding the alleged human rights violations that took place in Tunas Bakti schools as well as the lack of support system for students who had completed their rehabilitation at these schools.

The Commission also took the opportunity to conduct a perception survey in conjunction with these sessions with the aim of gauging public perception about their level of understanding of the work and functions of the Commission as well as on human rights in general.

Based on the feedback received from a total of **749** respondents who participated in the survey, the Commission obtained the following findings:

a) That **89.4%** of the respondents expressed that they had heard about the Commission.
b) That **54.7%** of the respondents thought that the Commission was a human rights NGO that championed human rights as opposed to **39%** who opined that the Commission was an independent statutory body that promotes and protects human rights. The remaining **6.3%** thought that the Commission was an enforcement agency under the purview of the Ministry of Home Affairs.
c) That **52.6%** of the respondents thought that the Commission was established by NGO/human rights activist as opposed to **40.2%** who understood that the Commission was established by the Malaysian



'SUHAKAM Bersama Masyarakat' session held in Muar, Johor on 4 October.

Parliament, and **7.7%** who thought that the Commission was established by the United Nations.

d) That **49.5%** of the respondents opined that SUHAKAM did the best it could in fulfilling its responsibility while **23%** opined that it did not do well enough due lack of support or follow-up actions by the government. **10.5%** of the respondents opined that the Commission did more than it could while **11%** said that it did not do well enough due to limitations in its powers, and **6 %** said that it lacked initiatives.

e) That **57.3%** of the respondents expressed that they had an average understanding about human rights while **35.1%** admitted that they had little understanding about human rights, and **7.6%** of them understood human rights well.

f) That **58.3%** of the respondents answered that they were concerned about human rights while **37.5%** answered that to a certain extent, they were concerned about human rights, and **4.2%** were not concerned about human rights at all.

g) That 62.5% of the respondents held the view that the basic rights of the people were partially or not adequately taken care of by the government while 33% agreed that the basic rights of the people were adequately taken care of by the Government. The remaining 4.5% felt that the basic rights of the people were not taken care of by the government.

The survey findings showed that there was still a misperception among the members of the public that the Commission was a human rights NGO instead of a statutory body established by the Parliament. While some respondents acknowledged that the Commission had done the best it could, there were also those who held the perception that the Commission did not do well enough mainly due to the lack of follow-up actions on the part of the government of the Commission's recommendations, the limitations in its powers, as well as the lack of initiative on the part of the Commission.

The survey findings further demonstrated a low level of understanding among members of the public about human rights where only 7.6% of the respondents expressed that they understood human rights well. Only 4.2% of the respondents expressed that they were not concerned about human rights while over 50% of the respondents were concerned about human rights. In addition, it was noted that over 60% of the respondents felt that the basic rights of the people were not adequately taken care of by the government.

The feedback received from these outreach programmes reflected that there are still a lot more that can be done by the Commission to improve its visibility, accessibility and effectiveness as an independent National Human Rights Institution (NHRI). Among them are to enhance its pro-activeness in promoting and protecting human rights in the country as well as to continue to pursue further amendments to its founding legislation. In the same vein, the findings also reaffirmed the need for the government to undertake further steps to safeguard the basic rights of the people and to both support and strengthen the Commission's functions and powers as a Paris Principles-compliant NHRI.

During the year, the Commission had also held **18** exhibitions in conjunction with its 'SUHAKAM Bersama Masyarakat' sessions as well as at various other events hosted by both the Commission and other organisations as summarised below:

DATE	ORGANISER	DETAILS
13 January	Office of the Chief Registrar Federal Court of Malaysia	This was held in conjunction with the Opening of the Legal Year 2017 at Putrajaya International Convention Centre (PICC).
11 February	Malaysian Anti-Corruption Commission (MACC) and C4 Centre	This was held in conjunction with MACC and C4 Centre's joint programme titled 'Sehati Sejiwa Memerangi Rasuah SPRM/C4 Bersama Pemimpin-Pemimpin Orang Asli Seluruh Malaysia' in Kuala Pilah, Negeri Sembilan.
22 March	SUHAKAM	This was held in conjunction with the Commission's 'SUHAKAM Bersama Masyarakat' programme in Seremban, Negeri Sembilan.
16 April	Universiti Malaya (UM)	This was held in conjunction with Constitutional Day 2017 at the Faculty of Law, UM.
20 April	SEGI University	This was held in conjunction with 'SEGI University Human Rights Day' at SEGI University's campus in Kota Damansara, Selangor.
18 July	SUHAKAM	This was held in conjunction with the Commission's 'SUHAKAM Bersama Masyarakat' programme in Pekan, Pahang.
8-9 August	SUHAKAM	This was held in conjunction with the Commission's programmes, namely Follow-up Discussion on the National Inquiry into Land Rights of Indigenous Peoples in Malaysia and Forum on Human Trafficking at Hilton Hotel, Kuching, Sarawak.
9 August	Monash University Malaysia (MUM)	This was held in conjunction with MUM's 'NGO Day' event in Bandar Sunway, Selangor.
2-3 September	Kofi Annan Foundation and SUHAKAM	This was held in conjunction with the 'Regional Conference on Democracy in Southeast Asia: Achievements, Challenges, Prospects' at Sheraton Imperial Hotel, Kuala Lumpur.

DATE	ORGANISER	DETAILS
27 September	INTI International University (INTI University)	This was held in conjunction with the 2017 Law Awareness Week at INTI University campus in Nilai, Negeri Sembilan.
4 October	SUHAKAM	This was held in conjunction with the Commission's 'SUHAKAM Bersama Masyarakat' programme in Muar, Johor.
7 October	Peninsular Sarawakian Society (PASS)	This was held in conjunction with PASS's programme titled 'Lan Berambeh Anak Sarawak 2017' at PWTC, Kuala Lumpur.
9-10 October	Institute of Internal Auditors Malaysia (IIAM)	This was held in conjunction with IIAM's programme titled '2017 National Conference' at KLCC, Kuala Lumpur.
10 October	Universiti Malaysia Sabah (UMS)	This was held in conjunction with UMS Lecture Series with a theme 'Human Rights in Malaysia and the Region' at UMS campus in Sabah.
29 October	*Persatuan Penduduk PPR Beringin* (PPR Beringin)	This was held in conjunction with PPR Beringin's carnival in Kepong, Kuala Lumpur.
4 November	International Islamic University of Malaysia (IIUM)	This was held in conjunction with IIUM's programme titled 'National Law Symposium: Islam & Human Rights' at IIMU campus in Kuala Lumpur.
21 – 23 November	Universiti Kebangsaan Malaysia (UKM)	This was held in conjunction with UKM's programme titled 'Tuanku Jaafar Conference and Workshop: Governance Towards Sustainable Development Goals' at UKM campus in Bangi, Selangor.
13 December	SUHAKAM	This was held in conjunction with the Commission's 'SUHAKAM Bersama Masyarakat' programme in Kangar, Perlis.

The Commission is pleased to note that it received an increased number of invitations for exhibitions compared to the previous years, and it views this as valuable opportunities for it to educate the community about its work and services and human rights issues. As a step forward, the Commission recognises the need to produce more engaging human rights materials that cater for the needs of the different groups in the society.



The Commission's exhibition held in conjunction with the Institute of Internal Auditors Malaysia National Conference on 9-10 October.

3. EMPOWERMENT OF YOUTH

The Commission continued to empower university students on human rights values through a series of **six** 'Youth for Rights' (formerly known as 'SUHAKAM and University Students') workshops that were conducted in various local universities as follows:

a) Universiti Utara Malaysia (UUM), Sintok, Kedah, 17 April
b) Malaysian Multimedia University (MMU) Cyber Jaya Campus, 12 July
c) Monash University Malaysia, Bandar Sunway, Selangor, 30 August
d) INTI University, Nilai, Negeri Sembilan, 27 September
e) Universiti Teknologi MARA (UiTM), Shah Alam, Selangor, 2 November
f) MMU, Melaka Campus, 7 December

The Commission also expanded its engagement with the Malaysia Youth Parliament (MYP) and the Malaysian Indigenous Youth Council (MBOAM) through human rights programmes that aimed at empowering the Malaysian youth to promote and protect human rights in the country through concerted actions which include the following:

a) Briefing session on SUHAKAM and sexual reproductive health and the rights of refugees and asylum seekers for the members of MYP in Kuala Lumpur on 2 October.
b) Workshop on the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) for indigenous youth in Tronoh, Perak on 18 November.
c) Workshop on human rights in conjunction with the '27th National Lasallian Youth Convention' on 16 December.

Through these programmes, the Commission had reached out to a total of **850** youths in local universities and youth organisations. Based on the survey received from **681** youth respondents, the Commission obtained the following findings:

a) That **72%** of the respondents expressed that they had heard about the Commission.
b) That **43%** of the respondents thought that the Commission was a human rights NGO that championed human rights while another **43%** of the respondents opined that the Commission was an independent statutory body that promoted and protected human rights. **14%** of them thought that the Commission was an enforcement agency under the purview of the Ministry of Home Affairs.
c) That **57%** of the respondents thought that the Commission was established by NGO/human rights activist as opposed to **32%** who understood that the Commission was established by the Malaysian Parliament, and **11%** who thought that the Commission was established by the United Nations.
d) That **37%** of the respondents opined that SUHAKAM did its best in fulfilling its responsibility while **26%** opined that it did not do well enough due lack of follow-up actions by the government. **25%** opined that the Commission did not do well enough due to limitations in its powers. **7%** said that it did not do well enough due to lack of initiative while **5%** was of the view that the Commission did more than what it could.
e) That 70% of the respondents expressed that they had an average understanding about human rights while 23% admitted that they had

little understanding about human rights, and 7% of them stated that they understood human rights well.

f) That 70% of the respondents were concerned about human rights while 28% said that to a certain extent, they were concerned about rights, and 2% were not concerned about human rights at all.

g) That 79% of the respondents held the view that the basic rights of the people were partially or not adequately taken care of by the government while 13% agreed that the basic rights of the people were adequately taken care of by the government, and 8% felt that the basic rights of the people were not taken care of by the government.

There were commonalities and differences in the findings of the surveys conducted with the youths and participants who attended the 'Meet-the-People' sessions. Interestingly, at least 50% of the respondents for both programmes thought that the Commission was established by NGO/human rights activist while some 30%-40% of the respondents understood that the Commission was established by the Malaysian Parliament. It was also observed that youth respondents appeared to be more concerned about human rights compared to other respondents who attended the 'Meet-the-People' sessions.

In respect of the Commission's performance, youth respondents attributed the primary factors for the Commission's underperformance to the lack of follow-up actions by the government and shortcomings in the Commission's power within its founding Act while the respondents of the 'Meet-the- People' sessions attributed the primary factor for the Commission's underperformance to the lack of follow-up actions by the government. The survey findings also showed that the percentage of youth respondents who opined that the basic rights of the people were not adequately taken care of by the government was higher than those who attended the 'Meet-the- People' sessions.

While the Commission's youth programmes had received positive feedback from the participants, the perception survey demonstrates that it still has a long way to go in educating the youths about the role of the Commission and human rights and in empowering them to play an active role in addressing human rights issues relevant to them and their community. In mitigating the gaps, the Commission recognises the need for it to explore innovative approaches and to provide more enabling spaces for young people to participate and advocate for societal change and improvement of human rights in the country.



The Commission's 'Youth for Rights' programme held at MMU, Melaka campus on 7 December.

4. HUMAN RIGHTS AND TECHNOLOGIES

The Commission and the School of Information Technology (SIT), Monash University Malaysia continued their collaboration under the 'SUHAKAM Going Digital with Monash' project that aimed at promoting human rights through technologies.

Both parties continued to work on the joint project which involved a team of students from the SIT who provided technical support in the development of the two short animation videos on the basic concept of human rights and the role of the Commission, as well as on the right to an adequate standard of living.

As a step to promote greater dissemination of the human rights video animations produced through the partnership project, the Commission has approached the Educational Technology Division (ETD) of the Ministry of Education to explore the possibility for the latter to share the Commission's human rights animations on the Ministry's official educational portal, namely 'EduWebTV'. The Commission is pleased to note that one of its human rights animations has been made available on EduWebTV for a range of key users, namely educators, students and parents. It is the Commission's hope that

the animations would serve as a useful tool for educating children or youths about human rights.

As people are increasingly relying on digital technology, the Commission sees the need for it to produce more human rights digital tools such as interactive games and mobile applications to enhance the public's understanding of human rights as well as to connect the Commission with people across the nation.

5. HUMAN RIGHTS AND ISLAM

The Commission continued to engage with Islamic religious authorities in Malaysia to promote human rights values through Islamic teachings. The Commission was heartened to note that the Federal Territories Islamic Religious Department (JAWI) incorporated partially the inputs proposed by the Commission into two Friday sermons which were respectively delivered on 6 October and 15 December as summarised below:

a. 'Lindungi dan hormati hak warga emas' (Protect and respect the rights of older persons)

- That older persons have the right to basic needs such as food, water, shelter and clothing, healthcare, as well as other forms of support from their family members and others.
- That the leaders have the primary responsibility to protect the well-being and human rights of older persons who are also part of the society.
- That older persons have the rights to enjoy comfortable and respected life and to participate and contribute to the development of the nation.
- That older persons have the rights to social security, financial support, social services and also to be free from any form of discrimination and abuse.

b. 'Peliharalah hak asasi kanak-kanak' (Safeguard the basic rights of children)

- That everyone has the role to protect children from any form of abuse, negligence, harm, discrimination and exploitation that will affect their well-being and growth.

- That every child is entitled to the same rights as the adults that should be respected, particularly their rights to privacy and not to be shamed in public.
- That education is an important way to develop children's personality and growth; hence, all of them have the right to receive formal education without any form of discrimination.
- That parents have the main duty to care for their children with love and respect and to fulfil their basic needs.
- That leaders and community members should play their respective roles to protect the rights of children.

The Commission applauds the positive step taken by JAWI in integrating human rights principles into Friday sermons amid the surrounding scepticism and doubt about the compatibility of human rights and Islamic values. Such initiative has re-affirmed that the basic concept of Islamic teachings in regard to the human rights is based upon respect, dignity and equality for all human beings as reflected in the two sermons.

It is the Commission's hope that such good practice would also be emulated by other state religious authorities in Malaysia towards promoting the realisation of human rights within the context of Islamic teachings. The Commission looks forward to a closer engagement with the Department of Islamic Development Malaysia (JAKIM) and state religious authorities in the coming future.

As a continuation to its previous project entitled 'Masjid Mesra OKU' ('PWDs-friendly Mosques') which focuses on disabled-friendly facilities in mosques and the basic right of persons with disabilities (PWDs) to worship, the Commission drafted a proposed guideline on PWDs-friendly mosques and conducted a pilot visit to one of the disabled-friendly mosques in Selangor, i.e. *Masjid Bandar Seri Putra* in Bangi on 8 December 2017. The visit was aimed at identifying best practices of this mosque in terms of ensuring physical accessibility and other facilities in accommodating the needs of PWDs.

The Commission was impressed by the efforts demonstrated by the mosque in improving accessibility and facilities for PWDs by providing ramps, wheelchairs, PWD-friendly place for 'wudhu' (ablutions), interpreter for Friday prayers, as well as an annual event held in conjunction with the International

Day of Persons with Disabilities. As a step to promote greater awareness of the concept of PWDs-friendly mosques, the Commission and *Masjid Bandar Seri Putra* will jointly organise a seminar in 2018 with the goal of advocating the development of relevant policies and implementation of PWDs-friendly mosques in Malaysia.

6. THE WAY FORWARD

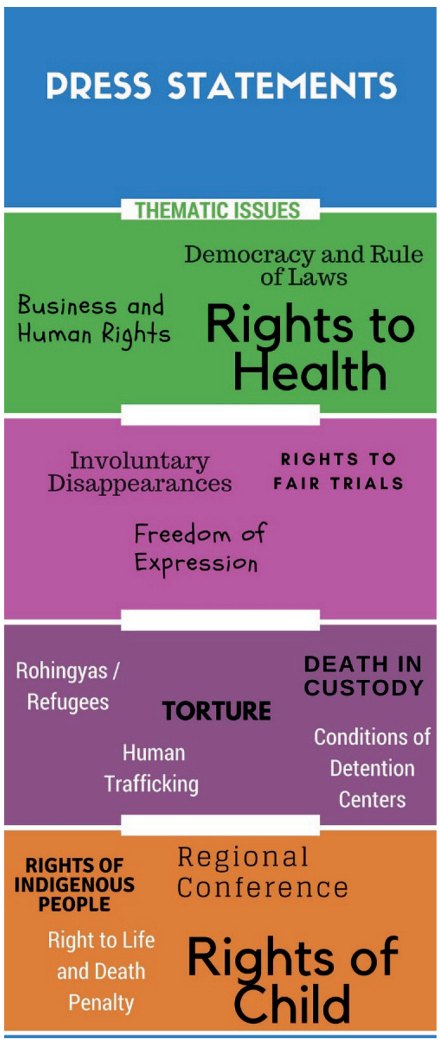
In the coming year, the Commission seeks to reach out to a broader range of stakeholders in various parts in Malaysia through community dialogues, field visits, exhibitions, roadshows and other forms of outreach programmes.

The Commission will continue to empower young people, particularly the vulnerable groups to act towards bringing positive changes to their communities and the society at large.

The Commission will continue to expand its partnership with both state and non-state actors through collaborative efforts or joint projects on human rights issues of common concern. It also seeks to produce more engaging human rights resources and tools with the aim of fostering a nation where human rights are practised, respected across all cultural, religious and geographic boundaries.

Corporate Communications Division

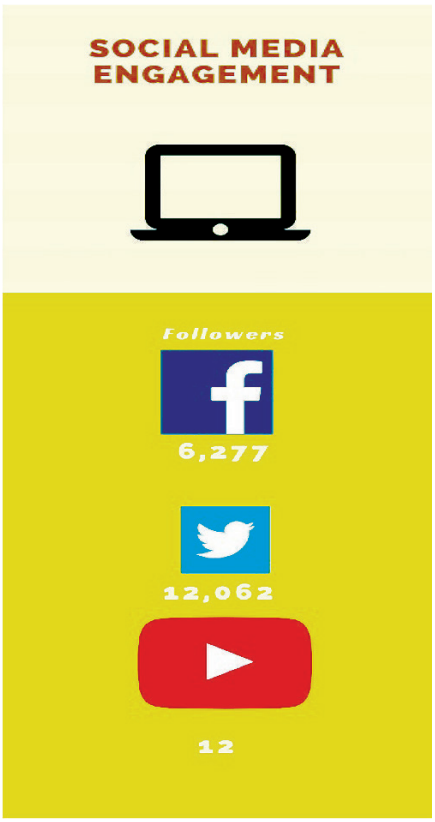
The CCD oversees public communications to support SUHAKAM's efforts in the promotion and protection of human rights. In charting SUHAKAM's communications and media strategy, CCD develops key messages, recommends channels of communication, media engagement and facilitation. CCD works closely with the media to address queries, arrange interviews for Commissioners and advise the Commission on human rights issues in the media.



PRESS STATEMENTS AND RELEASES

This year, SUHAKAM issued 43 press statements in accordance with Section 4(2)(e) of the Human Rights Commission of Malaysia Act 1999 (Act 497) on various human rights issues.

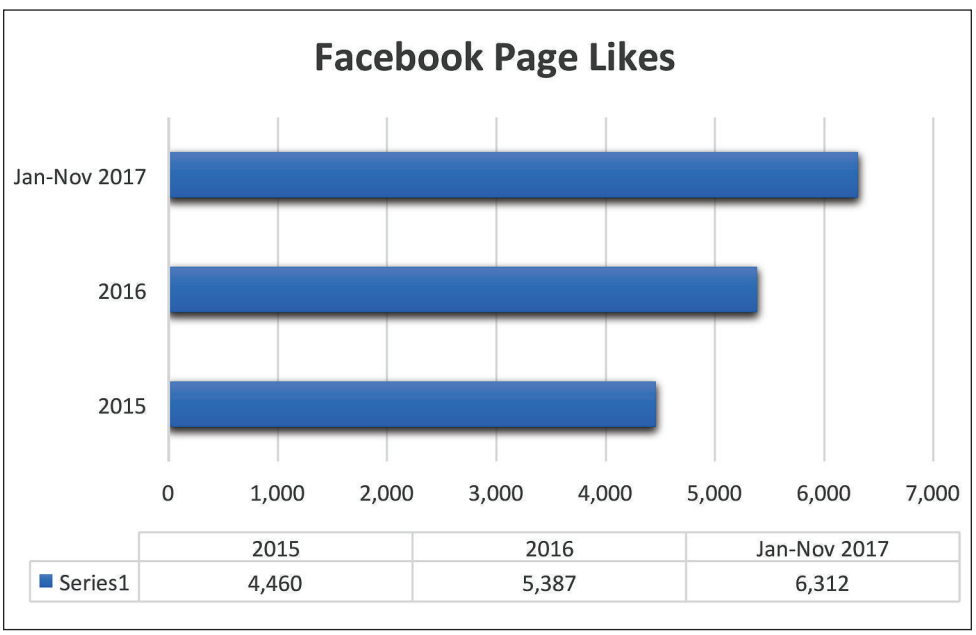
The CCD actively issues press statements; however, media coverage is not always consistent.



SOCIAL MEDIA ENGAGEMENT

SUHAKAM actively promotes its positions, statements and activities on Facebook and Twitter in recognising the importance of social media as a tool for human rights advocacy and awareness. It is hoped that social media engagement enhances public understanding and awareness of human rights and SUHAKAM, its role and mandate.

SUHAKAM now has 6,312 Facebook followers, an increase of 925 from the year before.



3. PRESS AND MEDIA INTERVIEWS

Promoting human rights is one way to ensure protection and respect. SUHAKAM Commissioners gave many interviews in 2017 on various issues including deaths in custody, refugee rights, the right to information, human trafficking, the rights of children and migrant workers and others.

SUHAKAM also secured a series of radio interviews by partnering with BFM Radio this year. In this series of interviews, SUHAKAM spoke on the following issues:

- Refugee issues in Malaysia
- Persons with Disabilities
- Indigenous Peoples' Land Rights
- Islam and Human Rights
- Religious Schools in Malaysia
- Women's Rights
- Rights of Migrant Workers
- Racism and Non-Discrimination
- Death in Custody
- Business and Human Rights

4. STAKEHOLDER ENGAGEMENT

Meaningful stakeholder engagement is foundational to effective implementation of and respect for human rights principles. SUHAKAM believes that meaningful consultations with political parties, state governments, parliamentarians, religious institutions and NGOs / civil society organisations are a necessary part of a good sustainability strategy and practice. This year, SUHAKAM participated in many stakeholder initiatives, formed partnerships with stakeholders on particular projects and organised a range of formal and informal stakeholder dialogues.

Specifically, this year, SUHAKAM made it a priority to engage religious leaders and scholars. Assuming that neither an immediate compatibility nor permanent contradiction exists between human rights and religion, SUHAKAM is of the view that the reality of tension between human rights and religion on the one hand, and the importance of reconciliation, on the other, requires thoughtful and well-informed engagement of religion because of its strong influence on human belief and behaviour.

SUHAKAM also received foreign delegates from various countries as well as agencies from the United Nations to discuss on the work done by SUHAKAM in relation to human rights as well as potential collaborations.

5. THE WAY FORWARD

The division will continue to prepare and distribute press statements and media releases, speeches, media kits and fact sheets on the work that the Commission undertakes.

Although the government emphasised on digitisation, the division was unable to explore further into this matter in previous years due to budget constraints. Nevertheless, the division will continue to explore other methods in social media as one of its efforts to engage the public.

CHAPTER 4

Report of The Sabah Office



Standing (from left)
Ms. Daisy Masiram, Ms. Nur Shahmimie Yusop, Mr. Heflin Ak Dino @ Aflin Zaim Dino Abdullah, Datuk Godfrey Gregory Joitol (Commissioner), Mr. Jasmih Slamat, Mr. Sofyan Md Kusin, Ms. Levina Sigisimon, Ms. Jonima Ligon

Report of The Sabah Office

1. INTRODUCTION

SUHAKAM Act 597 envisages society in which human rights are fully respected and protected and enjoyed by all. Taking cognizance of this and accountability of financial and human resources available for the year 2017, the activities of the Sabah office have been mainly focussed on the following areas: -

(a) Increasing public awareness on human rights targeted at political leaders, civil servants, grassroot community leaders such as the district chiefs, native chiefs and village heads, students and the general public;
(b) Receiving and investigating complaints from the public regarding infringements of human rights;
(c) Engaging with federal and State Agencies, Representatives of foreign governments, civil society organisations, etc. on the promotion and protection of human rights; and
(d) Participating in other activities related to the promotion and protection of human rights.

The Sabah office would like to acknowledge that in the execution of its activities, it has been accorded a very meaningful co-operation and assistance from the relevant federal government agencies, Sabah state government and its agencies, Universiti Malaysia Sabah, civil society organisations and others.

It was also noted that the programmes organised by the Sabah office throughout the year 2017 were met with enthusiastic responses from the target groups, particularly among the rural communities in Sabah. The programmes organised have indeed succeeded in raising awareness of human rights and the roles and functions of the Commission, especially to those involved in the programmes.

2. AWARENESS PROGRAMMES

In line with Section 4 (1) of the Human Rights Commission of Malaysia Act (Act 597), the Sabah office has made human rights awareness as its focus of attention. The following programmes were organised in 2017.

a) SUHAKAM BERSAMA MASYARAKAT

i) 'SUHAKAM Bersama Masyarakat' in the sub-district of Paitan

The first SUHAKAM BERSAMA MASYARAKAT programme for 2017 was organised on 12 till 13 August 2017 in the sub-district of Paitan, Beluran, in collaboration with the Paitan sub-district office. Although the main objectives of this programme in the sub-district were for SUHAKAM to disseminate and create awareness of its roles and functions and to provide avenue for the public to lodge complaints on the infringement of human rights, other federal and state government agencies were also invited to participate to enable the public to deal with issues related to the government delivery system. The Commission, as the lead organiser, together with 46 federal and Sabah State Government agencies set up exhibition and complaints counters during the 2-day event.



Meet-the-People (SUHAKAM Bersama Masyarakat) session in Paitan, Beluran.

A total of 700 visitors attended the programme comprising local political and community leaders, civil servants, heads and representatives of civil society organisations, district chiefs, native chiefs, village heads, school principals, teachers, students and members of the public residing in the Paitan sub-district and surrounding areas.

The Commission also received a total of 66 complaints during the two-days event. Among the issues raised were on citizenship and related documentations, land, price of goods, illegal immigrants, access to clean water and access to medical facilities.

Based on the interactions between SUHAKAM's officers and the public and the range of human rights issues complained, it can be assumed that the programme has helped in increase public awareness on human rights.

ii) 'SUHAKAM Bersama Masyarakat' in Kampung Maukab, Ranau

The second SUHAKAM Bersama Masyarakat programme was held on 11 October 2017 in Kampung Maukab, Ranau. The programme was organised in collaboration with the Ranau District Office and Sabah Land and Survey Department. It was officiated by Ranau Member of Parliament, YB Datuk Dr. Ewon Ebin. The programme was also attended by the Chairman of SUHAKAM, Tan Sri Razali Ismail, other Commissioners of SUHAKAM, Datuk Haji Saffar Untong, Director of Sabah Land and Survey Department, Tuan Haji Faimin Kamin, Ranau District Officer and the Director, Jabatan Integriti dan Tadbir Urus, Prime Minister Department, the Secretariat to the Special Cabinet Committee for Land Rights of Indigenous People.

The main objective of the programme was to disseminate information on the roles and functions of SUHAKAM. Apart from this, the Director of Land and Survey Sabah also took the opportunity to explain the concept of Communal Land Title and the survey works on Native Customary Rights Land claims under the Program PANTAS. The Director of *Jabatan Integriti Dan Tadbir Urus* of the Prime Minister Office also explained the organisation's current work progress in dealing with land issues of the indigenous people and financing of the Land and Survey, Sabah *Program PANTAS*.



Meet-the-People (SUHAKAM Bersama Masyarakat) session in Kg. Maukab, Ranau.

The *PANTAS* programme was launched at Kampung Maukab in 2016 to survey claims of Native Customary Rights land involving an estimated area of 550 hectares. To date, 509 lots have been surveyed, of which 208 lots have been processed and approved for issuance of individual native land title by the *PANTAS* Special Committee.

iii) Mobile Community Transformation Centre (Mobile CTC) Programme

For the year 2017, the Commission participated in four Mobile Community Transformation Centres (Mobile CTC) namely in Tamparuli, Kuala Penyu, Beaufort and Sandakan. These Mobile CTCs were organised by the Sabah Federal Treasury, Ministry of Finance Malaysia.

As for SUHAKAM, the benefits derived from participating in this programme are that the Sabah office was able to create networking relationships with 80 Sabah Federal agencies able to reach and impart human rights awareness and knowledge to nearly 3000 people in the remote areas at minimal cost, and at the same time, able to obtain feedback from them regarding infringements of human rights.



Mobile CTC Programme in Beaufort.

iv) Human Rights Education (Taught and Practised) in Schools

The Sabah office also assisted in the on-going programme Human Rights Education (Taught and Practised) in All Schools by 2020, whereby human rights activities are organised by schools during post-UPSR and PT3 exams. On 11 April, a meeting with primary and secondary teachers was held in Kota Kinabalu, to brainstorm on implementation issues and allow the teachers to share their expertise and knowledge on good practices of Human Rights Education.

v) Lecture on Human Rights at Universiti Malaysia Sabah

On 10 October 2017, Tan Sri Razali Ismail, Chairman of SUHAKAM delivered a lecture entitled Human Rights in Malaysia & the Region at Universiti Malaysia Sabah (UMS). This lecture was organised in collaboration with the National Council of Professors, UMS Chapter. The lecture was attended by 600 participants comprising students, lecturers and representatives from the State and Federal Government Agencies.

3. RESOLUTION OF COMPLAINTS

For the year 2017, the Sabah office received a total of 388 complaints, of which 296 were human rights cases. The non-human rights complaints were referred by Sabah Office to the agencies concerned for resolution. Based on Table 1, complaints related to right to nationality tops the list with 172 complaints, followed by the right to native customary land with 54 complaints and arbitrary arrest, detention or exile with 30 complaints.

Table 1 Human Rights Complaints Received by the Sabah office, 2017

NO.	SUBJECT OF COMPLAINT	NO. OF CASES	NO. OF CASES SOLVED
1.	Right to nationality	172	45
2.	Right to native customary land	54	28
3.	Arbitrary arrest, detention, or exile	30	5
4.	Right to adequate standard of living (food, clothing, housing, healthcare)	3	-
5.	Right to privacy	5	-
6.	Right to work/employment and migrant workers' right	14	5
7.	Right to own property	11	-
8.	Right to education	5	4
9.	Environmental rights	1	-
10.	Others	1	-
Total		**296**	**87**

Out of the 296 human rights cases, the Sabah office only managed to resolve a total of 87 complaints or 30% of the complaints. Although the Sabah office has a very positive and cordial working relationships with the relevant Federal and State government agencies in resolving the complaints, the resolution rate is low due to the following factors: -

a) The human rights issues complained are inconsistent with Malaysian laws and government policies. Resolutions can only be achieved through policy changes and amendments of the relevant laws.

b) They involved multi-agencies and/or agencies of a third country, as in the case of repatriation issue.

c) The capacities of government agencies involved are overstretched, resulting in a severe backlog of cases. A case in point is the late birth certificate registration endorsement by the Magistrate Court as it involves close scrutiny of documents and calling of witnesses. From 2009 until 2016, around 11,146 applications were made for late birth certificate registration endorsement in Sabah under Section 22 (3) Registration of Birth and Death Ordinance (Sabah CAP 123).

4. RESOLUTION OF COMPLAINTS RELATED TO LAND ISSUES

In the Annual Report 2016, the Sabah office made recommendations to the Sabah Land and Survey Department in its effort to assist the department in improving land administration so as to minimise complaints related to land issues. The office has received a positive response from the department as contained in the *Maklum balas Kerajaan Terhadap Laporan Tahunan Suruhanjaya Hak Asasi Manusia Malaysia 2016.*

In furtherance to this, on 11 October 2017, the Director of Sabah Land and Survey Department at a *Suhakam Bersama Masyarakat* programme in Kampung Muakab, Ranau, briefed the Chairman and Commissioners of SUHAKAM, among others, on the *Pengeluaran Hak Milik Tanah Geran Communal dan Pengukuran Lot Pendudukan NCR (Program PANTAS)*.

Briefly, the Sabah Land and Survey Department has established a special unit, the *Perkhidmatan Tanah Anak Negeri Sabah (PANTAS)* to look specifically into applications for native land in 2013. Under this initiative, the processing of land applications and the issuance of land titles to the indigenous people especially land claimed under the Native Customary Rights, were speeded up through procedural changes in land processing and introduction of the latest technology in land surveying, made possible through the financing by the Federal Government.

SUHAKAM is of the view that the initiatives taken by the Sabah government through the Land and Survey Department have started to have a positive

impact on improving human rights issues especially in relation to Native Customary Rights land. This view is based on the yearly decreasing complaints related to native customary rights land as can be seen in Table 2 below.

Table 2 Complaints related to NCR land from 2006 till 2017

YEAR	TOTAL OF COMPLAINTS ON NCR LAND RECEIVED BY THE SABAH OFFICE
2006	131
2007	96
2008	130
2009	152
2010	92
2011	153
2012	141
2013	94
2014	71
2015	31
2016	35
2017	54

5. ENGAGEMENTS WITH OTHER ORGANISATIONS

As part of the efforts to promote, to protect human rights, or to find solutions to the infringements of human rights, the Sabah office continues to engage itself with the relevant government agencies in Sabah. Among others, the Sabah office made a courtesy visit to the Sabah Federal Secretary, YBhg. Datuk Nor Rizan bin Mohd Thani on 26 December 2017.



Courtesy visit to Sabah Federal Secretary, YBhg. Datuk Nor Rizan bin Mohd Thani on 26 December 2017.

6. OTHER HUMAN RIGHTS RELATED ACTIVITIES

i) The Sabah office was also actively involved in events organised by the Sabah State Government and other agencies. Among others, the Sabah office attended the International Conference on Heart of Borneo: 'A Decade of Heart of Borneo Initiative-Accomplishments and the Way Forward' held in Kota Kinabalu from 24 till 26 October 2017.

ii) The Sabah office was also involved in the ASEAN Intergovernmental Commission on Human Rights (AICHR) which organised the 'Regional Conference on the Right to Safe Drinking Water and Sanitation' on 25 till 27 October 2017 in Kota Kinabalu, Sabah, where the Sabah office presented a paper on Country (Malaysia) Situations: NHRI's Perspectives.

7. THE WAY FORWARD

Respect for human rights and the rule of law must be the bedrock for a thriving and working democracy. This requires respect for pluralism of ideas, vibrant civil societies, independent Civil Society Organisations (CSOs) and the media. Forceful private sector, as well as effective checks and balances to power. In this regard, SUHAKAM will continue with its mandate to advice, monitor and work alongside the government to act in a human rights compliant manner. Towards this end, the Sabah office will continue to find ways to enhance cooperation with the public sector, the private sector, Civil Society Organisations and all members of the society, including the media, to promote and protect human rights in the state.

CHAPTER 5

Report of The Sarawak Office



Standing (from left)
Mr. Mohamad Mail, Mr. Sophian Osman, Mr. Alfonso Min

Sitting (from left)
Ms. Vivien Marcus, Mr. Francis Johen Anak Adam (Commissioner),
Ms. Linya Subah

Report of The Sarawak Office

There has been no significant difference in the success of the Sarawak office during the year under review, including on the numbers, types and resolutions of public complaints received on alleged breaches of human rights in the state. The same difficulties must necessarily exist that have heretofore been encountered arising principally from the indifference and reluctance from individuals or civil society organisations (CSOs) in the state to avail themselves of the opportunity or avenue to collaborate with SUHAKAM Sarawak office or to lodge complaints on alleged violations or breaches of human rights in the state. SUHAKAM Sarawak Office ('Sarawak office') believes that with a view to raise public awareness and education of human rights and to improve its protection and promotion within the state of Sarawak, there must be in place human rights-related policies and procedures in Sarawak if human rights are not being respected or upheld. It is also important to have processes in place to act and support the citizens in seeking adequate redress or corrective action. In 2017, the work of the Sarawak office mainly focused on human rights awareness and education and in addressing human rights issues that had arisen in Sarawak. Many activities were conducted over the course of the year, such as talks and road shows, as well as investigations into alleged violations of human rights in the state. Native Customary Land (NCR land) matters were the main area of concern in complaints received.

1. STATISTICAL OVERVIEW

During the fiscal year 2017, the Sarawak office received 46 human rights complaints and inquiries from members of the public and civil society organisations.

Table 1 Complaints Received by the Sarawak Office, 2017

NO.	ENUMERATED GROUND	NO. OF CASES
1.	Right to native customary land	17
2.	Right to nationality	3
3.	Environmental rights	2
4.	Right to work	2
5.	Others	22
Total		**46**

(a) Issues Arising from Complaints

i) Native Customary Land (NCR Land) and Problems Related to Native Customary Rights (NCR) Claims

The issue of Native Customary Land as well as Native Customary Rights is not new in Malaysia which, like the ark of the covenant, cannot be touched without death to the honour of the state. In Sarawak, the subject hangs over the natives like a portentous cloud, which pauses to gather strength, and increases its terrors by the prolonged uncertainty of where it will burst, or if it still lurks in concealment, the mind is left a prey to that painful and undefinable fear which arises from a presentiment that danger is high, without a knowledge of when it may arrive, from what quarter it may come, or in what form it may strike.

That such is, and will continue to be, the effect of NCR issues. It requires no acquaintance with facts to believe, and the ultimate consequence must be, that NCR with all its attendant pursuits, wherever such a state of things prevails, will undergo the very extremity of discouragement and depression if not total abandonment to the natives.

In Sarawak, the state government through the Land Survey Department, has used its best efforts to give efficiency in solving the issues regarding the NCR Land. However, there are some great difficulties to encounter

as it is nearly impossible to have utopian land laws convenient to all and especially to those entitled to the benefit of the genuine native customary rights.

The government considers the utility and advantages of the present Land Code as incalculable in the eye of the natives. For this reason, the Sarawak natives should comprehend the rudiments of the Sarawak Land Code before making their NCR claims.
Sarawak is large, and parts of it extremely remote. An increase of the fund from the federal government to survey NCR Land is therefore, recommended.

In terms of changes in the current Land Code, the government, especially the Land and Survey Department, to whom was referred the duty of enquiring into the nature arising from the unsettled state of the titles of NCR Lands in Sarawak and of devising a suitable remedy therefore, has had the subject under consideration.

The government is working hand in hand with other agencies as well as native associations in Sarawak to discuss and see the changes that can be made to the current Land Code with which the Sarawak natives will be perfectly contented with as these changes will provide them with fair equality of rights and security of property, and in which they will have as large a participation as is compatible with their present condition.

In view of this, it is vital for the government to assess the current Land laws so that they can be fairer to the Sarawak natives and obviate the injustice suffered by the natives, whose rights are drawn into litigation and sacrificed by the inequitable decisions which now prevail. This will inspire the inhabitants especially the natives of Sarawak with an immediate confidence in claiming their genuine NCR claim instead of undergoing the test of a judicial examination. Apparently, it is a matter of engrossing concern to the people who are suffering under the present land laws.

To the natural disadvantages of their situation, and the difficulties incident to a low degree of wealth and social improvement, is superadded the disheartening fear, that their ancestral land on which they dwell, however uninviting, is not their own.

It will be a burden to the natives to fight in court as most of them did not have the calculate material and pecuniary advantages. It is enough that the preservation of the unblemished honour of the government and the natives demands the speediest possible redemption of every obligation.

It is repugnant to the plainest principle of justice that iniquity of any kind should be the source of profit to its author or of injury to another. And if, from a respect for the artificial prescriptions of the law, it will be unwise to enforce this moral truth, for example by decreeing Provisional Lease (PL) to those plantation companies as well as logging companies or taking away the natives' land for development purposes without proper or adequate consultation process which should be based on the free-prior-informed consent as it depends upon the harmonious action of all its parts be it from the natives' part themselves or the government itself. Whatever tends to hinder cordial relations between them should be deprecated and avoided.

Speaking of justice, the certainty and efficacy of any code of laws depend in large measure upon its stability. Generally, society so accommodates itself to legal requirements which are permanent that even an imperfect code, remaining long unaltered, operates with greater regularity, affords better protection and commands more contented obedience than a wiser system which is subject to fluctuations and uncertainties.

Therefore, in this scenario, even though the government might believe that with implied condition, founded in reason, a proper use shall be made of them (land) for development project purposes or for logging and plantation activities. However, in a state of nature, it should be noted that human being is entitled to so much of the earth as is necessary for his or her subsistence, and to that only, while he or she retains actual possession of it.

ii) Citizenship Issues

Another predominant concern in complaints received by the Sarawak office was the issue of nationality, especially pertaining to children's citizenship and the late registration of identification documents (ID) such as birth certificates or identification cards for residents of rural areas, as

well as children whose mothers are foreigners (i.e. unmarried mothers, or where marriages between foreign women and local men have not been registered with the National Registration Department. Complaints regarding citizenship have been referred to the relevant government agencies for appropriate actions.

2. REPORT ON PERFORMANCE

i) Public Education and Awareness on Human Rights

The Sarawak office will enhance its activities to promote, protect and monitor human rights in Sarawak, in line with its functions and powers in the Human Rights Commission of Malaysia Act 1999 (Act 597). The Sarawak office recognises that better public-education and awareness are key components to achieve these goals. Presently, the Sarawak office is actively distributing guideline documents and fact sheets to explain human rights principles and issues and their challenges to the society. The Sarawak office will endeavour to continuously distribute human rights-related materials to targeted groups in the society and to the general public in Sarawak.

ii) Enhance Intake and Case Resolution Process

The Sarawak office built on past efforts to improve the intake and case resolution processes. During fiscal year 2015-2016, the Sarawak office focused on case resolution process as well as in enhancing intake of complaints. In the upcoming fiscal year, the Sarawak office will continue to enhance awareness to the public about the Commission's online complaint system and assess its investigative process to identify further efficiencies.

3. ENGAGEMENTS WITH THE PUBLIC

In 2016-2017, the Sarawak office continued its outreach strategy by engaging with the public at the grass-roots level, especially in remote areas. Apart from that, the Sarawak office also conducted the Universal Periodic Review Consultation as part of its outreach programme during the year under review.

The objectives of the outreach programme are as follows:

i) To build a productive networking relationship with civil society organisations;
ii) To provide a space that enables civil society organisations and committee members to express their opinions and respond to relevant issues; and
iii) To win the hearts and minds of the public as part of the Sarawak office's public diplomacy strategy.



Visit to PDK Betong on 27 September 2017.

Table 2 Outreach Programmes, 2017

NO.	DATE	ITEM	LOCATION
1.	21 February	*Talk and Visit to Sibu Police Station's lock-ups*	Sibu
2.	22 February	*SUHAKAM Bersama Masyarakat* Programme	Kanowit
3.	17 May	*SUHAKAM Bersama Masyarakat* Programme	Niah, Miri
4.	18 May	Discussion with NGOs	Miri

NO.	DATE	ITEM	LOCATION
5.	8-9 August	Exibition on Convention Against torture	Kuching
6.	9 August	Forum on Trafficking In Persons	Kuching
7.	18 August	*Perbincangan SUHAKAM Bersama Jabatan Kehakiman Syariah Sarawak Mengenai* 'Watching Brief' *Berkaitan Kes Syariah*	Kuching
8.	3-5 September	*Pameran Hak Asasi Manusia Sempena Pesta Benak 2017*	Sri Aman
9.	26 September 27 September 27 September 28 September	*SUHAKAM Bersama Masyarakat* Visit to PDK Betong Visit to *Pejabat Residen* Betong Viisit to *Pejabat Residen* Sri Aman	Betong Sri Aman
10.	25-27 September	*Bengkel ATHAM Untuk Guru-Guru Penyelaras (Zon* Kuching*)*	Kuching
11.	13 November	*Talk on human rights*	Kuching
12.	25 November	*SUHAKAM Bersama Masyarakat*	Sematan
13.	28 November	Lucheon Talk with NGOs	Kuching
14.	13 December	Awareness programme on ICERD, in collaboration with Pusat KOMAS	Bintulu
15.	14 December	Awareness programme on ICERD, in collaboration with Pusat KOMAS, KL	Miri
16.	16 December	*Talk and forum on human rights at* Universiti Malaysia Sarawak (UNIMAS)	UNIMAS

4. VISIT TO PLACES OF DETENTION

In 2017, the Sarawak office conducted several visits to places of detention to monitor conditions and ensure compliance with internationally recognised human rights standards such as the Standard Minimum Rules for the Treatment of Prisoners.

Table 3 Visits to Places of Detention, 2017

NO.	DATE	ITEM	LOCATION
1.	21 February	Visit to Balai Polis Sibu	Sibu
2.	23 February	Visit to Penjara Pusat Sibu	Sibu
3.	2 March	Visit to Taman Sri Puteri	Kuching
4.	16 May	Visit to Depo Imigresen	Bekenu, Miri
5.	8 August	Visit to Sekolah Tunas Bakti	Kuching
6.	8 August	Visit to Sekolah Henry Gurney	Kuching
7.	28 September	Visit to Lokap Ibu Pejabat Polis Betong	Betong

5. WORKING VISITS

A review of the year would be incomplete without mentioning the courtesy call by the Commission to the Chief Minister of Sarawak, YAB Datuk Patinggi (Dr.) Abang Haji Abdul Rahman Zohari bin Tun Datuk Abang Haji Openg on 8 August 2017. The Commission's delegation for the courtesy call was led by its Chairman, YBhg. Tan Sri Razali Ismail; the Commission's Acting Secretary, Ms. Nurul Hasanah Ahamed; Sarawak Office Commissioner, Mr. Francis Johen Anak Adam; and Sarawak Office Head of Branch, Mr. Sophian Osman.

The following issues were discussed by the Commission's delegation:

i) future cooperation between the Commission and state government agencies; and
ii) current human rights issues in Sarawak, including native customary claims to land, education opportunities and issue of legal documents for children in Sarawak who are non-Malaysians.



Commissioner Francis Johen leads a visit to the Police Headquarters Lock-up in Betong.

6. THE WAY FORWARD

During the year under review, despite the challenges faced, the Sarawak office managed to carry out most of the programmes and activities as planned and approved in the budget allocation. A few activities planned for the year were dropped namely, Luncheon Talk with Land and Survey Department, Customs Council of Sarawak, Native Courts of Sarawak, among others, due to unavoidable circumstances. The Sarawak office looks ahead to 2018.

To overcome these challenges, the Sarawak office will continue to strengthen its ties with the state government, NGOs and the community at large as well as to raise the awareness of human rights through road shows, seminars and round-table discussions.

The Sarawak office is committed to contribute in building a human rights culture in Sarawak where human rights are respected, protected and fulfilled to make human rights a lived reality rather than only a theoretical ideal. Apart from that, the Sarawak office will support the increased accountability of those with responsibility for human rights. This can be achieved through the mainstreaming of human rights-based approach and incorporation of human rights principles in all government policies and programmes and laws in the state.

The Sarawak office will also learn from international and national good practices in encouraging greater respect, protection and fulfilment of human rights and is willing to share learning with others in the state of Sarawak to promote the realisation of human rights. The Sarawak office will also seek opportunities to collaborate with other human rights serving organisations in Sarawak. This work will be undertaken with a client-centred focus to achieve continuous improvement.

CHAPTER 6

Report of The Corporate Services Division



Standing (from left)
Ms. Nurulhidayati Masdin, Mr. Zharif Mohamed Zaabah, Mr. Mohd. Norismadi Ismail, Ms. Myzatul Akmanizam Abdul Kadir, Mr. Ahmad Firdaus Abd Shukor, Ms. Nur Mariah Abdullah, Mr. Roslan Mohd. Ali, Ms. Awatif bt. Ahmad, Mr. Muhammad Razif Abdul Aziz, Mr. Khairul Fadzli Rosli, Mr. Mohd. Shafik Shariff, Ms. Sue Sharma, Ms. Elza Nadiah Shaik Sulaiman, Mr. Muhammad Arif Tajudin, Ms. Nurulhuda Rahim, Ms. Rosnita Suraya Roslan, Mr. Syazli Mohd, Ms. Noor Azlina Abdul Jalil, Ms. Maznah Munjaini, Mr. Mohd. Hafriz Abd Latif

Sitting (from left)
Ms. Nur Suhaida Norwi, Mr. Syamsul Azhar Zamani, Ms. Wan Nurul Ain Junid,

Not in the picture
Ms. Nor Hafizah Aziz, Mr. Razali Mohd Sharif, Ms. Fara Suhaida Shariff, Mr. Nizam Jaafar

Report of The Corporate Services Division

The Corporate Services Division, having been placed under the purview of the Secretary's Office, performs a supporting function of general (inclusive of ICT and printing, publications and library), finance and human resources management in enabling core functions to be carried out efficiently and in an effective manner. In 2017, the organisation was restructured to enable it to move in a cohesive, efficient and structured manner in carrying out its annual workplans. A number of training programmes were conducted to enhance knowledge and capacity of SUHAKAM's staff.

1. CAPACITY DEVELOPMENT AND KNOWLEDGE ENHANCEMENT

The Human Resource Unit continues its role in equipping SUHAKAM's personnel with knowledge and capacity to carry out their role as Human Rights Personnel. In this regard, SUHAKAM continuously conducts various training programmes, particularly upskilling in the field of human rights. Additionally, leadership training and ICT knowledge are also extended to the officers for better management of time and limited resources.

The in-house courses conducted in 2017 are as follows:

NO.	DATE	DETAILS	TRAINER
1.	27 January	Motivational Talk	Dr. Nik Salida Suhaila Nik Saleh (Commissioner, SUHAKAM)
2.	24 February	Housing Loan Facilities - *Lembaga Pembiayaan Perumahan Sektor Awam* (LPPSA)	Puan Yunny Hasfaniza Hussain assisted by Encik Azli (LPPSA)
3.	24 March	Tabung Haji Briefing	Tabung Haji Representative

NO.	DATE	DETAILS	TRAINER
4.	29 - 30 March	'Hate Speech Explained – Identifying and Countering Hate Speech Against Religious Minorities'	Article 19 Representative
5.	5 - 6 April	Media and Communication Training Workshop for the Human Rights Commission of Malaysia	SUHAKAM in collaboration with APF
6.	26 May	Human Rights and Responsibilities	Mr. Jerald Joseph (Commissioner, SUHAKAM)
7.	9 June	*Sinar Ramadhan Lailatul Qadar - Satu Malam Lebih Baik Dari Seribu Bulan*	Encik Muhammad Affan bin Abdul Shahadan
8.	16 June	Knowledge Sharing - APF Blended Learning Course on Monitoring Economics, Social and Culture	Encik Wan Kasim, Encik Mohamad Azizi and Encik Helmi Fendy
9	12 July	A Dialogue Session with Asia Pacific Forum (APF): Capacity Assessment (CA)	Mr. Chris Sidoti (APF)
10.	3 October – 5 December	Soft Skill Training: English Language Classes	Encik Edrian Fadzil
11.	6 October	Knowledge Sharing - Sexual Orientation, Gender Identity & Sex Characteristics (SOGICS)	Puan Lau Sor Pian
12.	27 October	Knowledge Sharing - The Universal Periodic Reviews: An Introduction	Encik Wan Kasim Wan Kadir

Apart from these in-house training courses, the Human Resource Unit also took advantage of the free training or training with a minimal charge provided by government training institutions or the private sector. Information on these courses is appended in the table below:

NO.	ORGANISER	NO. OF COURSES
1.	National Institute of Public Administration (INTAN)	7
2.	Prime Minister's Office (JPM)	4
3.	Institut Pengurusan dan Integriti Melaka (INSPIM)	2
4.	National Audit Department	1
5.	Institut Latihan Sektor Awam Negeri (INSAN)	1
6.	Judicial and Legal Training Institute (ILKAP)	1
7.	Malaysia Journal Management System (MyJMS)	1
8.	Malaysian Administrative Modernisation and Management Planning Unit (MAMPU)	1
9.	Jabatan Kemajuan Islam Malaysia (JAKIM)	1
10.	Private Companies	9

Officers of SUHAKAM also had the opportunity to attend foreign training courses in the field of human rights to better understand the subject matter and gain exposure. The details are as follows:

NO.	DATE	SUBJECT MATTER	ORGANISER
1.	23 - 27 January	APF Blended Learning Course on Monitoring Economics, Social and Cultural Rights (ESCR)	Asia Pacific Forum (APF)
2.	30 - 31 January	APF Workshop on the Garment Industry and Business and Human Rights	Asia Pacific Forum (APF)
3.	13 - 17 February	APF Blended Learning Course on Sexual Orientation, Gender Identity and Sex Characteristics (SOGISC)	Asia Pacific Forum (APF)
4.	3 April - 5 May	APF Regional Blended Learning Course on Business and Human Rights (Online)	Asia Pacific Forum (APF)
5.	5-7 June	APF Regional Blended Learning Course on Business and Human Rights (Face-to-face Training)	Asia Pacific Forum (APF)

NO.	DATE	SUBJECT MATTER	ORGANISER
6.	22 July	RWI Regional Blended Learning on Human Rights and Environment/ Climate Change in the Framework of Agenda 2030 (Online Training)	ASEAN CSR Network (CAN) and International Commission of Jurist (ICJ)
7.	17 - 21 July	RWI Regional Blended Learning on Human Rights and Environment/ Climate Change in the Framework of Agenda 2030 (Face-to-face Training)	ASEAN CSR Network (CAN) and International Commission of Jurist (ICJ)
8.	24 - 28 July	Annual Human Rights Training: 'Human Rights and Persons with Disabilities' in Jakarta, Indonesia	The European Network on Independent Living (ENIL)
9.	14 August - 9 September	APF and DIHR Blended Learning Course on Monitoring and Reporting (Online Training)	Asia Pacific Forum (APF)
10.	9 -11 October	APF and DIHR Blended Learning Course on Monitoring and Reporting (Face-to-face Training)	Asia Pacific Forum (APF)
11.	18 October- 3 November	Promotion of Networking among ASEAN Countries on Anti-Trafficking in Persons	Japan International Cooperation Agency (JICA)
12.	21 - 24 November	'Enhancing a Victim-Centred Approach: Identification, Assistance and Protection of Trafficking Victims in the Asia-Pacific Region'	RSO and CIFAL Jeju

The government of Malaysia provides SUHAKAM with the operational budget; however, it is rather limited. Nevertheless, this has not stopped SUHAKAM from providing adequate exposure and training in enhancing the set of skills of its staff to enable them to perform and deliver in the best possible manner. Softs skills are also emphasised in training as human relationship forms the core of human rights advocacy work.

As the Commission targets to produce competent staff, the Human Resource Unit responsible for planning, coordinating and implementing human resource development management and training programmes also analyses training needs and requirements based on skills, attitudes and knowledge in line with the needs and requirements of the staff. It indicates that SUHAKAM provides continuous learning to produce professional and knowledgeable staff especially in the field of human rights.

The Commission is also pleased with the increased role by the government in empowering human rights by providing training and promotional programmes that are also extended to the public and private education institutions at all levels.

This is to ensure the continuity of the awareness programme as well as the preparation of training at all levels can be utilised not only by target groups but also by SUHAKAM.

2. ORGANISATIONAL RESTRUCTURING

To enable the organisation to move in unison and forward in its strategy of planning and execution and with staff equipped for multi-skilling and multi-tasking, SUHAKAM recently restructured itself by creating new divisions (International Coordination and Printing & Publications) and rotating its officers to expose them to different work and functions for better understanding of human rights from a different angle and perspective. Financial constraints have also necessitated the restructuring in which the limited human resources were trained to handle multiple disciplines within the context of human rights advocacy and administration. In this regard, the transfer of officers within the organisation will take effect from January 2018. The officers who will be involved in the transfer are listed in the table below:

NO.	NAME OF OFFICER	PREVIOUS DIVISION	PROPOSED DIVISION
1.	Aida Suraya Haron	Corporate Services (Human Resources)	Complaints and Monitoring
2.	Mohd Ariff Saifullah Abd Rahman	Corporate Services (Publications)	Promotion and Outreach
3.	Siti Rahayu Mohamed Noor	Promotion and Outreach	Policy
4.	Paremeswari Subramaniam	Policy	Corporate Communication
5.	Siti Zaihan Zulkarnain	Policy	Promotion and Outreach
6.	Helmi Fendy Mohammad Idris	Complaints and Monitoring	Policy
7.	Norashikin Hamzah	Complaints and Monitoring	Corporate Communication
8.	Sarah Adibah Hamzah	Complaints and Monitoring	Law Reform and Treaties
9.	Yustina Ishak	Law Reform and Treaties	Complaints and Monitoring
10.	Mohd Tan'im Tajuddin	International Coordination	Complaints and Monitoring
11.	Wan Norhafizah Junid	Promotion and Public Relations	Education and Training
12.	Elza Nadiah Shaik Sulaiman	Corporate Communication	Corporate Services (Publications)

In fortifying and strengthening SUHAKAM's mandate and making its presence felt through management and monitoring of complaints, the Commission created a Complaints and Monitoring Division in line with provisions in the Act to remedy human rights transgressions brought forth to the attention of the organisation.

In advancing careers of staff, SUHAKAM provides preference and opportunity to its internal staff with the right qualifications and expertise. In this regard, an officer was promoted to a senior scale to prove her mettle:

NO.	NAME OF STAFF	POSITION HELD BEFORE	CURRENT POSITION
1.	Siti Zaihan Zullkarnain	PSU, Policy Division	PSU (K), Promotion and Outreach Division

3. FINANCIAL POSITION AND PERFORMANCE

Section 19(1) of Human Rights Commission Act, 1999 states that the Malaysian government shall provide the Commission with adequate funds annually to enable the Commission to discharge its functions. For the year 2017, the Commission received a grant of RM11,616,300 compared to RM5,953,930 in the year 2016, which registered an increase of 48.7%.

Allocations of funds were channeled periodically as shown below:

NO.	ALLOCATION APPORTIONMENT	TOTAL RECEIVED (RM)
1.	First Quarter (Jan – Mar, 2017)	2,529,075.00
2.	Second Quarter (Apr – June, 2017)	2,529,075.00
3.	Third Quarter (Jul – Sept, 2017)	2,529,075.00
4.	Fourth Quarter (Oct – Dec, 2017)	2,529,075.00
5.	Additional Appropriation	1,500,000.00
TOTAL FUNDING RECEIVED		**11,616,300.00**

It is the Commission's fervent hope that the government of Malaysia releases funds meant for the organisation on time for better management of resources in line with the programmes planned.

SUHAKAM's income consists of Operating Grant Allocation from the government distributed annually to the Commission, hibah and interests received from fixed deposit, as well as project funds received by the Commission utilised to promote awareness and to provide education pertaining to human rights. Among the sources listed above, the Operating Grant Allocation distributed annually by the government to SUHAKAM via the Prime Minister's Office, is the main source of fund used to carry out its operations.

Figure 1 shows the total Operating Grant Allocation channeled to the Commission by the government between 2013 and 2017.

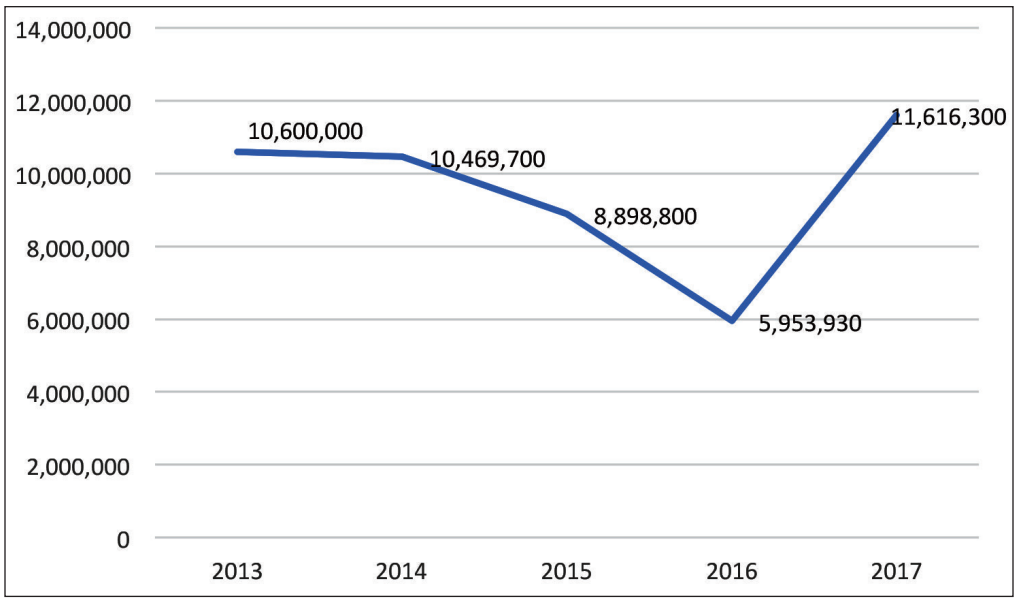


Figure 1 Operating Grant Allocation Received by SUHAKAM, 2013-2017.

SUHAKAM's spending requirements are in line with the demands of the civil society towards SUHAKAM to address more human rights issues in Malaysia. For the year 2017, the operating expenses of the Commission amounted to RM11,352,468.

The Commission's expenditure consists of spendings for emoluments, procurements of supplies and services and assets acquisition. Emolument expenses include payment of wages and salaries, permanent allowances, statutory contributions for employees, overtime allowances and other financial benefits for 78 positions filled for the year 2017.

The expenditure for supplies and services consist of travelling expenses, communications and utilities, rentals, supplies, repairs and maintenance, and professional services and hospitality. These costs include expenses to run the various human rights programmes such as field studies and investigations, awareness raising programmes, visits to places of detention and many others.

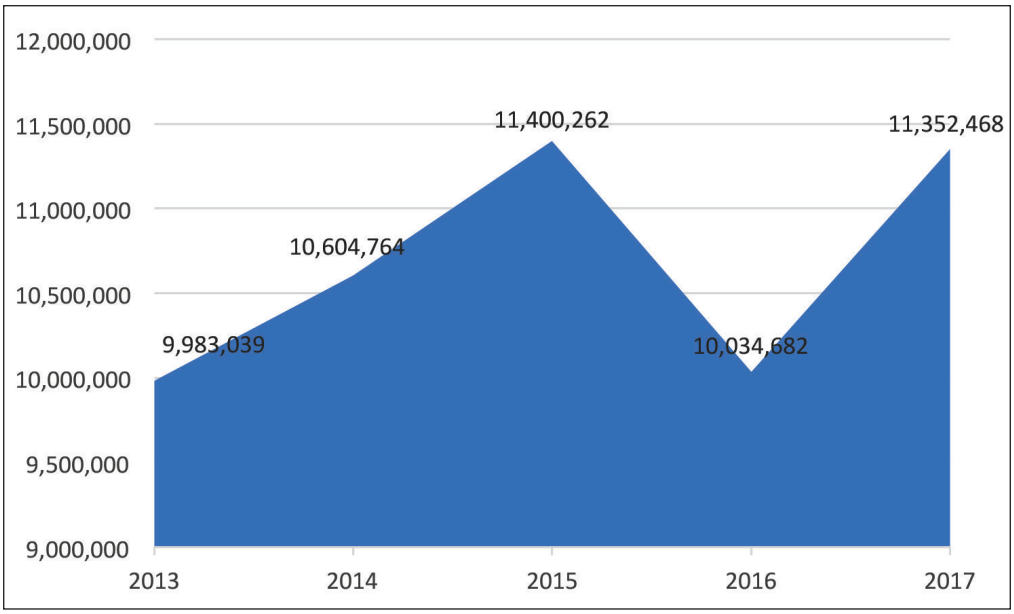


Figure 2 Total SUHAKAM Expenditure, 2013-2017

SUHAKAM's assets acquisition for the year 2017 included procurement of computers, equipment and reading materials.

Figure 2 shows the total expenditure of SUHAKAM from 2013 to 2017. SUHAKAM's expenses for 2017, not taking into account the depreciation of assets and write-offs, are as follows:

Table 1 SUHAKAM Expenditure, 2017

EXPENDITURE	TOTAL (RM)	PERCENTAGE EXPENDITURE
Emolument	5,167,933	45.89
Supplies and services	5,963,917	52.95
Asset	113,924	1.01
Rewards other fixed payment	15,472	0.14
Other expenses	1,505	0.01
Total Amount	**11,262,751**	**1.00**

Figure 3 shows the total expenditure of the Commission after taking into account the depreciation of assets from the year 2013 up to 2017.

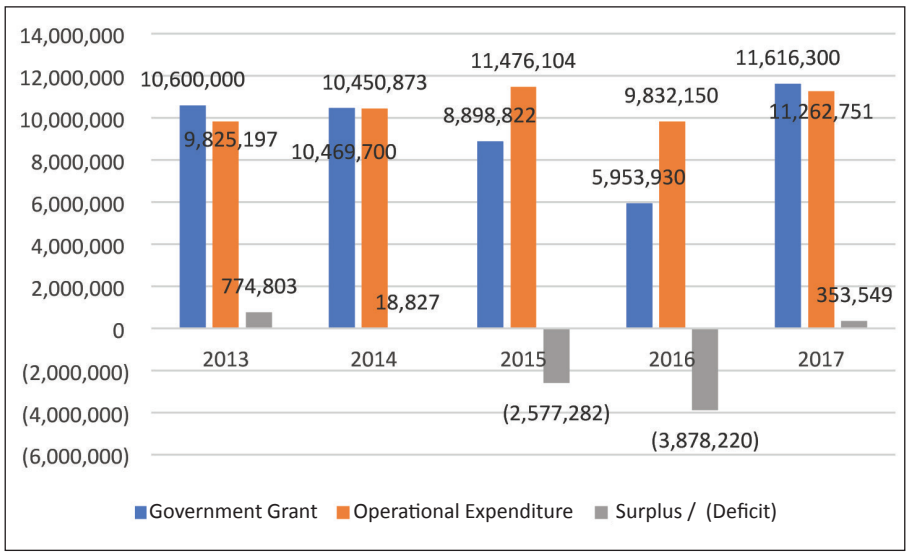


Figure 3 Comparison of Government Grant Allocation and the Commision's Operation Expenditure

THE COMMISSION'S FINANCIAL STATEMENT, 2013-2017

Below are the Commission's financial statements consisting of the Statement of Comprehensive Income and Statement of Financial Position from 2013 to 2017.

Table 2 Statement of Comprehensive Income for 2013-2017

STATEMENT OF COMPREHENSIVE INCOME	2013	2014	2015	2016	2017
INCOME					
Government Grant	10,600,000	10,469,700	8,898,822	5,953,930	11,616,300
Other Income	-	-	292,138	67,687	269,806
Operational Expenditure	(9,983,039)	(10,604,764)	(11,400,262)	(10,034,682)	(11,352,468)
Finance Income	159,575	166,242	170,478	87,832	14,211
SURPLUS/ (DEFICIT) FOR THE CURRENT YEAR	**776,536**	**31,178**	**(2,038,824)**	**(3,925,233)**	**547,849**

Table 3 Statement of Financial Position, 2013-2017

STATEMENT OF FINANCIAL POSITION	2013	2014	2015	2016	2017
NON-CURRENT ASSETS					
Property, Plant and Equipment	813,752	659,861	734,670	532,137	446,154
Total Non-Current Assets	813,752	659,861	734,670	532,137	446,154
CURRENT ASSETS					
Accrued Interest	13,890	10,075	15,347	1,121	
Deposits and Prepayment	788,865	625,229	792,943	636,246	631,607
Fixed Deposit	4,544,418	4,533,000	3,733,000	400,000	-
Cash and Bank Balances	2,349,765	2,434,363	1,126,100	590,712	1,659,062
Total Current Assets	7,696,938	7,602,667	5,667,390	1,628,079	2,290,669
Total Assets	**8,510,690**	**8,262,528**	**6,402,060**	**2,160,216**	**2,736,823**
EQUITY					
Accumulated Surplus/ (Deficit)	7,167,767	7,944,303	7,975,481	5,936,927	2,011,694
Accumulated Surplus/ (Deficit) for the current year brought forward	776,536	31,178	-2,038,554	-3,925,233	547,849
Total Equity	7,944,303	7,975,481	5,936,927	2,011,694	2,559,543
CURRENT LIABILITY					
Other Payables and Accrued Expenses	566,387	454,761	297,419	148,522	177,280
Total Current Liability	566,387	454,761	297,419	148,522	177,280
Total Equity and Liability	**8,510,690**	**8,430,242**	**6,234,346**	**2,160,216**	**2,736,823**

Table 4 The Commission Financial Ratios, 2013-2017

FINANCIAL RATIOS	2013	2014	2015	2016	2017
Current Ratio	0.63	0.63	0.71	0.48	0.23
Liquidity Ratio	0.63	0.62	0.71	0.48	0.23
Debt Ratio	1.22	1.27	1.07	1.03	1.80
Equity Ratio	0.07	0.06	0.05	0.07	0.06

FINANCIAL RATIOS	2013	2014	2015	2016	2017
Capital Ratio	10.46	12.78	8.49	4.06	6.13
Operating Ratio	0.93	1.00	1.22	1.64	0.95
Fixed Asset Turnover Ratio	13.22	16.12	12.74	11.48	26.67
Asset Turnover Ratio	1.26	1.29	1.46	2.83	4.35

5. THE WAY FORWARD

The biggest concern of the Commission is undoubtedly, the funding. Financial limitations with regard to staffing and programmes prevent the Commission from undertaking or delving into a wider range of human rights issues. **However, with better economic numbers, the Commission hopes for higher funding from the government to move effectively as mandated by the Act.**

Appendices

APPENDIX I

The Commission's Press Statements 2017

NO.	DATE	TITLE
1.	24 January	Orang Asli Blockade in Gua Musang, Kelantan
2.	26 January	Urgent Humanitarian Crisis Facing the Rohingya Muslim Minority in Rakhine State, Myanmar
3.	10 Febuary	Death in Custody Case of S. Balamurugan
4.	27 Febuary	Human Trafficking Syndicate in Hulu Perak
5.	16 March	Execution of Rames and Suthar Batumalai
6.	21 March	International Day for the Elimination of Racial Discrimination 2017
7.	28 March	Alleged Breach of A Duty of Care Causing Death of Laraniya d/o Wilbert
8.	29 March	Death in Custody (S.Balamurugan)
9.	1 April	Right to Medical Care in Immigration Detention Centre
10.	4 April	Public Release of Annual Report
11.	5 April	Extension of SOSMA
12.	7 April	Memorandum of Understanding (MOU) Between SUHAKAM, Felda Global Ventures Holdings Berhad (FGV) and FELDA
13.	8 April	SUHAKAM's Statement on Reports of Chemical Weapons Attacks in Syria
14.	21 April	SUHAKAM to Conduct an Independent Investigation into the Disappearance of Pastor Raymond Koh, Pastor Joshua Hilmy, Ruth Hilmy and Amri Che Mat
15.	27 April	Death of Mohamad Thaqif Amin Mohd Gadaffi
16.	30 April	16th Session of The United Nations Permanent Forum on Indigenous Issues
17.	3 May	World Press Freedom Day 2017

18.	16 May	Amendments to The Syariah Courts (Criminal Jurisdiction) Act 1965 (RUU 355)
19.	23 May	Moratorium on Death Penalty
20.	16 June	SUHAKAM Investigation on the Disappearance of Pastor Raymond Koh, Amri Che Mat, Pastor Joshua Hilmi and Ruth Hilmi
21.	17 June	Right to be Respected, Safe and Free from Violence, Harrasment and Bullying
22.	30 June	Country's Upgrade to Tier 2 in the US State Department's 2017 Trafficking in Persons (TIP) Report
23.	1 July	Siti Zabedah Kasim was Charged Under Section 186 of The Penal Code
24.	6 July	Time to Act Against Torture in Malaysia
25.	19 July	Amendments to the Kelantan Shariah Criminal Procedure Enactment 2002 By the Kelantan State Legislative Assembly
26.	28 July	Banned of a Book Published by the G25 "Breaking the Silence: Voices of Moderation - Islam in A Constitutional Democracy"
27.	5 August	Regional Conference on "Democracy in South East Asia: Achievements, Challenges, and the Road Ahead"
28.	8 August	SUHAKAM's Response: Death in Police Custody (Parthiban A/L Karuthani)
29.	9 August	SUHAKAM to Conduct a Public Inquiry
30.	11 August	SUHAKAM Response to the Decision to Withdraw S88A of the Law Reform (Marriage And Divorce) (Amendment) Bill 2017
31.	16 August	Urgent Reform Needed Regarding Inhumane Lock Up Conditions in Ayer Molek
32.	17 August	SUHAKAM's Response to the Deputy Minister's Statement
33.	17 August	Human Rights Defenders
34.	30 August	Regional Conference on Democracy in Southeast Asia: Achievements, Challenges, Prospects
35.	3 September	The Right to Freedom of Peaceful Assembly on The Basis of Article 20 of the Universal Declaration of Human Rights (UDHR)

36.	6 September	Appointment of Datuk Seri Mohamad Fuzi Harun as the New Inspector General of Police
37.	7 September	Conclusion of The Regional
38.	13 September	SUHAKAM Observes Poor and Unsanitary Conditions in Tanah Merah Immigration Depot
39.	15 September	SUHAKAM Expresses its Deepest Condolences on the Deaths of 23 People at Pusat Tahfiz Darul Quran Ittifaqiyah
40.	27 September	The Arrest of Turkish Journalist Mustafa Akyol
41.	5 October	SUHAKAM's Public Inquiry into the incidents of Disappearances of Individuals
42.	17 October	National Budget 2018
43.	24 October	Tanjung Bungah Landslide
44.	17 November	Non-Discrimination at Workplace
45.	3 December	International Day of Person With Disabilities
46.	8 December	SUHAKAM Marks International Human Rights Day 2017
47.	10 December	International Human Rights Day

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

ORANG ASLI BLOCKADE IN GUA MUSANG, KELANTAN

KUALA LUMPUR (24 JANUARY 2017) - The Human Rights Commission of Malaysia (SUHAKAM) is appalled at the decision by the Forestry Department of Kelantan to demolish another Orang Asli blockade in Gua Musang, Kelantan. SUHAKAM is informed that these blockades are set up by the Orang Asli to protect the forests and their customary lands from uncontrolled logging by companies, causing among others, severe floods in several areas in Kelantan, as well as destroying properties belonging to the Orang Asli. SUHAKAM is deeply concerned that this marginalized and vulnerable community who are among Malaysia's poorest minority have been targets of long-standing discrimination, exclusion and more recently, violence. These blockades are a symbol of protest by them, opposing unrestrained commercialisation of the forests, which violates the many established principles on business and human rights, such as the duty of the State to protect, and duty of businesses to respect the human rights of the Orang Asli.

SUHAKAM in its National Inquiry in 2013 found that the Orang Asli face substantial, discriminatory and unbearable obstacles to the exercise and enjoyment of their rights to own, possess and control their lands and territories despite international recognition and acceptance of the Universal Declaration of Human Rights, which guarantees the fundamental rights of all human beings. To date, even the basic rights of the Orang Asli remain without safeguards in Government policies and/or legislation. SUHAKAM emphasizes that the Government must take concrete steps to expedite the implementation of the recommendations of the National Task Force Committee that has in principle accepted 17 out of the 18 recommendations by SUHAKAM. While these recommendations have been separated into 3 stages pending implementation, the Forestry Department and State Government of Kelantan have failed to respect these Government initiatives.

Despite clear evidence that the situation of the Orang Asli constitutes a serious derogation of Malaysia's obligations to respect, protect and fulfil their rights,

the Government has done little to meaningfully address their situation, and the Orang Asli continue to lose more land and with it the enjoyment of related rights. As a Government agency entrusted to oversee all affairs of the Orang Asli, JAKOA must fulfil its role by resolving the ongoing challenges faced by the Orang Asli. SUHAKAM continues to receive complaints and the Orang Asli have expressed their disappointment towards the Government for the slow progress on the implementation of the recommendations of SUHAKAM's National Inquiry.

SUHAKAM reiterates that major legislative and administrative reforms are needed to adequately define and protect the rights of the Orang Asli over their lands and resources, and decisive steps are necessary to urgently to find solutions that would allow the Orang Asli to recover their lands and territories. SUHAKAM also calls for a review of the National Forestry Act 1984.

SUHAKAM emphasises that the land rights of indigenous peoples play a key role in terms of the protection of our jungles and rainforests in the long run for our future generation.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

URGENT HUMANITARIAN CRISIS FACING THE ROHINGYA MUSLIM MINORITY IN RAKHINE STATE, MYANMAR

KUALA LUMPUR (26 JANUARY 2017) - The Human Rights Commission of Malaysia (SUHAKAM) welcomes the Government's efforts, in association with the Organisation of Islamic Conference (OIC), as well as local and regional NGOs, to address the urgent humanitarian crisis facing the Rohingya Muslim minority in Rakhine State, Myanmar. SUHAKAM welcomes that the Prime Minister has acknowledged that the human rights of the Rohingya must be respected, promoted and fulfilled.

The situation for the stateless Rohingya minority remains perilous, and they have suffered persecution, internal displacement and are subjected to discrimination and hatred on the basis of their ethnic and religious background. SUHAKAM welcomes the Government's decision to grant the Rohingya population within our borders temporary shelter. But as Malaysia is hosting approximately 56,000 displaced Rohingya, SUHAKAM is of the view that more has to be done for the refugee population as a whole who are already in the country.

Refugees in Malaysia still remain vulnerable as they do not have a right to work, and their children do not necessarily have a right to education. Our education sector does not entitle refugee children to attend public schools. SUHAKAM reiterates its calls on the Government to support, through legal framework, refugees' right to work while they seek temporary refuge. This in turn will lead to better self-reliance, and the scaling down of programmes that place them in a position of prolonged dependency on humanitarian or Government aid. SUHAKAM also advises the Government to reconsider its education policy for refugee children.

SUHAKAM believes that as far as the Rohingya are concerned, the Government are in a way resorting to applying certain provisions of the 1951 Refugee Convention. SUHAKAM is of the view that it is then timely for the Government to proceed to accede to the Convention as there is a need for clarity, legal certainty and protection for refugees.

SUHAKAM stands with the Government in advancing the ASEAN Charter that calls on all Member States to adhere to human rights protections for all its citizen, and to uphold the principles enshrined in the ASEAN Human Rights Declaration.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

DEATH IN CUSTODY CASE OF S. BALAMURUGAN

KUALA LUMPUR (10 FEBRUARY 2017) - The Human Rights Commission of Malaysia (SUHAKAM) set up an investigating team comprising 4 Commissioners and Officers, led by Commissioner Dato' Mah Weng Kwai to visit the North Klang Police IPD and conduct a preliminary investigation following reports of the death of a detainee, Mr. S. Balamurugan.

In 2015, there were 12 deaths in police custody and SUHAKAM is of the view that every death in custody is a death too many, regardless of the circumstances of the deceased, who are usually suspects detained for investigations. SUHAKAM reiterates that when the State takes away a person's liberty through detention, it assumes full responsibility for protecting their human rights; the most fundamental being the right to life.

SUHAKAM notes that the deceased was detained in a place which is not a gazetted place of lock up, and an application for extension of remand to the Magistrate by the police was rejected. After 24 hours of detention, the deceased was not released and died in custody at approximately 11pm, after the expiry of the 24-hour remand period. SUHAKAM's preliminary observations indicate due process violations, and disregard for lock up rules. The police have denied any wrongdoing on their part and the post-mortem report is not yet available.

Deaths in police custody remain a longstanding problem and SUHAKAM's Report on Deaths in Police Custody in 2016 identified failures on the part of the police to strictly comply with existing lock up and standard operating procedures to minimise incidences of custodial deaths. These were sometimes bypassed, facilitating abuses in custody, and SUHAKAM has proposed a full review of the Lock-up Rules 1953 and Standard Operating Procedures, among others.

SUHAKAM is of the view that policies to prevent and hold accountable police use of torture and ill-treatment are inadequate and the authorities have delayed lock

up reforms. As a result, impunity has prevailed for those responsible. SUHAKAM renews its call for accession to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and for necessary legislative, policy and administrative measures to ensure the effective prevention of any practice that could lead to torture or other cruel, inhuman or degrading treatment or punishment.

SUHAKAM reaffirms its call for the implementation of accountability mechanisms as the State has a duty to provide a custody. These investigations must lead to the successful prosecution of policemen involved in torture, ill-treatment or death of an arrested person.

SUHAKAM is determined to continue its investigations into the matter to verify all allegations so that the truth will be made public.

SUHAKAM will work with the police with the aim to improve public confidence and to build a more rights-respecting force committed to the protection of the right to life, liberty and physical integrity.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

HUMAN TRAFFICKING SYNDICATE IN HULU PERAK

KUALA LUMPUR (27 FEBRUARY 2017) - The Human Rights Commission of Malaysia (SUHAKAM) refers to news reports of the rescue of 18 people including seven children at an oil palm plantation in Hulu Perak. SUHAKAM commends the police for their efforts and hopes that these arrests will strengthen the process of dismantling more human trafficking syndicates within the country.

Human trafficking is a serious criminal offence and a grave violation of human rights. It roots its profit from human suffering. SUHAKAM reiterates that child labour violates the fulfilment of the full range of children's rights as contained in the Convention on the Rights of the Child (CRC).

Malaysia has ratified the ILO Worst Forms of Child Labour Convention, 1999 (No. 182) and is required to eliminate the worst forms of child labour, including all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and forced or compulsory labour, including using children for work which is likely to harm the health, safety or morals of children. SUHAKAM believes that the Government must monitor and better regulate businesses to prevent child labour, and Members of Parliament should unite in solidarity to the fight against human trafficking.

The Government has committed significant resources to combating trafficking in persons and SUHAKAM will continue to engage with all stakeholders to ensure that human trafficking and modern day slavery remain high on our agenda; and SUHAKAM will discuss the issue with all parties including Parliamentarians and Government Agencies.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

EXECUTION OF RAMES AND SUTHAR BATUMALAI

KUALA LUMPUR (16 MARCH 2017) - The Human Rights Commission of Malaysia (SUHAKAM) refers to the execution of Mr Rames Batumalai and his brother, Mr Suthar Batumalai on 15 March 2017. SUHAKAM reiterates that the mandatory imposition of the death penalty violates the basic right to life, as enshrined in international human rights law as it constitutes an arbitrary deprivation of life, as well as denies judges the possibility of taking into account the facts of the offence or the characteristics of each individual offender for purposes of sentencing.

SUHAKAM is of the opinion that the mandatory death penalty must be abolished so that judges will be given their discretionary power to decide on a sentence for a convicted person.

SUHAKAM also calls on the Government to review the relevance and effectiveness of capital punishment and recommends that a moratorium on the use of the death penalty be put into effect.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

KUALA LUMPUR (21 MARCH 2017) - The United Nations designates 21 March as the International Day for the Elimination of Racial Discrimination. On this day, the Human Rights Commission of Malaysia (SUHAKAM) reiterates that every person is entitled to human rights without racial and ethnic discrimination. Racism and intolerance can take various forms; such as denying individuals the basic principles of equality to fuelling ethnic hatred that may in extreme cases lead to genocide.

The Committee on the Elimination of Racial Discrimination has made it clear that discrimination against indigenous peoples is racial discrimination. Yet, poverty and vulnerability continue to threaten the *Orang Asli*. They face many challenges and despite Government efforts, their human rights are frequently violated. The *Orang Asli* are denied control over their own lands and development based on their own values. They have also been the victims of forced displacement due to uncontrolled logging.

Refugees continue to be targets of racial profiling, discrimination as well as intolerance. While SUHAKAM acknowledges that a pilot programme to allow Rohingya refugees to work is in the pipeline, the unemployment rate for other groups of refugees is worrying. As a result, they live below the low-income cut-off and in poverty. SUHAKAM hopes that barriers to education, healthcare and employment for refugees will be removed and Government policies will include among others, integration of refugee children into mainstream schools.

SUHAKAM believes in the importance of respecting the inherent rights of all people regardless of their racial background, ethnicity and origins in order to ensure that they enjoy their rights and fundamental freedoms in the political, economic, social, cultural or any other field on an equal footing. In this regard,

SUHAKAM reiterates its call on the Government to accede to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

SUHAKAM underscores that the 1Malaysia concept must be based on deep respect for all Malaysians and people within our borders, and the fervent conviction of the inherent rights of all. Equality must be felt, experienced and lived as a way of life in Malaysia, in accordance with principles of acceptance, mutual respect, humility, moderation and unity.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

ALLEGED BREACH OF A DUTY OF CARE BY THE HOSPITAL CAUSING DEATH OF LARANIYA D/O WILBERT

KUALA LUMPUR (28 MARCH 2017) - The Human Rights Commission of Malaysia (SUHAKAM) received a memorandum from the family and representatives of the family of 4-year-old Laraniya d/o Wilbert who the family claims passed away at the Hospital Tengku Ampuan Rahimah Klang on 20 March 2017 due to an alleged breach of a duty of care owed by the Hospital to the patient, malpractice, negligence and/or omission, causing death.

SUHAKAM reiterates that every person has the right to the enjoyment of the highest attainable standard of physical and mental health, which includes the right to healthcare and emergency services.

Given the circumstances of the case, and bearing in mind the serious nature of the allegations, including an allegation of a violation of the right to life, SUHAKAM will investigate the claim of the family that the hospital had failed to ensure appropriate treatment of the deceased.

SUHAKAM emphasises that medical negligence and malpractice interfere with the quality of care received by a patient vis-a-vie the right to the highest attainable standard of physical and mental health.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

DEATH IN CUSTODY (S.BALAMURUGAN)

KUALA LUMPUR (29 MARCH 2017) - The Human Rights Commission of Malaysia (SUHAKAM) concluded its independent investigation into the death of Balamurugan M Suppiah (S.Balamurugan) who died at the North Klang District Police Headquarters on 7 February 2017. According to the police, he was found unconscious in a temporary holding area for detainees at about 11.30pm. SUHAKAM begun its investigation in accordance with sections 4(1) and 12 of the Human Rights Commission of Malaysia Act 1999 on 10 February 2017, and in the interest of public truth. Through interviews and statements recorded from 43 witnesses, SUHAKAM identified several areas of concern that continue to arise in relation to deaths in police custody.

At the outset, SUHAKAM reiterates that the right to life is the most fundamental human right, within which no derogation is permissible. As guaranteed in Article 5(1) of the Federal Constitution and recognised in Article 3 of the Universal Declaration of Human Rights and Article 6 of the International Covenant on Civil and Political Rights, the right to life is a prerequisite to the realisation of all other human rights.

The deceased was arrested with two other suspects at around 6.30pm on 6 February 2017 and taken to the Bandar Baru Klang Police Station. During its investigation, SUHAKAM was informed of alleged ill-treatment and beatings of all suspects by the police between 7.30pm to 9.30pm at the police station. Before he were taken to the North Klang District Police Headquarters, the deceased was allegedly hit on the ears, beaten on his feet and legs and punched and kicked in his chest. SUHAKAM was informed that the deceased was shivering and not able to walk when he was sent to the Shah Alam Centralised Lock Up at approximately 4.10am the next morning. The suspects were produced before the Klang Magistrate's Court at around 10.00am on 7 February 2017 for an application for further remand. The remand for the deceased was refused and the Magistrate directed the police to take him for immediate medical treatment.

SUHAKAM interviewed the Magistrate on 23 February 2017 and was informed that the deceased had a swollen face and eyes and was unable to sit up, stand or even hold his head up when his name was called in her Court. Although the police had the opportunity to take the deceased to the hospital, they failed to do so and took him back to the North Klang District Police Headquarters at about 1.15pm. SUHAKAM was informed that the deceased was shivering again at this point but he was not given any medical attention. By approximately 6.30pm by which time his detention became unlawful, S.Balamurugan's condition had deteriorated severely to the extent that he had no control from urinating. At approximately 11.30pm, the deceased was found unconscious or presumably dead by the Investigating Officer. SUHAKAM notes with concern that from approximately 7.00pm to 11.30pm, the deceased was not monitored or checked on by the policemen on duty. SUHAKAM considers it to be the duty of the Investigating Officer to be responsible for the acceptance, safety, security, health condition and welfare of any person arrested and detained by the police.

SUHAKAM wishes to point out that although the police had 24 hours to detain the deceased, they may have deliberately flouted the Court Order or wilfully abused their powers when the deceased was taken back to the North Klang Disctrict Police Headquarters, purportedly for his statement to be recorded. Evidence show that this was not done and the deceased was instead held without a reasonable and credible justification.

The post mortems conducted by Hospital Tuanku Ampuan Rahimah Klang (HTAR) and Hospital Kuala Lumpur (HKL) both revealed that the cause of death of S.Balamurugan was coronary artery disease. Of note, the second pathologist from HKL concluded that the cause of death was coronary artery disease with blunt force trauma, and the time of death could have been as early as 9.00pm or 10.00pm.

It is SUHAKAM's view that the allegations of ill treatment and torture corroborate the statements by both pathologists, in that the deceased had, among others, bruises and swelling on his eyes, a large bruise on his chest below his right nipple, swelling on his right ear, lacerations on his ears, injuries on his right chest muscle, blood clots on his right temple, back injuries and severe muscular injuries to his feet and ankles. The second pathologist indicated that he also found that the deceased had obvious bruises on his knees, fingers, back of his left lower leg, lower back and the back of his thighs.

Both post mortems revealed that the deceased was suffering from chronic liver failure and liver cirrhosis. While this is unlikely to be the cause of death, in the second pathologist's medical opinion, this was a possible explanation for the bleeding from the mouth and nose of the deceased. Both pathologists also concluded that the deceased had a blocked left artery and was suffering from a severe heart condition, but it is their medical opinion that the injuries could have triggered a heart attack or worsened his heart condition leading to his death, given the severity of the injuries. The HKL pathologist noted that while the deceased had serious underlying medical concerns, the injuries on his body could not be ignored as they appeared to be abusive injuries, and not self-inflicted or accidental in nature.

The circumstances under which the deceased was detained after the application for remand by the police was refused were unacceptable. He had endured approximately a further 9 hours of detention prior to his death, after he was released by the Court. This in our view demonstrates a blatant disregard for respect for human life and dignity and the conditions in which he was held may be inconsistent with the Federal Constitution (Article 5(1)).

SUHAKAM is satisfied that the police knew or ought to have known, even more so when the Magistrate had made her observations and order, of the existence of a real and immediate risk to the life of the deceased, and that the police failed to take adequate measures within the scope of their powers which, judged reasonably, might have been expected to avoid such a risk. SUHAKAM is of the view that there appears to be serious breach or wilful disregard of the duty to protect life by the police due to cumulative failures on their part to provide medical attention to the deceased. SUHAKAM underlines that where there is an alleged breach of this duty of care, there is an obligation on the police to investigate and to carry out an efficient, independent and reasonable investigation, which must lead to the perpetrators' identification and prosecution.

Evidence from SUHAKAM's investigation also identified numerous systemic failures on the part of the police in regard to the treatment of detainees in police custody, including but not limited to failures to follow the Lock up Rules 1953, police standard operating procedures, the Court Order and relevant international human rights norms and standards.

SUHAKAM reiterates that in accordance with Principle 1 of the United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, "all persons under any form of detention or imprisonment shall be treated in a humane manner and with respect for the inherent dignity of the human person". Principle 6 further states that "no person under any form of detention or imprisonment shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment". SUHAKAM's investigation however revealed allegations of torture, cruel, inhuman and degrading treatment of persons in police custody. The statements of the other suspects alleged that the police had during interrogations applied paint thinner and chilli powder on the body of two of the other suspects including on their genitals. They claimed to have been beaten with a rubber hose and wooden stick, as well as with a handcuff chain for their confessions.

Two suspects arrested in relation to this investigation were below 18. While the police must observe certain legal rights whenever they arrest or detain a child suspect, SUHAKAM's investigation revealed that the police may have been in breach of section 85 of the Child Act 2001 that stipulates appropriate arrangements shall be made to prevent a child while being detained in a police station from associating with an adult who is charged with an offence. Both suspects who are below 18 were placed in custody with the deceased who was an adult. According to section 87 of the same Act, after the arrest of a child, the police officer or other person making the arrest shall immediately inform a probation officer and the child's parent or guardian of the arrest. SUHAKAM notes that the law in this regard was not complied with.

Despite a growing awareness of issues concerning the proper treatment of persons in police custody, the implementation of best practices and recommendations, particularly from SUHAKAM's 2016 Death in Custody Report is seriously lacking. Some recommendations have not been implemented at all and it is observed that the police are still ignorant of their duty of care to detainees or the fact that there is a responsibility on the police to ensure that the individual in their custody is not deprived of his right to life.

In accordance with its legal duty, SUHAKAM makes the following recommendations to the Government of Malaysia and Police Di-Raja Malaysia (PDRM):

- To ensure that anyone deprived of their liberty is detained lawfully and in a lawful, recognised and gazetted place of detention in accordance with the law.
- To investigate cases of abuse and misconduct by the police, including as described above, and prosecute police officials responsible for the illegal detention, ill-treatment and/or torture of the deceased which in his case may have caused and/or contributed to his death.
- To investigate incidents of alleged torture and abuse of the other suspects by the police, and prosecute police officials responsible.
- To ensure internal disciplinary proceedings and criminal action for breaches of instructions, including the Court Order relating to the case.
- As police lock-ups or facilities are not intended for or equipped to handle suspects who require immediate or sustained medical , SUHAKAM reiterates its recommendation in its 2016 Report on Death In Custody to place a custodial medical team in police lockups as well as too review the 1953 Lock-up Rules.

SUHAKAM is of the view that the increase in the number of deaths in police custody warrants an increased scrutiny of the operation and funding of police lock ups, particularly in relation to health services and general conditions.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

RIGHT TO MEDICAL CARE IN IMMIGRATION DETENTION CENTRE

KUALA LUMPUR (1 APRIL 2017) - Referring to a Report by Reuters entitled "More than 100 die in Malaysian Immigration Detention Camps in Two Years" published on 30 March 2017, the Human Rights Commission of Malaysia (SUHAKAM) wishes to give an objective scenario in response to questions that have been raised by various parties.

SUHAKAM has over the years highlighted issues in relation to health in immigration detention centres and previous statistics have given rise to concerns regarding the delivery of healthcare in immigration detention centres.

Health is central to many aspects of immigration detention given that many detainees suffer from poor health and existing medical concerns because of personal circumstances, poverty, lifestyle or the environment from which they come. SUHAKAM has observed that there are concentrations of people with various health problems in Malaysian immigration detention centres that can lead to the transmission of fatal diseases to detainees and detention centre staff. The statistics by the Immigration Department of Malaysia, shared in the spirit of cooperation, transparency and good practice indicate that many deaths in immigration detention centres were due to chronic health conditions such as tuberculosis, pneumonia and septicaemia. These statistics have been shared in the spirit of openness and transparency and to assist SUHAKAM in executing its mandates to, among others, investigate complaints and conduct visits to places of detention and provide recommendations for improvement.

Under international standards, detainees are entitled to the same level of medical care as individuals in the community at large but SUHAKAM notes that the Immigration Department is coping with severe budget and resource constraints. At a constructive discussion with the Immigration Department last week, SUHAKAM was informed of major immigration detention reforms, including

improved health care. Dilapidated detention centres are also in the process of being rebuilt and Standard Operating Procedures (SOP) are being revised based on recommendations by SUHAKAM and the Enforcement Agency Integrity Commission (EAIC)

As the current system of immigration detention, including detention of children is insufficient, SUHAKAM proposed that health services within immigration detention centres be managed through the Ministry of Health (MoH). The MoH in our opinion must also be responsible for the supply and maintenance of medicines and medical equipment. The current practice requires the Immigration Department to purchase their own medicines without proper guidance by medical doctors. While the immigration department's policy focuses on emergency medical care, SUHAKAM notes that there are now Medical Assistants at every immigration depot. SUHAKAM acknowledges positively that the Immigration Department has actively sought to improve the conditions of their detention centres and the delivery of healthcare to detainees.

SUHAKAM recommends that the relevant Government Agencies, including the Ministry of Home Affairs, Ministry of Finance and MoH develop a close working relationship to ensure proper standards of medical treatment for detainees as well as protection for immigration detention centre personnel. The role of the MoH should be strengthened in the domain of immigration health care in accordance with clear policies or legislation. SUHAKAM is of the view that a clear division of responsibility and authority should be established between the Ministries which should co-operate in implementing an integrated health policy within immigration detention centres.

SUHAKAM reiterates that Malaysia's national health policy must be based on the belief that everyone living in within our borders has a right to adequate health care.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

PUBLIC RELEASE OF ANNUAL REPORT

KUALA LUMPUR (4 APRIL 2017) - The Human Rights Commission of Malaysia (SUHAKAM) today launched its 2016 Annual Report. The media and key stakeholders were apprised of the key issues in the Report.

Some emerging and recurring human rights issues with serious human rights implications experienced in 2016 are similar to those that were highlighted by SUHAKAM in its 2015 Annual Report. These include the follow up to the National Inquiry into the land rights of the Indigenous Peoples (National Inquiry); deaths in custody; the National Human Rights Action Plan (NHRAP); the right to education of Orang Asli children, law reform, withdrawal of remaining reservations to international treaties, accession to international human rights treaties, and business and human rights, among others.

On the National Inquiry, SUHAKAM is very concerned with the slow progress in the undertaking of actions by the Cabinet Committee which has resulted in continuous human rights violations of the Indigenous Peoples, especially the encroachment into their native land by developers. SUHAKAM received 61 complaints on native land rights in 2016.

SUHAKAM called on the Government to expedite the completion and launch of the NHRAP intended to improve the state of human rights in the country. In particular, SUHAKAM hopes that the development of the NHRAP by the appointed Consultant will strictly adhere to the timeline given from November 2015 to April 2017 so as to avoid further delay. In this regard, SUHAKAM hopes that there will be strong political will and better awareness among stakeholders in order to accelerate the execution of the plan.

Alongside the NHRAP, SUHAKAM advocated for an independent National Action Plan on Business and Human Rights (NAP). SUHAKAM sees business enterprises as important actors in ensuring that their operations respect and comply with

human rights. SUHAKAM is ready to support any business to achieve this. Evidently, SUHAKAM's Memorandum of Understanding with Felda Global Ventures (FGV) and Felda signifies SUHAKAM's commitment in assisting businesses to comply with and implement the United Nations Guiding Principles on Business and Human Rights (UNGP) in regard to their operations.

In regard to the death penalty, SUHAKAM welcomed the initiative taken by the Government to explore the possibility of abolishment of the mandatory death penalty for offences under the Dangerous Drugs Act 1952. SUHAKAM hoped that the Government would consider restoring the discretionary power of judges and to review the relevance and effectiveness of capital punishment for all other criminal offences, in line with its call for the abolition of the death penalty. SUHAKAM reiterates that the death penalty is cruel, inhuman, and degrading as well as against one's right to life.

The number of complaints lodged at SUHAKAM increased in 2016, with 395 complaints received at its Kuala Lumpur office, 468 complaints received in Sabah, and 16 in Sarawak. 23 complaints were in the form of memoranda. Out of these, 25 complaints concerned detention under the Prevention of Crime Act 1959 (POCA), seven on detention under the Dangerous Drugs Act (Special Preventive Measures) 1985 (DDASPM) and three complaints regarding detention under the SOSMA. Apart from these complaints on detention without trial, SUHAKAM received complaints on detainees being subjected to torture or cruel, inhuman, or degrading treatment during interrogation; denial of access to legal representation during the detention period; detention of children under the Acts; and the unjustifiable and/or unrestricted use of these laws to detain individuals due to the absence of judicial oversight.

In 2016, SUHAKAM received seven complaints pertaining to alleged activities of human trafficking. Not all were channelled to the relevant enforcement authority due to insufficient information and/or lack of cooperation by the complainants in supplying further details. SUHAKAM also received eight complaints on discrimination on the basis of disability, race, and gender and 36 complaints on the violation of the right to be free from torture, cruel, inhuman, or degrading treatment and punishment. The Report also raised concerns regarding the abusive treatment of detainees and other human rights violations in lock-ups, prisons and immigration detention centres. Among others, SUHAKAM was appalled by an incident where male detainees in a lock-up were allowed to wear only their underpants. More appallingly, the police informed SUHAKAM

that the practice of forbidding detainees from wearing clothes in the lock-up was outlined in a written guideline issued by the Officer-In-Charge of the Police Station (OCS). SUHAKAM called on the Police to stop the practice and annul the order as it contravened the Lock-Up Rules 1953.

SUHAKAM called on the Government to review some of the provisions of existing laws which interfere with the full enjoyment of human rights, such as the Child Act 2001. In particular, SUHAKAM called for a specific law to address sexual offences against children and is pleased to note that the Government tabled the Sexual Offences against Children Bill in April 2017, acknowledging the seriousness of offences against children. SUHAKAM hopes that with the legislation in place, protection mechanisms will be properly implemented and reformed to ensure that sexual abuse cases against children will be effectively reported and the perpetrators thoroughly prosecuted.

SUHAKAM maintains that immigration detention of children is not in the best interest of the child and is in conflict with the Government's obligations under the Convention on the Rights of the Child (CRC). SUHAKAM urged the Government to expeditiously implement the Alternative to Detention (ATD) proposal to end immigration detention of children, particularly unaccompanied children.

To avoid any undesirable impression on Malaysia's seriousness to combat torture and illtreatment, particularly in light of custodial deaths, SUHAKAM reiterated its call on the Government to accede without hesitation to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

In the year under review, SUHAKAM took a number of active steps to increase Parliament's role in the promotion and protection of human rights in the country. As a primary institution of the State, SUHAKAM believes Parliament shares a responsibility to protect and realise human rights in the country alongside the Executive and the Judiciary.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

EXTENSION OF SOSMA

KUALA LUMPUR (5 APRIL 2017) - The Human Rights Commission of Malaysia (SUHAKAM) takes note of the extension for a further 5 years of the Security Offences (Special Measures) Act 2012 (SOSMA) that allows for preventive detention. SUHAKAM is steadfast in its position and cannot agree to detention without trial.

SUHAKAM acknowledges that the SOSMA was created pursuant to the special powers under Article 149 of the Federal Constitution. However, such laws must be subject to proper checks and balances, and every case of preventive detention must be subject to judicial oversight. In this regard, the extension of the period of detention for 28 days shall be done through judicial means to ensure that the rights of a suspect are protected. Such procedures exist in the form of section 117 of the Criminal Procedure Code (Act 593). SUHAKAM asserts that the rights to a fair trial and due process cannot be limited and made this point at a meeting with the Ministry of Home Affairs on 29 March 2017. In the interest of transparency, SUHAKAM proposes that every year a detailed report on the application of SOSMA is submitted to Parliament by the Ministry of Home Affairs.

Recalling the speech by the Prime Minister during the second reading of SOSMA in Parliament on 16 April 2012, several safeguards were mentioned including the creation of an Administrative Committee to review the SOSMA and its enforcement, as well as to provide recommendations for improvement. It was underlined that apart from Government Agencies, the President of the BAR Council and SUHAKAM will be included as members of the Committee. Such a promise has not been actualised.

SUHAKAM holds the view that if such exceptional powers are to command public consent, it is important that they be confined to their intended purpose.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN SUHAKAM, FELDA GLOBAL VENTURES HOLDINGS BERHAD (FGV) AND FELDA

KUALA LUMPUR (7 APRIL 2017) - The Human Rights Commission of Malaysia (SUHAKAM), Felda Global Ventures Holdings Berhad (FGV) and the Federal Land Development Authority (FELDA) have together initiated a first step towards business' impact on the enjoyment of human rights. Such an initiative through a Memorandum of Understanding (MoU) is an important milestone in the efforts of FGV and FELDA to revisit their operations from a human rights perspective.

Human rights violations, such as child or forced labour and prevention of free association can occur within the business sphere. Migrant workers are sometimes lured to work at plantations with promises of safe working conditions and fair wages, only to find themselves subject to exploitation. Human rights violations also affect the environment.

With this MoU in place, SUHAKAM will discuss, among others, moving forward on the implementation of the United Nations Guiding Principles on Business and Human Rights (UNGP) as well as addressing business-related human rights impacts. SUHAKAM will also provide guidance on the interpretation of the 31 principles of the UNGP.

SUHAKAM is ready to bring this endeavour to other businesses to level up their sustainability initiatives to ensure respect for, and compliance with human rights in their business operations.

SUHAKAM reiterates that the development of a National Action Plan on business and human rights will demonstrate Malaysia's leadership in advancing sustainable socio-economic development and protecting and promoting human rights and fundamental freedoms in the region.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

SUHAKAM'S STATEMENT ON REPORTS OF CHEMICAL WEAPONS ATTACKS IN SYRIA

KUALA LUMPUR (8 APRIL 2017) - The Human Rights Commission of Malaysia (SUHAKAM) condemns in the strongest terms the brutal chemical weapons attack in the Idlib Province in Syria on 4 April 2017, which has led to the deaths of at least 72 people, including infants, children and women, and injuries to many more. Such atrocities in Syria continue with impunity and SUHAKAM regrets that the United Nations has been unsuccessful in adequately addressing the matter.

These atrocities do not sit well with our own values and SUHAKAM believes Malaysians are equally as troubled as we are about the critical humanitarian and human rights situation in Syria. SUHAKAM wishes to remind the Government of its commitment to accept 3,000 Syrian refugees to help alleviate the refugee crisis in the Middle East. As difficult and complex as our challenges may be, the necessity to assist has never been greater in regard to the ongoing catastrophe, and Malaysia is morally compelled to provide humanitarian assistance to Syrian refugees and displaced persons. Such assistance should be mobilised urgently and delivered without delay in view of the deteriorating situation in Syria.

SUHAKAM reiterates that there is an inescapable need for Malaysia to accede to the United Nations 1951 Convention Relating to the Status of Refugees if we are to be serious in our efforts.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

SUHAKAM TO CONDUCT AN INDEPENDENT INVESTIGATION INTO THE DISAPPEARANCE OF PASTOR RAYMOND KOH, PASTOR JOSHUA HILMY, RUTH HILMY AND AMRI CHE MAT

KUALA LUMPUR (21 APRIL 2017) - The Human Rights Commission of Malaysia (SUHAKAM) received a memorandum from Suara Rakyat Malaysia (SUARAM), a human rights organisation, and a few other NGOs on behalf of the families of several persons reportedly missing. They are Pastor Raymond Koh, Pastor Joshua Hilmy and his wife Ruth; and a social activist Amri Che Mat. SUHAKAM is called on to assist the families concerned to investigate and determine the whereabouts of these missing persons and serve as a channel of communication between the families, the police and Government.

SUHAKAM joins in the concern of all parties and will conduct an independent investigation into the matter in line with its statutory mandate. SUHAKAM reiterates that all persons without distinction of any kind shall enjoy the right not to be arbitrarily deprived of his/her life; the right to be protected against torture, and other cruel, inhumane or degrading treatment; the right to liberty and security; and the right to respect for family life, among others.

SUHAKAM appeals to the authorities to use all means at their disposal to elucidate the fate of these missing persons, ensure that the rights of family members of the missing are upheld at all times and that they have access to information regarding the ongoing investigation. SUHAKAM hopes that the authorities will take all necessary steps to alleviate the concerns and unease among the public in this regard, and bring to justice those responsible for the crimes.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

DEATH OF MOHAMAD THAQIF AMIN MOHD GADAFFI

KUALA LUMPUR (27 APRIL 2017) - The Human Rights Commission of Malaysia (SUHAKAM) expresses deep sadness and outrage over the death of a 11 year old boy, Mohamad Thaqif Amin Mohd Gadaffi, after he was allegedly physically and repeatedly abused at a private religious school in Kota Tinggi, Johor. The boy was reportedly assaulted with a rubber hose by the school dormitory assistant warden, who has a criminal record. Ostensibly as it were to promote school discipline, such acts are tantamount to torture, which the Malaysian society cannot accept.

SUHAKAM is championing the abolishment of caning in schools which in this case has resulted in unacceptable agony and death of a child. This tragic case is a horrendous reminder to the Government that corporal punishment in schools must be eliminated because any form of physical violence against a child negatively impacts on the enjoyment of the child's many other rights and aspects of the child's development including his/her psychological, health, education and social status.

SUHAKAM wishes to remind the Government that corporal punishment is a violation of a child's rights under the Convention of the Rights of the Child (CRC) because it is constitutive of violence that causes physical and mental harm, suffering, and conflicts with the child's human dignity and the right of the child to physical integrity. SUHAKAM accordingly calls on the Government to reform laws to introduce a clear ban of all forms of violence against children.

SUHAKAM underscores that everyone in the education sector plays a part in keeping children safe from harm and abuse. Creating a safe learning environment, identifying students who are suffering or at risk of harm and abuse and then taking suitable action, are important to ensuring children are safe. SUHAKAM fully supports an examination into how prevalent recourse is to physical

violence in schools in furtherance of discipline. SUHAKAM also calls for a full investigation into the school authorities to identify if anyone may be criminally responsible or civilly liable for their omission to act.

SUHAKAM finds it unbelievable that there are no legal procedures or a child protection policy for all schools to check on potential staff before they are allowed to work with children. Background checks must be mandatory for all persons intending to work with children as this will identify if the potential employee has a criminal record suggesting that they may pose a threat of physical or sexual violence against children. This is in line with the spirit of the CRC and the Child Act 2001 for all children to have their best interests taken as a primary consideration in all actions or decisions that concern them, both in the public and private sphere.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

16TH SESSION OF THE UNITED NATIONS PERMANENT FORUM ON INDIGENOUS ISSUES

NEW YORK (30 APRIL 2017) - On the occasion of the 16th Session of the United Nations Permanent Forum on Indigenous Issues in New York, the Human Rights Commission of Malaysia (SUHAKAM) led by Commissioner Jerald Joseph made the following statement:

"10 years is a remarkable marker that the world can reflect on the progress of the United Nations Declaration on the Rights of Indigenous Peoples UNDRIP. The Human Rights Commission of Malaysia (SUHAKAM) wants to lend our voice to this important work on bringing the six mandated areas of the UNDRIP closer to home. One of our biggest concern has been the rights of Indigenous Peoples in Malaysia.

We are encouraged that the Indigenous Peoples leaders and communities have utilised the complaints mechanism in SUHAKAM to submit many human rights complaints in the last few years. From the total number of about 850 complaints received for 2016, about 20% were related to Indigenous Peoples issues. This is strength of the community to defend their rights in line with the UNDRIP. The Indigenous Peoples of Malaysia continues to grow from strength to strength.

These complaints are mainly related to:

i. The encroachment on Indigenous Peoples native customary land for the purpose of logging, mining, and farming without respecting the principle of free, prior and informed consent (FPIC);
ii. The alleged pollution of rivers and rapid deforestation as the result of rampant logging activities;
iii. The need for Indigenous Peoples to be provided with public amenities such as electricity and water supply and low cost houses;
iv. The weaknesses in the education services provided to the Indigenous Peoples, for example the half-heartedness of some teachers assigned to teach at the Indigenous (Orang Asli) schools.

Prior to this in 2010, SUHAKAM conducted a National Inquiry into the Land Rights of Indigenous Peoples to look into the issue of land rights of indigenous peoples in Malaysia and develop recommendations to address the issues. This was completed in 2012. Through the National Inquiry, SUHAKAM found that the Indigenous Peoples faced substantial and discriminatory obstacles in exercising their rights to own, possess and control their lands and territories similar to what was mentioned above.

Following that, the Government of Malaysia has established a Cabinet Committee on Native Land Rights in 2015 to monitor the implementation of the recommendations that were further elaborated by another Task force set up just prior. The Cabinet Committee is chaired by the Deputy Prime Minister of Malaysia.

However, despite the Government's commitment on this issue, the encroachment into Indigenous Peoples' lands for the purpose of logging, plantation and mining still occurs today. In view of this, SUHAKAM calls upon the Government to issue a moratorium or temporary prohibition order on all developments which involve Indigenous Peoples' lands, pending the implementation of the recommendations of the Task Force's report. SUHAKAM will also continue to engage with the State Governments to follow up on the implementation of the recommendations.

Some recent positive court rulings in Malaysia which ensures Indigenous Peoples rights against possible forced land acquisition and also ensure fair compensation for landowners, has brought some hope towards the advancement of Indigenous Peoples' rights, particularly on land matters.

Nevertheless, SUHAKAM will continue its efforts to promote and protect the human rights of Indigenous Peoples, in line with the principles in the United Nations Declaration on the Rights of Indigenous Peoples.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

WORLD PRESS FREEDOM DAY 2017

KUALA LUMPUR (3 MAY 2017) - On World Press Freedom Day 2017, the Human Rights Commission of Malaysia (SUHAKAM) calls on the Government to accede without further delay to the International Covenant on Civil and Political Rights (ICCPR).

Article 19 of the ICCPR provides that everyone has the right "to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice." SUHAKAM reiterates that the exercise of the right to freedom of opinion and freedom of expression are indispensable conditions for the full development of a person; and constitutes the foundation stone for every democratic society.

SUHAKAM has always regarded the media as an essential instrument that has the potential to contribute immensely to the promotion and protection of human rights. The media does not only act as a conveyor of information but it also, either intentionally or indirectly, shapes public perception and opinion. While the freedom of the press is indeed essential to the nature of a truly free State; particularly that no restraints shall be placed upon publications, the media must exercise this right with responsibility as well as courage and sense of purpose.

SUHAKAM believes that on one hand, the media can serve as an effective apparatus for raising human rights awareness, and for highlighting infringements and violations of human rights facing the people. Such role by the media is instrumental in ensuring that human rights concerns are brought to the attention of the relevant authorities as well as the public at large, with a view to prompting action and measures to address the issues. On the other hand, the media can also have the effect of instilling or reinforcing sentiments and values that run counter to human rights principles and standards, making it much more difficult to advance respect for human rights.

While SUHAKAM recognises the important role the media plays in keeping public discourse alive, the media should continuously seek to improve their reporting standards and endeavour to promote human rights. In this regard, adherence to a code of ethics is paramount in ensuring professionalism in media reporting. A free, responsible and unbowed media is essential in any society to ensure freedom of opinion and expression.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

AMENDMENTS TO THE SYARIAH COURTS (CRIMINAL JURISDICTION) ACT 1965 (RUU 355)

KUALA LUMPUR (16 MAY 2017) - The Human Rights Commission of Malaysia (SUHAKAM) has been following the developments on the amendments to the Syariah Courts (Criminal Jurisdiction) Act 1965 (RUU 355) with deep concern. As an independent statutory body empowered to safeguard human rights and obliged to enlighten the public as primary stakeholders in the promotion and protection of human rights, SUHAKAM has the following observations to make:

(a) Caning and/or lashing in any setting violates the absolute prohibition of torture and cruel, inhuman or degrading punishment under international law. SUHAKAM also emphasizes that all forms of torture and other cruel inhuman or degrading treatment are absolutely prohibited by customary international law and international treaties that Malaysia has acceded to, including the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), Convention on the Rights of the Child (CRC) and the Convention on the Rights of Persons with Disabilities (CRPD).

(b) The universal human right to equality before the law protects all persons from discrimination in matters concerning laws and justice. SUHAKAM stands firm in its position that everyone must be treated equally under all laws including religious laws, believing that equality is a necessary aspect of a just and fair society.

(c) SUHAKAM is concerned with the proposal to impose such severe and grossly disproportionate punishments through the amendments. The proposed amendments have far reaching consequences to all even if not applicable to all Malaysians. Malaysians accordingly have the right to question whether the rights to liberty and to dignity are being protected adequately with the

proposed amendments, and SUHAKAM underscores that the concept of proportionality is one of the fundamental principles of sentencing, grounded on the premise that, to be just, a sentence must be of a length and type.

SUHAKAM underlines that any punishment in law must have appropriate checks and balances, be in line with universally accepted human rights standards and take into account the sentiments of all other groups of persons and religions in the matrix of society. Parliament must accordingly ensure that all laws passed by it are reasonable, equitable and proportionate; as well as progressive and fair.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

MORATORIUM ON DEATH PENALTY

KUALA LUMPUR (23 MAY 2017) - The Human Rights Commission of Malaysia (SUHAKAM) expresses deep regret over reports of the impending execution of Mr Yong Kar Mun who was sentenced to death under section 3 of the Firearms (Increased Penalties) Act 1971 which carries the mandatory death penalty, read together with section 37 of the Penal Code. He was found guilty of discharging a firearm during an armed robbery.

The mandatory imposition of the death penalty violates the basic right to life, as enshrined in international human rights law, as it constitutes an arbitrary deprivation of life as well as denies judges the possibility of considering the facts of the offence or the characteristics of each individual offender.

While discussions on abolishing the mandatory death penalty are ongoing, SUHAKAM is of the view that a moratorium on the use of the death penalty be put in place, which is in line with the global trend that is changing towards a position in favour of abolition.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

SUHAKAM INVESTIGATION ON THE DISAPPEARANCE OF PASTOR RAYMOND KOH, AMRI CHE MAT, PASTOR JOSHUA HILMI AND RUTH HILMI

KUALA LUMPUR (16 JUNE 2017) - In accordance with its statutory mandate and powers, the Human Rights Commission of Malaysia (SUHAKAM) will investigate the cases of missing persons / disappearance of Pastor Raymond Koh, Amri Che Mat, Pastor Joshua Hilmi and Ruth Hilmi, to assist the authorities with their ongoing investigation.

SUHAKAM observes that much remains to be done considering that these cases of missing persons and disappearances remain unresolved, with mounting public anxiety. SUHAKAM underscores that all direct victims and their families have the right to know the truth, to have effective access to justice and to obtain redress. The right to know the truth, which is the core of the issue, has an individual and collective dimension and the public at large are entitled to know about the circumstances of the missing persons.

In relation to this, SUHAKAM calls for individuals with relevant and important information to come forward to have their statements recorded by SUHAKAM from now to **7 July 2017**. Statements can also be recorded through phone by contacting SUHAKAM's Complaints Division at 019-3338490. With relevant information from the public and our continuing investigation, it is the intention of SUHAKAM to use this information to take the process further.

Notwithstanding SUHAKAM's investigation, the Commission calls on the authorities to fully and expeditiously investigate all cases where there is a reasonable suspicion that an enforced disappearance may have occurred. SUHAKAM underlines that ready availability of information on issues of public concern is of vital importance in a democratic society with an avowed commitment to transparency.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

RIGHT TO BE RESPECTED, SAFE AND FREE FROM VIOLENCE, HARRASMENT AND BULLYING

KUALA LUMPUR (17 JUNE 2017) - The Human Rights Commission of Malaysia (SUHAKAM) is deeply saddened and joins in the national grief following the deaths of T.Nhaveen and Zulfarhan Osman Zulkarnain, both of whom lost their lives prematurely, allegedly due to extreme bullying.

While the public outcry for loss of life is understandable, SUHAKAM is of the view that the demand for the most severe criminal prosecution may be a short-term solution as such a response does not address the root cause of this escalating social problem. SUHAKAM underlines that the link between bullying and later delinquent and criminal behaviour cannot be ignored, and early identification and intervention of bullying is therefore necessary to ensure that all children are safe. All adults are accordingly responsible for creating positive environments and ending violence in the lives of children and youth.

SUHAKAM reiterates that everyone has the right to be respected, safe and free from violence, harassment and bullying, as well as the right to be free from torture, cruel, inhuman and degrading treatment. When bullying is unchecked, parents, teachers, students, community and religious leaders, Government as well as all stakeholders are compelled to find a suitable formula for preventing bullying in a manner that protects all children and students, including society. As bullying is a complex social problem that requires a multitude of approaches, the authorities must also demonstrate that our society can and must function within a culture of non-violence.

SUHAKAM expresses its deepest condolences to the families, friends and loved ones of Nhaveen and Zulfarhan.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

COUNTRY'S UPGRADE TO TIER 2 IN THE US STATE DEPARTMENT'S 2017 TRAFFICKING IN PERSONS (TIP) REPORT

KUALA LUMPUR (30 JUNE 2017) - The Human Rights Commission of Malaysia (SUHAKAM) welcomes the country's upgrade to Tier 2 in the US State Department's 2017 Trafficking in Persons (TIP) Report, noting significant efforts by the Government to eliminate trafficking in persons including increased efforts by expanding trafficking investigations, prosecutions, and convictions as well as strengthened enforcement of the law. SUHAKAM recognises the commitment by the Government to fight human trafficking and those responsible for this turn of events deserve praise.

However, SUHAKAM concurs with the finding that Malaysia's victim protection efforts remain inadequate. SUHAKAM is concerned that not all victims of trafficking are granted freedom of movement and the ability to work while their investigations are pending in Court. The Report also identified that contract violations remained widespread as some migrant workers on palm oil and agricultural plantations, at construction sites, in the electronics industry, and in homes as domestic workers are subjected to practices that can indicate forced labour, such as passport retention, restricted movement, wage fraud, and imposition of significant debts by recruitment agents or employers. SUHAKAM is also concerned with the lack of inter-agency and inter-ministerial coordination to implement the national antitrafficking law and policy.

SUHAKAM believes that Malaysia is committed to the struggle against human trafficking and that all Malaysians share the aspiration for the country to achieve Tier 1 status by 2020 as underlined in the National Action Plan for Anti-Human

Trafficking (NAP TIP) that was launched by the Deputy Prime Minister in 2016. This would make Malaysia a country whose government fully meets the Trafficking Victims Protection Act's (TVPA) minimum standards.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

SITI ZABEDAH KASIM WAS CHARGED UNDER SECTION 186 OF THE PENAL CODE

KUALA LUMPUR (1 JULY 2017) - The Human Rights Commission of Malaysia (SUHAKAM) is dismayed that lawyer Siti Zabedah Kasim has been charged under Section 186 of the Penal Code for allegedly obstructing a public servant in discharge of his public functions after identifying herself as a lawyer discharging her duties to her clients during a raid at a private event by the Federal Territories Islamic Affairs Department (JAWI) on 3 April 2016.

SUHAKAM underlines the protections in the United Nations Basic Principles on the Role of Lawyers, and that legal professionals play a vital role in upholding human rights, ensuring due process and the right to a fair trial, and to ensuring respect for the rule of law. The State must ensure that lawyers can perform their duties and professional functions without any form of harassment, intimidation, hindrance or improper interference. SUHAKAM accordingly advises that the charge against Siti Kasim be dropped.

SUHAKAM cautions that where lawyers are unable to defend their clients for fear of arrest, criminal charges or intimidation, they cannot properly defend people facing violations of their human rights.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATMENT

TIME TO ACT AGAINST TORTURE IN MALAYSIA

KUALA LUMPUR (6 JULY 2017) - We, the Human Rights Commission of Malaysia (SUHAKAM), Amnesty International Malaysia, SUARAM and Lawyers for Liberty (LFL), call on the Malaysian Government to demonstrate its commitment to combat and prevent torture, inhuman and degrading treatment by acceding to the United Nations Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT).

The UNCAT was adopted by the UN General Assembly on 10 December 1984 and came into force on 26 June 1987. Malaysia remains among the 27 United Nations Member States that has not acceded to this 30-year old human rights instrument which provides global measures for the protection of freedom from torture.

As a coalition that has been campaigning for Malaysia's accession to the UNCAT since 2015, we firmly believe that it is important for Malaysia to become a Party to this Convention which, in effect asserts the responsibility of the Government and its agents including enforcement authorities to comply with the provisions embodied in the Convention, and to protect people against torture or other forms of ill-treatment.

We are particularly concerned with the incidents of deaths in police custody in Malaysia particularly those that were attributed to the authority's negligence and misconduct. These are the deaths of A. Kugan, N. Dhamendran, C. Sugumar, P. Chandran, and Karuna Nithi, Syed Mohd Azlan B. Syed Mohamed Nur, and more recently, S. Balamurugan – all of which have become a matter of public concern and scrutiny. These unfortunate incidents also indicate the possibility of systemic problems in managing and handling detainees in police lock-ups.

The right to life, liberty and security is a fundamental right that all individuals are entitled to, and it is enshrined in Article 3 of the 1948 Universal Declaration of Human Rights (UDHR). Similarly, Article 5 of the Federal Constitution of Malaysia guarantees the right to life and liberty of a person. We firmly believe that these rights are of significance to those in detention as they are subject to restrictions and may be at risk of being tortured or ill-treated.

We echo the recent call made by four international experts on torture in calling on States to move away from confession-based criminal justice systems as an essential step to prevent torture and ill-treatment, as well as to adopt effective, ethical, and non-coercive techniques in conducting investigations and interviewing all persons, including suspects, victims, and witnesses.

In achieving a torture-free nation, we believe that Malaysia must accede without hesitation to the Convention which requires State Parties to take effective legislative, administrative, judicial or other measures to prevent acts of torture or other forms of ill-treatment.

The Human Rights Commission of Malaysia (SUHAKAM)
Amnesty International Malaysia
SUARAM
Lawyers for Liberty

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

AMENDMENTS TO THE KELANTAN SHARIAH CRIMINAL PROCEDURE ENACTMENT 2002 BY THE KELANTAN STATE LEGISLATIVE ASSEMBLY

KUALA LUMPUR (19 JULY 2017) - The Human Rights Commission of Malaysia (SUHAKAM) refers to the passing of the amendments to the Kelantan Shariah Criminal Procedure Enactment 2002 by the Kelantan State Legislative Assembly that will allow for among others, public caning. In the context of our mandate, SUHAKAM is obliged to take a public position that it is against any form of punishment where the position of the law is discriminatory beyond what is already the situation. SUHAKAM reiterates that everyone must be treated equally under all laws as equality is a basic aspect of a just and fair society.

SUHAKAM has taken the position that caning is a form of cruel, inhuman and degrading punishment and has made its position known that caning should not be part of our criminal justice system as it is has no rehabilitative potential. Caning in any setting violates the absolute prohibition of torture under international law and is absolutely prohibited by the international human rights treaties that Malaysia has acceded to.

SUHAKAM also advises that religious laws applied by states must be in accordance with the country's international human rights obligations, and states such as Kelantan cannot invoke provisions of national law to justify non-compliance with their obligations under international law.

SUHAKAM calls on both the State and Federal Governments to review all such laws to ensure repeal of any provision that contravenes international human rights law and universally accepted standards. The Federal Government must also ensure that human rights are respected throughout the country regardless of the internal governance of each state.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

BANNED OF A BOOK PUBLISHED BY THE G25 "BREAKING THE SILENCE: VOICES OF MODERATION - ISLAM IN A CONSTITUTIONAL DEMOCRACY"

KUALA LUMPUR (28 JULY 2017) - The Human Rights Commission of Malaysia (SUHAKAM) is aghast that the Ministry of Home Affairs has banned "Breaking the Silence: Voices of Moderation - Islam in a Constitutional Democracy", a book published by the G25. It is SUHAKAM's understanding that the book was published last year and has been positively received by many sects of the public.

The view of SUHAKAM is that the book provides access to understanding Malaysian aspirations in dealing with the promotion of peace, as well as cultural and religious understanding.

SUHAKAM notes that 11 out of the 21 chapters of the book focuses on issues relating to Islam and the Syariah which are in line with the wisdom of Islam *Hadhari*, which has been promoted by our former Prime Minister Tun Dato' Sri Haji Abdullah bin Haji Ahmad Badawi and encapsulated in the concept of *wasatiyyah* advocated by the Honourable Prime Minister, Dato' Sri Haji Mohammad Najib bin Tun Haji Abdul Razak.

SUHAKAM calls on the Ministry of Home Affairs to lift the ban and review the relevance of the Printing Presses and Publications Act 1984 (PPPA).

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

REGIONAL CONFERENCE ON "DEMOCRACY IN SOUTH EAST ASIA: ACHIEVEMENTS, CHALLENGES, AND THE ROAD AHEAD"

KUALA LUMPUR (5 AUGUST 2017) - The Human Rights Commission of Malaysia (SUHAKAM) and the Kofi Annan Foundation will be jointly organising a 2-day Regional Conference on "Democracy in South East Asia: Achievements, Challenges, and the Road Ahead" on 2 and 3 September 2017 in Kuala Lumpur.

The Prime Minister of Malaysia, Dato' Sri Haji Mohammad Najib bin Tun Haji Abdul Razak will be delivering a keynote address to launch the conference. Former president of Indonesia, Bambang Yudhoyono and the President of International IDEA Yves Leterme, former Prime Minister of Belgium will also speak at the opening ceremony. The participants and panellists would include a mix of relevant Officials, as well as representatives from international and regional civil society organisations.

The programme of the conference will be made available in due time.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

SUHAKAM'S RESPONSE: DEATH IN POLICE CUSTODY (PARTHIBAN A/L KARUTHANI)

KUCHING (8 AUGUST 2017) - The Human Rights Commission of Malaysia (SUHAKAM) concluded its independent investigation into the death of Parthiban a/l Karuthani (K. Parthiban), a Melaka Tengah police lock up detainee who died at the Malacca Hospital on 22 May 2017 while receiving treatment. Although the deceased died in hospital, he was under police custody at the time of his death, and accordingly, his death is classified as a death in police custody.

In accordance with sections 4(1) and 12 of the Human Rights Commission of Malaysia Act 1999, SUHAKAM recorded 24 statements during this investigation. SUHAKAM identified unresolved issues concerning the delivery of medical attention in lock up vis-à-vis custodial deaths, and is of the view that little improvement has been made in police procedures for dealing with the delivery of medical attention for persons in police custody.

Briefly, based on testimonies from 24 witnesses including the police and medical officers, SUHAKAM found that the deceased, a suspected gang leader was not in good health but had refused medical treatment at the Melaka Tengah Police Station initially. The police were not immediately aware that the deceased was a diabetic patient but were subsequently informed by him. SUHAKAM was informed that there was an order for the deceased to receive treatment at the Malacca Hospital, but the police escorting unit were of the view that the order was only for serious medical cases. As his condition was not deemed to be serious enough by the police, the deceased was taken to two different clinics. SUHAKAM notes that there the medical officer at Klinik Kesihatan Peringgit did not have a medical record of the deceased from the police and the deceased was not taken to his follow up appointment set by the medical officer.

SUHAKAM observed that there were gaps in communication, with consequences, between the management of the Melaka Tengah Police station and escort unit. SUHAKAM wishes to point out that during his 21-day remand from 2 May 2017 under the Prevention of Crime Act 1959 (PCA 1959), the deceased was interviewed six times.

Although there has been a plethora of previous reports, recommendations and proposals from SUHAKAM to assist the authorities to protect the health and safety of detainees with an aim to minimizing incidences of deaths in police custody, we regret that many of these have not been implemented or have been ignored.

SUHAKAM also wishes to highlight that in satisfying duty of care requirements, the police are responsible for the provision of medical attention to any detainee who requires it. Police procedure further require that regular cell checks occur to ensure the safety of detainees, with more frequent checks for detainees at risk. SUHAKAM re-emphasizes that if there are doubts concerning the health, welfare or medication for a detainee, the police are obliged to seek a professional medical opinion. SUHAKAM has repeatedly highlighted these issues in response to previous deaths in custody.

In accordance with section 13(2) of Act 597, SUHAKAM makes the following recommendations based on the outcome of its investigation:

i. That an inquest under Section 334 of the Criminal Procedure Code (CPC) be conducted to identify the cause of the death and whether negligence contributed to the death.
ii. That the Ministry of Home Affairs and the police, together with the Ministries of Health and Finance ensure that Regulation 10 of the 1953 Lock-up Rules is implemented by providing adequate budget, man-power and equipment; as well as to establish custodial medical teams in all lock ups.
iii. That the death be promptly, independently and effectively investigated and appropriate action be taken, whether disciplinary or criminal, based on evidence.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

SUHAKAM TO CONDUCT A PUBLIC INQUIRY

KUCHING (9 AUGUST 2017) - In exercise of the powers conferred by sections 12 and 14 of the Human Rights Commission of Malaysia Act 1999 (Act 597), the Human Rights Commission of Malaysia (SUHAKAM) will be conducting a public inquiry into the cases of Pastor Raymond Koh, social activist Amri Che Mat and Pastor Joshua and his wife, Ruth Hilmi who were reported missing on 13 February 2017 and 24 November 2016 respectively. SUHAKAM is of the view that it is necessary in the public interest to do so.

In accordance with SUHAKAM's mandate, the inquiry will consider, among others, whether these cases are cases of enforced or involuntary disappearances, as defined under the International Convention for the Protection of All Persons from Enforced Disappearance that defines an enforced disappearance as the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State.

The inquiry will also consider whether the authorities, specifically the Royal Malaysia Police have taken adequate steps to investigate these cases. SUHAKAM will continue to gather information from all stakeholders, including the police and others who have been cooperative towards finding some truth to the matter.

The public hearings are tentatively scheduled to be held in October 2017.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

SUHAKAM'S RESPONSE TO THE DECISION TO WITHDRAW S88A OF THE LAW REFORM (MARRIAGE AND DIVORCE) (AMENDMENT) BILL 2017

KUALA LUMPUR (11 AUGUST 2017) - The Human Rights Commission of Malaysia (SUHAKAM) regrets and is disappointed over the decision to withdraw a provision in the Law Reform (Marriage and Divorce) (Amendment) Bill 2017 which would have been an effective solution to the unilateral religious conversion of minors by a parent. It is our view that the amendment would have resolved interfaith custody conflicts between Muslim and non-Muslim parents; and establish coherent standards for reconciling the principle of the best interest of the child with the Constitutional rights of parents in the exercise of the right to freedom of religion.

SUHAKAM recognises that some progressive changes are found in the amended Act particularly regarding the dissolution of a civil marriage and the distribution of matrimonial assets to interested parties. However, the core issue of prohibiting unilateral conversion that has affected so many lives and the future of many children which earlier the Government had wanted to remedy remains without a solution despite indications from the Government to deal with the matter.

SUHAKAM calls on the Government to commit firmly to this issue and to recognise the importance of both parents to have equal parental rights and authority in relation to the religion, custody and upbringing of their children, considering the principle of the best interest of the child. SUHAKAM believes that the remedy lies in an amendment to Article 12(4) of the Federal Constitution.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

URGENT REFORM NEEDED REGARDING INHUMANE LOCK UP CONDITIONS IN AYER MOLEK

KUALA LUMPUR (16 AUGUST 2017) - The Human Rights Commission of Malaysia (SUHAKAM) visited the Ayer Molek Police Lock Up in Johor Bahru on 31 July 2017 pursuant to its legislated mandate for an independent and objective scrutiny of the conditions and human rights situation of the lock up, particularly on several critical issues such as healthcare practices.

The Ayer Molek Police Lock Up is a former prison that was converted into a temporary police lock up on 8 January 2009. It has a maximum capacity of 180 detainees. SUHAKAM visited all cells and observed that the conditions were extremely poor, with decaying flooring and dilapidation in most cells. While detainees were not necessarily subjected to overcrowding, the cells were small, without adequate lighting and ventilation or bedding. It is SUHAKAM's observation that the detainees were held in conditions hazardous to their health and wellbeing.

SUHAKAM is extremely concerned to learn that drinking water was only provided three times a day. SUHAKAM emphasizes that having access to safe drinking water is central to living a life in dignity; and in accordance with Rule 20(2) of the Standard Minimum Rules for the Treatment of Prisoners, drinking water shall be available to every prisoner whenever he needs it. While detainees are entitled to clothing that is clean, there was also an overall shortage of clean lock up clothes.

SUHAKAM finds it unacceptable that the daily food budget for detainees is RM 8 for three meals per detainee. Even the lock up staff acknowledge that this amount does not allow for sufficient portions that are nutritionally balanced and adequate according to the diet prescribed by the Ministry of Health. During the visit, SUHAKAM received complaints regarding the quantity and quality of food that was provided. SUHAKAM stresses that there is an urgent need to undertake

a review of the budget allocation for food and potable drinking water for detainees throughout the country, as we believe that similar circumstances exist in other lock ups nationwide. Given the numbers of persons in detention, the allocated national budget for this population must be revisited.

SUHAKAM is also troubled with the absence of a custodial medical team and medical officer as stipulated under the Lock Rules 1953 to provide immediate medical care to detainees despite our repeated and numerous recommendations. Overcrowding, inadequate access to healthcare services, poor nutrition, hygiene and sanitation are not only violations of human rights, but these conditions increase the risk of the spread diseases such as tuberculosis within the lock up. SUHAKAM empathizes with lock up officers who have to purchase face masks and gloves on their own to protect themselves against tuberculosis and other transmission of diseases. SUHAKAM was informed that there were cases of police officers stationed at the lock up who had contracted tuberculosis from sick detainees.

SUHAKAM observes that the United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules) which is a soft law instrument that contains provisions protecting the human rights and personal liberties of detainees are not being fully complied with. SUHAKAM emphasises that lock up management must ensure that the detainee's unconvicted status is demonstrated in their treatment and calls on the Ministry of Home Affairs to take immediate steps to remedy the deplorable and inhumane conditions endured by persons who are on remand and not yet charged.

SUHAKAM is of the view that the conditions are so poor that they amount to cruel, inhuman or degrading treatment and reiterates that treating persons deprived of their liberty with humanity and respect for their dignity is a basic and universally applicable tenet; the applicability of which cannot be dependent on budget or financial resources of a lock up. If acceptable standards in detention cannot be maintained, the Ayer Molek and other lock up's in similar conditions must be closed.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

SUHAKAM'S RESPONSE TO THE DEPUTY MINISTER'S STATEMENT

KUALA LUMPUR (17 AUGUST 2017) - In defence of the credibility of the Human Rights Commission of Malaysia (SUHAKAM), it must be pointed out that while the Ayer Molek Prison in Johor Bahru was closed and moved to Ulu Choh, Pulai, Johor in 2016 as mentioned by the Deputy Minister, Datuk Nur Jazlan, the Ayer Molek Police Lock Up is still operating in one part of the former prison building and SUHAKAM visited that lock up on 31 July 2017 which is in a deplorable condition.



TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

HUMAN RIGHTS DEFENDERS

KUALA LUMPUR (17 AUGUST 2017) - SUHAKAM wishes to reiterate that human rights defenders are people who work towards the realisation of the rights and freedoms contained in our Federal Constitution, the Universal Declaration of Human Rights and other human rights instruments through nonviolent means. The efforts of human rights defenders contribute to positive societal change and play an important role in the establishment of the rule of law. They certainly cannot be said to be defending crime syndicates and criminals. SUHAKAM believes that a functioning democracy need informed and critical voices.

It is SUHAKAM's view that in defending the law through which they contribute to the promotion and protection of human rights, the police can exemplify the work of human rights defenders.

SUHAKAM expresses recognition for the commendable work of human rights defenders to ensure the effective observance of the human rights of Malaysians and people within our borders, and acknowledges that their role in society is fundamental to guaranteeing and safeguarding democracy and the rule of law.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT

REGIONAL CONFERENCE ON DEMOCRACY IN SOUTHEAST ASIA: ACHIEVEMENTS, CHALLENGES, PROSPECTS

KUALA LUMPUR (30 AUGUST 2017) - The Kofi Annan Foundation and the Human Rights Commission of Malaysia (SUHAKAM) are jointly organising a regional conference on the state of democracy in Southeast Asia on September 2-3 in Kuala Lumpur. The conference will be opened by the Sixth President of The Republic of Indonesia, President Dr. Haji Susilo Bambang Yudhoyono. YB Datuk Paul Low Seng

Kuan, Minister in the Prime Minister's Department and Former Prime Minister of Belgium and current head of the International Institute for Democracy and Electoral Assistance (International IDEA), Yves Leterme will address participants with opening remarks. Surin Pitsuwan, former Foreign Minister of Thailand and former Secretary General of ASEAN, will close the conference with an address on 3 September.

"Elections without integrity cannot provide the winners with legitimacy, the losers with security and the public with confidence in their leaders and institutions", says Kofi Annan, chair of the Kofi Annan Foundation. "This conference will provide a platform for much needed exchanges to deepen democracy throughout Southeast Asia".

The objective of the conference will be to share experiences, compare challenges and exchange best practices, with an aim to strengthen electoral integrity in the region, as well as the exchange of experiences to support democracy through peaceful elections with integrity and smooth transitions in Southeast Asia.

Key takeaways will be captured in a synthesis report that will be published subsequently, containing cutting-edge approaches to strengthening democracy and electoral integrity throughout Southeast Asia.

The conference will include representatives from governments, political parties, civil society organisations, academia and the media from countries across the region. Countries represented include Malaysia, Indonesia, Singapore, Timor Leste, the Philippines, Thailand, Myanmar, Vietnam and Cambodia.

Six panels will discuss among others, development and democratization; the relationship between economic growth and democratization; election management bodies as a means of building trust and legitimacy in the political process; financing elections without undermining legitimacy; securing elections; pluralism and identity politics in democracies; and the role of civil society organisations in ensuring respect for political rights.

For more information, please visit: www.kofiannanfoundation.org or www.suhakam.org.my.

Human Rights Commission of Malaysia (SUHAKAM)
Kofi Annan Foundation

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

THE RIGHT TO FREEDOM OF PEACEFUL ASSEMBLY ON THE BASIS OF ARTICLE 20 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR)

KUALA LUMPUR (3 SEPTEMBER 2017) - The Human Rights Commission of Malaysia (SUHAKAM) clarifies that every human being wherever they are has the right to freedom of peaceful assembly on the basis of Article 20 of the Universal Declaration of Human Rights (UDHR). This right is constitutionally guaranteed for Malaysians in Article 10 of the Federal Constitution. However violent protesters lose their protection under the right to peaceful assembly, and the police shall act against those breaking the law.

The instincts of compassion and hospitality of Malaysia to provide refuge to Rohingya refugees who have suffered violence, hardship, threats to life and displacement must also mean that refugees in Malaysia respect and adhere to the laws of Malaysia.

SUHAKAM also emphasises that the principle of inviolability guarantees the sanctity of diplomatic and consular premises and Malaysia is obliged to protect the premises of diplomatic missions from intrusion or damage or impairment of its dignity.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

APPOINTMENT OF DATUK SERI MOHAMAD FUZI HARUN AS THE NEW INSPECTOR GENERAL OF POLICE

KUALA LUMPUR (6 SEPTEMBER 2017) - The Human Rights Commission of Malaysia (SUHAKAM) welcomes the appointment of and congratulates Datuk Seri Mohamad Fuzi Harun who was appointed as the Inspector General of Police.

As police officers play a vital role in the protection and promotion of the human rights of all people, SUHAKAM looks forward to working together with the Royal Malaysia Police to address the many challenges that we still face together, particularly where human rights are at the centre of those concerns. We also look forward to assisting the police to resolve certain outstanding issues as per SUHAKAM's recommendations submitted to the police over the years.

SUHAKAM trusts that policing policies will be based on the principles and values of universal human rights as respect for fundamental human rights and the prevention of discrimination are indispensable to guaranteeing the security of all individuals. SUHAKAM encourages an ethos of legitimacy and of compliance with international human rights standards within the police force.

SUHAKAM believes that working together we can strengthen the equality and human rights agenda in Malaysia, as well as advance the commitment of the Royal Malaysia Police to the protection of human rights.

TAN SRI RAZALI ISMAIL
Chairman

CONCLUSION OF THE REGIONAL CONFERENCE ON DEMOCRACY IN SOUTHEAST ASIA ACHIEVEMENTS, CHALLENGES, PROSPECTS

KUALA LUMPUR (7 SEPTEMBER 2017) - On 2 and 3 September 2017, the Human Rights Commission of Malaysia (SUHAKAM) and the Kofi Annan Foundation hosted a regional conference in Democracy in Southeast Asia. Bringing together former leaders from around the world, this conference accelerated discussions on electoral integrity reform and the state of democracy in the region.

Opening the conference, the Sixth president of the Republic of Indonesia, President Dr. Haji Susilo Bambang Yudhoyono was of the view that "no doubt in coming decades the number of democracies around the world will increase; but the signs of democratic setbacks in the region cannot be denied and must be prevented and managed well". The former President added that "many politicians are learning that shallow populism can be a short-cut to public office."

Yves Leterme, former Prime Minister of Belgium and Secretary-General of International IDEA encouraged that "all nations in Southeast Asia ensure that the gains made over the past decades in electoral integrity are maintained and that tendencies towards sectarianism and identity politics are minimized to ensure that democracy building in the region can endure for generations to come."

Minister in the Prime Minister's Department Malaysia Senator Datuk Paul Low Seng Kwan who represented the Government of Malaysia in his welcoming remarks concluded that the key pillars for a successful democracy are among others, political stability and integrity that is supported by free and fair elections; good governance in upholding the rule of law; strong accountability and freedom from corruption; as well as adequate space for social liberty that recognizes human rights.

SUHAKAM Chairman Tan Sri Razali Ismail in his welcome remarks opined that the

challenges to electoral integrity were not limited to authoritarian regimes and democracies in progress or regress; and that in ASEAN there is a stronger need for a wider and freer civil society space, with more leeway for the contributions of dissenting views to policy making.

Other speakers included Dr Noeleen Heyzer, former Executive Secretary of the United Nations Economic and Social Commission for South East Asia (ESCAP); Ambassador Bilahari Kausikan; former Deputy Minister in Indonesia's Presidential Delivery Unit Heru Prasetyo; Beverly Hagerdon of the International Foundation for Electoral Systems and His Highness Tunku Zain Al-'Abidin ibni Tuanku Muhriz, Founding President of the Institute for Democracy and Economic Affairs (IDEAS).

The conference discussed, among others, threats to democracy in Southeast Asia such as the rise of populism, illicit electoral financing and the politics of identity. Southeast Asia's pluralistic societies are seen as one of the region's key strengths and participants expressed concern over growing sectarianism and manipulation of identity politics which is a central threat to the democratic process in the region.

Several panels pointed to the central role of strong and independent electoral management bodies to safeguard the electoral process. It was also recognized that elections alone are not sufficient for healthy democratic governance. Panelists also discussed the challenges to create a safe environment for elections that include the shrinking of civil society space; difficulty of deploying election observers for long periods of time due to limited resources and the need to obtain approval from the authorities; as well as the rise of social media, which could have both positive and negative impacts on the safe environment for elections. The panel discussion on "Pluralism and Identity Politics in Democracies" that was moderated by Dr Surin Pitsuwan, former Foreign Minister of Thailand and Secretary General of ASEAN highlighted among others, that the rise of identity politics is in the region was becoming prevalent and it has manifested itself in the use of religious sentiments. Michael Vatikiotis who is the Asia Regional Director of the Centre for

Humanitarian Dialogue was of the view that the threat to pluralism and contribution of poorly regulated democratic politics must be recognized; and there is a need to identify the relevant reforms to safeguard pluralism and democracy. In the context of Malaysia, he stressed on the need for a check on the recourse to hate speech.

The final panel of the conference discussed the key role of civil society organisations (CSO's) in ensuring respect for political rights including elections. Jose Luis Martin C. Gascon, Chairperson of the Commission on Human Rights of the Philippines emphasized the essential role of CSO's: deepening and consolidating democracy both with regard to the conduct of elections and the needed reforms between elections; empowerment by building capacity; playing a countervailing role between the 'market' and the State; advocating for the fulfilment of public interest by demanding transparency, accountability and respect for human rights; and highlighting the specific needs of marginalised groups by, among others, addressing their participation in the political process. Mr. Gascon also underscored that from a human rights perspective, there were a list of rights enshrined under Article 25 of International Covenant of Civil and Political Rights (ICCPR) that need to be respected to ensure free and fair elections and that CSOs had a role to monitor the fulfilment of those rights.

The conference was closed by Dr Surin Pitsuwan, who in his closing remarks stated that "Southeast Asia needs to re-imagine a more efficient and holistic form of democracy. To progress further, political processes need to include not just society's upper 10% but all people, including those who remain at the fringes of society today." Dr Pitsuwan identified electoral integrity as "the next pragmatic step forward for the region's progress."

The conference brought together government officials, academics, diplomats, political leaders, civil society representatives and media from across ten countries across Southeast Asia and beyond and was well attended by over 250 participants.

Key takeaways will be captured in a synthesis report expected to be published in October 2017.

For more information on the Kofi Annan Foundations work around electoral integrity, please visit: elections.kofiannanfoundation.org

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Human Rights Commission of Malaysia (SUHAKAM)
Kofi Annan Foundation

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

SUHAKAM OBSERVES POOR AND UNSANITARY CONDITIONS IN TANAH MERAH IMMIGRATION DEPOT

KUALA LUMPUR (13 SEPTEMBER 2017) - In line with its legislated mandate, the Human Rights Commission of Malaysia (SUHAKAM), led by Commissioner Jerald Joseph visited the Tanah Merah Immigration Depot, Kelantan on 23 August 2017 for an independent and objective inspection of the conditions and human rights situation.

SUHAKAM concludes that, notwithstanding some positive recent changes to the immigration detention system in the country, detainees in the facility are held in unacceptable conditions. Based on the visit, SUHAKAM offers preliminary observations on a variety of concerns regarding immigration policies and practices.

The Tanah Merah Immigration Depot was gazetted in September 1994 and has been in operation since December the same year. The gazette capacity is 350 (250 male and 100 female) but the Ministry of Home Affairs has determined that the Depot can accommodate up to 800 detainees. The factors considered by the Ministry that support this finding is not known to SUHAKAM. During SUHAKAM's visit, there were 429 detainees including 35 women and 82 children (below 18 years). Detainees are allocated a food budget of RM6.00 per day, which in our view may be insufficient to cater for adequate meals. However, SUHAKAM observed that the food quality and water quantity were acceptable and in line with the guidelines set by the Ministry of Health. The kitchen and food preparation area were well maintained and found to be clean.

In terms of the physical and building conditions, SUHAKAM found that two out of the three main blocks made of wooden structures were dilapidated. To make matters worse, the conditions were unsanitary and the blocks were poorly maintained. Owing to the lack of sufficient ventilation, the blocks were unbearably hot and foul smelling. SUHAKAM was troubled that almost all wall

fans installed for ventilation purposes were not working. In one block that housed male detainees, all five toilets were blocked and not functioning. The toilet conditions in the other male blocks were also wholly unacceptable. SUHAKAM advices that the sanitary installations shall be adequate to enable every detainee to comply with the needs of nature when necessary and in a clean and decent manner. SUHAKAM reiterates that respect for dignity shall be guaranteed to all detainees at all times.

A broad majority of the detainees that SUHAKAM spoke to complained of health problems including scabies, back and stomach pains. The current placement of an assistant medical officer (Grade U32) is in our view not suitable to respond to health crises due to the number of detainees and the severity of their health problems. SUHAKAM recommends that a medical officer be immediately appointed.

SUHAKAM noted the complete lack of an outdoor recreation area for detainees; and the psychological impact of the detention conditions was apparent to SUHAKAM's delegation. Due to the extremely poor conditions, even the facility staff faced serious health problems. It is SUHAKAM's view that the poor conditions may further contribute to mental health concerns of both detainees and staff. SUHAKAM recommends that compulsory, free of charge and target specific periodic health screening for immigration staff be offered by the Ministry of Health.

SUHAKAM reiterates that the principle of treatment with respect for the dignity and value as human beings and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment must be respected in all immigration detention policies. SUHAKAM will continue to monitor and review all places of detention with our inspections underpinned by universal human rights standards. In this regard, SUHAKAM looks forward to working with the Ministry of Home Affairs and Immigration Department, as well as the Office of the United Nations High Commissioner for Refugees (UNHCR) and civil society organizations as we continue to develop recommendations for improvements to the immigration system to ensure that detainees' human rights are protected throughout the detention process.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

SUHAKAM EXPRESSES ITS DEEPEST CONDOLONCES ON THE DEATHS OF 23 PEOPLE AT PUSAT TAHFIZ DARUL QURAN ITTIFAQIYAH

KUALA LUMPUR (15 SEPTEMBER 2017) - The Human Rights Commission of Malaysia (SUHAKAM) expresses deep sadness over the tragic deaths of 21 children and two teachers in a fire at the Pusat Tahfiz Darul Quran Ittifaqiyah in Jalan Datuk Keramat, Kuala Lumpur. SUHAKAM expresses its deepest condolences to the families and loved ones of those who perished.

This avoidable tragedy is a horrendous reminder to the Government that all schools, including religious schools must be regulated by the Ministry of Education to ensure adherence to procedures for setting up the school; fire, life safety and building codes, as well as certification of school premises, among other things. Whether such schools are required to undertake risk assessments to identify among others, general fire precautions needed to safeguard the safety of occupants in case of fire, including their safe means of escape is not known. SUHAKAM is of the view that the Government must be in a position to determine, put in place mechanisms, and regulate safety and security aspects of all educational institutions.

SUHAKAM finds it unacceptable that the school was allowed to operate without having complied with safety and health standards and regulations; including an inspection by the Fire and Rescue Department. It is our view that fire and life safety codes are in place to prevent accidents and injuries and to ultimately save lives; and therefore, individuals and agencies responsible must be held accountable for failure to ensure compliance and safety.

SUHAKAM reiterates that if actual learning is to occur, the learning environment for children must be environmentally and psychologically safe; and children,

as well as their teachers and support staff deserve to be in a safe learning environment. They have a right to be safe from accidents and potential dangers.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

THE ARREST OF TURKISH JOURNALIST MUSTAFA AKYOL

KUALA LUMPUR (27 SEPTEMBER 2017) - The incident where internationally respected Turkish journalist, author and public speaker was detained and arrested, and subsequently released after 17 hours not only blemishes the reputation of Malaysia as a moderate nation as we professed internationally and reiterated recently, but also adds serious uncertainties to all Malaysians as to how arbitrary actions can affect the fabric of our society.

The Human Rights Commission of Malaysia (SUHAKAM) does not believe that the action of Jabatan Agama Islam Wilayah Persekutuan (JAWI) reflects a changed policy of the Government, but evidently, a sector of Government has been allowed to take arbitrary measures albeit as interpreted by them in defence of their interpretation of principles. Such extreme action in our multi-religious, multiracial and moderate Malaysia in our view is repressive, undemocratic and intended to be intimidating. There is no question that this must be stopped by the Government and such actions that reflect hostility, narrow-mindedness and intolerance of civil, intellectual and religious discourse should not be committed again.

Such action only emboldens those who push for polarisation and superiority or pre-eminence of one group or one religious belief over another. There can be many Malaysians who interpret such actions as the Government being inclined towards accommodating them. SUHAKAM strongly counsels the Government to take stock of the drift towards religious extremism and fears that if such situations continue, Malaysia would change qualitatively for the worst.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

SUHAKAM'S PUBLIC INQUIRY INTO THE INCIDENTS OF DISAPPEARANCES OF INDIVIDUALS

KUALA LUMPUR (5 OCTOBER 2017) - Further to its statement on 9 August 2017, the Human Rights Commission of Malaysia (SUHAKAM) will hold a public inquiry in accordance with section 12(1) of the Human Rights Commission Malaysia Act 1999 (Act 597) on the disappearances of Pastor Raymond Koh, social activist Amri Che Mat; Pastor Joshua and his wife, Ruth Hilmi on the following dates **October 19, 20 and 30** and **November 2,3,13,14,15,15 & 17.**

To date, SUHAKAM has recorded 35 statements from witnesses for all cases and the inquiry process is meant to answer questions, and to shine a light on the situation.

The Panel of Inquiry are Commissioners Dato' Mah Weng Kwai (Chairperson), Prof Dato' Dr Aishah Bidin and Dr. Nik Salida Suhaila bt Nik Saleh.

The **terms of reference** for the Inquiry are:

a) To determine whether these are cases of enforced disappearances as defined under the International Convention for Protection of all Persons from Enforced Disappearances or are cases of involuntary disappearances in breach or breaches of the criminal and/or civil law and/or applicable human rights laws (hereinafter referred to as such alleged breach or breaches);
b) If (a) has been established at the inquiry:
    i. How such alleged breach or breaches came about;
    ii. To identify person(s) or agency(ies) responsible for such alleged breach or breaches;
    iii. What administrative directives or procedures, or arrangements contributed to such alleged breach or breaches.
c) To consider whether the authorities, specifically the Royal Malaysia Police have taken adequate steps to investigate such alleged breach or breaches.

d) To recommend measures or guidelines to be taken to ensure that such alleged breach or breaches do not recur.

The Public Inquiry will be held at the **SUHAKAM Inquiry Room Level 13**, Human Rights Commission of Malaysia, 1001 Jalan Sultan Ismail, 50250 Kuala Lumpur. Members of the public, interested parties or stakeholders and media are invited to attend.

For further information, contact Simon Karunagaram of the Inquiry Secretariat at simon.suhakam@gmail.com or 012-329 0683.

For media inquiries, contact Jesrina Grewal at Grewal.jesrina@gmail.com or 012-6200 599.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

NATIONAL BUDGET 2018

KUALA LUMPUR (17 OCTOBER 2017) - SUHAKAM finds it necessary to pronounce on the national budget 2018 that is due soon to underline our support for a human right based national budget, to ensure effective realisation of human rights, particularly economic, social and cultural rights

The national budget is core to the country's national policy and planning, and the Government must manifest clear commitment to various aspects of the realization of human rights in this budget.

SUHAKAM would insist on the following recommendations:

i. The national budget would disappoint many if the budget fails to ensure appropriate priority given to critical areas such as education for all children, Malaysian and nonMalaysian alike; healthcare; housing and employment.
ii. To ensure adequate financial resources to fund the provision of refugee and asylum seeker assistance considering the current situation in Rakhine State and the current refugee population in Malaysia.
iii. To ensure adequate financial resources for the management of detention centres including infrastructure, nutrition, health and safety, appointments of medical doctors at every facility, as well as sanitation, among others.
iv. To ensure the specific needs of disabled persons are sufficiently considered in regard to compliance with relevant standards in keeping with our vision of a progressive nation that works for everyone.
v. To ensure significant allocation for indigenous peoples towards the realisation of their land rights.

vi. To ensure financial allocation for free and periodic health screening and immunization for all national enforcement personnel, including among others, the police, immigration officers, prison officers, army, and national security officers.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

TANJUNG BUNGAH LANDSLIDE

KUALA LUMPUR (24 OCTOBER 2017) - The Human Rights Commission of Malaysia (SUHAKAM) expresses sadness and considerable anger about the avoidable Tanjung Bungah landslide that claimed the lives of eleven workers at a construction site.

SUHAKAM is perplexed that despite the Natural Resources and Environment Ministry's rejection of the application for the construction, the development progressed, and this calls into question Government enforcement procedures and inspection. Such deficiency of oversight indicates an absence of appropriate enforcement of occupational health and safety standards, among others, which may directly account for the deaths and injuries. The tragic deaths also bring forth serious questions about safety measures at construction sites in the country.

From complaints lodged with us, SUHAKAM has found that construction and low-skilled migrant workers are among the most vulnerable to exploitation and abuse due to irresponsible and/or negligent labour practices, as well as indifference of various parties that result in migrant workers being badly treated. In this regard, SUHAKAM calls on the developers, Government and responsible parties to make available all risk assessments undertaken in relation to the development. SUHAKAM observes that while engaged in hazardous work in the construction industry, workers who face high rates of injury and death have little assurance that their employers will cover their medical needs. SUHAKAM therefore insists that compensation for death and loss of life be immediately made available to the families of victims without being stressful and demeaning.

SUHAKAM stresses that all parties concerned including the Government must stand accountable for the deaths, and not shrug off their commitment to ensuring occupational health and safety.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

NON-DISCRIMINATION AT WORKPLACE

KUALA LUMPUR (17 NOVEMBER 2017) - The Human Rights Commission of Malaysia (SUHAKAM) counsels strongly that the freedom to manifest one's religion or belief without discrimination must be protected in the workplace.

While employment contracts can stipulate specific employment conditions, these shall not imply whether directly or indirectly discriminatory practices which may amount to a waiver of the right to freedom of religion and expression. As businesses have a responsibility to contribute to the promotion and protection of human rights, employment contracts must be firmly grounded on principles of equality and non-discrimination, in accordance with Article 8 of the Federal Constitution of Malaysia. Appropriate measures to prevent and eliminate all forms of intolerance, inequality and discrimination based on religion or belief must accordingly be in place in all sectors of employment.

SUHAKAM advises that any limitation of the right to express one's religion or belief in the workplace, if deemed necessary, may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others, as stipulated in Article 18(3) of the International Covenant on Civil and Political Rights.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

INTERNATIONAL DAY OF PERSONS WITH DISABILITIES

KUALA LUMPUR (3 DECEMBER 2017) - In conjunction with International Day of Persons with Disabilities (PWD), the Human Rights Commission of Malaysia (SUHAKAM) reiterates that all humans are born free with the same rights without any form of discriminations as set out in the Universal Declaration of Human Rights (UDHR).

The theme for this year's celebration is 'Transformation Towards Sustainable and Resilient Society for All", which aims to empower PWD and ensure full inclusion of them in all aspects of society as foreseen in the 2030 Agenda for Sustainable Development.

Although Malaysia enacted the Persons with Disabilities Act 2008 (Act 685) and ratified Convention on Rights of Persons with Disabilities (CRPD) in 2010, SUHAKAM observes that PWD continues to face inequalities in different aspects of life, which negatively affects their access to employment, education, health, resulting in being marginalized from social participation, which has deprived them of their rights to contribute effectively to development. SUHAKAM believes this is partly due to omissions in the Person With Disabilities Act 2008 such as the lack of comprehensive monitoring, penalties or remedies mechanisms against individuals, organisations and/or businesses who violate the Act or the rights of PWD; lack of legal remedies or redress mechanism against government for violating the rights of PWD (Section 41 of the Act gives the government and its related agencies immunity from any form of legal action) as well as no provisions in the Act to set up a body or appoint a person with powers to enquire into alleged breaches of the Act, including complaints from PWD of discrimination and harassment.

SUHAKAM strongly urges the Government to address the shortcomings in the Act and make necessary amendments to ensure better protection, rights-based (and not a charity or social welfare) and have effective mechanisms of enforcement through remedial provisions.

SUHAKAM also would like to commend the Majlis Bandaraya Petaling Jaya (MBPJ) for receiving the Most Caring City Council 2017 from the Women, Family and Community Development Ministry in October in conjunction with National Welfare Month as well as for all the measures and efforts taken to ensure the city accessible for disabled. Although there are limitations in the Act, the pro-active measures taken by MBPJ by forming the Universal Design Unit (UDU), which ensure the developments incorporate and comply with universal building design features should be followed by others.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

SUHAKAM MARKS INTERNATIONAL HUMAN RIGHTS DAY 2017

KUALA LUMPUR (8 DECEMBER 2017) - On 10 December we will mark the International Human Rights Day, a day significant to all humanity, celebrated globally every year in commemoration of the day on which the United Nations General Assembly adopted the Universal Declaration of Human Rights (UDHR) in 1948, a document that promises to all the economic, cultural, social, civil and political rights that underpin a life of equality and dignity.

The Human Rights Commission of Malaysia (SUHAKAM) will commemorate this day to reaffirm our commitment to the promotion, protection and respect of human rights for all in accordance with the law and international human rights standards. Under the 2017 global theme #StandUp4HumanRights, SUHAKAM will celebrate this year's event with a Human Rights Day Festival at the Sunway Velocity Mall, Kuala Lumpur. Minister in the Prime Minister's Department YB Senator Datuk Paul Low Seng Kuan will launch the event at 12.30pm together with Tan Sri Razali Ismail, Chairman of SUHAKAM and Stefan Priesner, United Nations Resident Coordinator for Malaysia and UNDP Resident Representative for Malaysia, Singapore and Brunei.

As we remember this day, SUHAKAM calls on everyone to stand up for human rights, believing firmly that everyone can play a role to promote and defend human rights. SUHAKAM calls on individuals, the Government and civil service, businesses, civil society and NGOs, the UN in Malaysia and everyone else to join us and make a difference.

TAN SRI RAZALI ISMAIL
Chairman

MEDIA STATEMENT
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)

INTERNATIONAL HUMAN RIGHTS DAY

KUALA LUMPUR (10 DECEMBER 2017) - On the International Human Rights Day 2017, the Human Rights Commission of Malaysia (SUHAKAM) would like to reiterate its commitment to the defence, promotion and protection of human rights and to the full realisation of all human rights for all peoples.

There are many challenges to human rights that are yet to be addressed in the country. While the Government believes that we have come a long way since committing internationally to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the reality is that we have not lived up to the Declaration's vision and objectives. The Orang Asli continue to be victims of uncontrolled logging and aggressive deforestation by developers in many areas. Those who erected blockades to protect their lands against these activities were not only arrested by the authorities but are often threatened by individuals they claim are thugs.

SUHAKAM finds that land rights issues are not exclusive to indigenous peoples. Fish farmers in Bota and Lumut, Perak, are concerned that their rights to land such as the right to access, use, possess and occupy fertile land and sea that they claim have been occupied for many years for aquaculture and coastal fishing are being denied. SUHAKAM notes that the farms are being acquired, with relocation to barren land. SUHAKAM underscores that precious land cannot be lost to construction as this will seriously threaten aspects of rural development and in turn the fish farming industry, possibly risking the country's fish export chain. We hope that the Government will understand these issues and find sustainable ways forward.

SUHAKAM is concerned about laws passed and used in the name of national security, which are being increasingly looked at as repressive, because some

of these laws neither have the benefit of judicial oversight, nor were formulated in consultation with important stakeholders including SUHAKAM. We particularly regret instances where Malaysians have been prosecuted for what is now widely perceived as expressing dissenting views or for peacefully protesting. This in our view undermines the rule of law in the country. SUHAKAM reaffirms that the peaceful expression of disagreement should never be criminalised under any circumstances in our democracy, where the freedom of thought, belief, opinion and expression are cardinal values enshrined in our Federal Constitution.

SUHAKAM is equally concerned about the spread of bigotry and prejudice in the country. Normalising attitudes driving intolerance, racism and the open expression of hate speech must never be seen to be tolerated, and SUHAKAM calls on the Government to take appropriate action to stop incidents of polarisation and the spreading of fanaticism among Malaysians through the adoption of national harmony legislation.

In the context of refugee protection, in particular the Rohingya, SUHAKAM is pleased that Malaysia has displayed the political will, and to a certain extent shaped international response authoritatively. However, at home we continue to hold refugee children in detention; often in prison like conditions. Refugees are discriminated in the employment and education sectors with their right to livelihood denied. SUHAKAM will continue to encourage the Government to broaden the search for solutions, understanding that the ultimate solution is to address and ameliorate drivers of displacement such as conflict, breakdown of the rule of law, weak governance and the failure of legal institutions.

SUHAKAM will stoutly insist on the fulfilment of the rights of persons with disabilities in all aspects of life through mainstreaming disability perspectives in the development and implementation of national policies and programmes. It is imperative that State and local governments comply with these disabled-friendly provisions. SUHAKAM will continue to raise awareness on disability issues and to increase outreach activities for all in society.

Given the impending elections, SUHAKAM will be monitoring closely how it will be conducted on the premise that democracy must exist with election integrity.

We further call on the Government to ensure that binding measures are in place to enforce respect for human rights in business activities. SUHAKAM is concerned that migrant workers in the country remain vulnerable due to violations of their fundamental rights, particularly the lack of enforcement of labour standards, giving opportunities for exploitation, forced and child labour in certain industries.

SUHAKAM has not forgotten about the importance of mainstreaming human rights education in schools. We will continue in our efforts to develop a road map towards enhancing the inclusion of human rights related issues, such as the rights, freedoms, responsibilities and obligations of citizens in teaching and learning.

Remembering these many challenges before this Human Rights Day is a powerful moment for all stakeholders to celebrate and remind Malaysians that indeed we are a nation that must ensure that human rights is the mainstay of nation building and development, for all.

SUHAKAM wishes all in Malaysia a Happy International Human Rights Day. Let us together #standup4ourrights.

TAN SRI RAZALI ISMAIL
Chairman

List of Activities of The Commission in 2017

PLG	-	Policy and Law Group	CMG	-	Complaints and Monitoring Group
CG	-	Communication Group	LRTD	-	Law Reform and Treaties Division
PD	-	Policy Division	CCD	-	Corporate Communication Division
Sabah	-	Sabah Office	POD	-	Promotion and Outreach Division
Sarawak	-	Sarawak Office	ICD	-	International Coordination Division
ETD	-	Education and Training Division	SUHAKAM	-	Human Rights Commission of Malaysia

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
1.	13 Jan	SUHAKAM's Exhibition in conjunction with the Opening of the Legal Year 2017 programme	Plenary Hall, Putrajaya International Convention Centre (PICC)	POD
2.	16 Jan	Follow-up meeting with AIM, SUARAM, Bar Council Malaysia and LFL on the Joint Campaign on UNCAT	SUHAKAM Kuala Lumpur	POD

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
3.	20 Jan	Watching brief on film censorship case	Magistrates Court Kuala Lumpur	LRTD
4.	23 Jan	Visit to Sungai Senam Police Station (IPD Ipoh)	Perak	CMG
5.	24 Jan	Visit to Sungai Siput Police Station (IPD Sungai Siput)	Perak	CMG
6.	26 Jan	Case visit to SMK Sri Pantai Bangsar	Bangsar Kuala Lumpur	CMG
7.	31 Jan	Watching brief on custodial death case	Coroner Court Johor Bahru	LRTD
8.	8 Feb	Roundtable discussion on the redelineation by SPR and its Impact on Human Rights in Malaysia	SUHAKAM Kuala Lumpur	PD
9.	8 Feb	Meeting with Bar Council on legal aspects related to the land rights of Indigenous Peoples	SUHAKAM Kuala Lumpur	CMG
10.	8 Feb	Meeting with SUARAM on SOSMA case	SUHAKAM Kuala Lumpur	CMG
11.	10 Feb	Case visit to IPD Klang Utara regarding the death of S. Balamurugan	IPD Klang (Utara)	CMG
12.	15 Feb	Consultation session regarding the European Union Strategy for Engagement with Civil Society in Malaysia	Petaling Jaya Selangor	POD
13.	15 Feb	Case visit to Shah Alam Central Lock-up regarding the death of S. Balamurugan	Shah Alam Central Lock-up	CMG

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
14.	16 Feb	Case visit to IPD Klang Utara regarding the death of S. Balamurugan	IPD Klang (Utara)	CMG
15.	16 Feb	Follow-up Meeting with School of IT (SIT), Monash University Malaysia	Subang Jaya Selangor	POD
16.	16 Feb	Meeting with The Malaysian Youth Council (MYC)	Cheras Kuala Lumpur	POD
17.	17 Feb	Follow-up meeting with United Nation Children's Fund (UNICEF)	SUHAKAM Kuala Lumpur	POD
18.	17 Feb	Case visit to IPD Klang Utara regarding the death of S. Balamurugan	Selangor	CMG
19.	21 Feb	Chandran Muniandy's case investigation	Hospital Seberang Jaya Pulau Pinang	CMG
20.	21 Feb	Talk/Visit to Balai Polis Sibu Lock-up	Sibu Sarawak	Sarawak
21.	21 Feb	Watching brief on film censorship case	Magistrate Court Kuala Lumpur	LRTD
22.	22 Feb	'SUHAKAM Bersama Masyarakat' programme	Kanowit Sarawak	Sarawak
23.	22 Feb	Chandran Muniandy's case visit	IPD Seberang Jaya Pulau Pinang	CMG
24.	22 Feb	Kunachitran A/L Kanagaretnam and Amir bin Mohamad case visit	Bentong Prison Pahang	CMG
25.	22 Feb	Visit to temporary detention center	Menggatal, Kota Kinabalu Sabah	Sabah

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
26.	22 Feb	Visit to Mantakana School (School/ Learning Centre)	Beaufort Sabah	Sabah
27.	23 Feb	Chandran Muniandy's case investigation	Seberang Perai Prison Pulau Pinang	CMG
28.	23 Feb	Visit to Sibu Prison	Sibu, Sarawak	Sarawak
29.	23 Feb	Follow-up meeting with AIM, SUARAM, Bar Council Malaysia and LFL on the Joint Campaign on UNCAT	Petaling Jaya, Selangor	POD
30.	23 Feb	S. Balamurugan's case visit	Klang Magistrate & Session Court	CMG
31.	24 Feb	Case visit due to complaint from prisoner	Sungai Buloh Prison Selangor	CMG
32.	25 Feb	Case visit regarding S. Balamurugan death in custody	IPD Subang Jaya Selangor	CMG
33.	27 Feb	Case visit regarding POCA detainees complaint	Sepang Police Station Selangor	CMG
34.	27 Feb	Meeting with Vice President of Multimedia University (MMU)	Multimedia University Cyberjaya	POD
35.	28 Feb	Thanaseelan Muniandy's case visit	Bukit Sentosa Police Station	CMG
36.	28 Feb	Meeting with the Federal Territory Islamic Religious Department (JAWI)	Kuala Lumpur	POD
37.	2 Mar	Visit to Taman Sri Puteri	Telaga Air Kuching	Sarawak
38.	2 Mar	S. Balamurugan's case visit	Hospital Kuala Lumpur	CMG
39.	3 Mar	Case visit regarding bullying issue at SMK Sri Pantai	IPD Brickfields	CMG

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
40.	3 Mar	S. Balamurugan's case visit	IPD Klang (Selatan)	CMG
41.	3 Mar	S. Balamurugan's case visit	Bandar Baru Klang Police Station	CMG
42.	6 Mar	Thanaseelan Muniandy's case visit	Kuala Kubu Bharu Hospital and Sg. Buloh Hospital	CMG
43.	9 Mar	Watching brief on custodial death case	Coroner Court Johor Bahru	LRTD
44.	10 Mar	Working visit to INSAN - Meeting with INSAN Director	INSAN, Sabah	Sabah
45.	16 Mar	Meeting with the Chief Information Officer of Seremban Municipal Council	Seremban Negeri Sembilan	POD
46.	16 Mar	Roundtable discussion with the civil society organization (CSO) on Anti-Trafficking and Smuggling of Migrants (ATIPSOM)	SUHAKAM Kuala Lumpur	PD
47.	21 Mar	Watching brief on custodial death case	High Court Seremban	LRTD
48.	22 Mar	Watching brief on film censorship case	Magistrate Court Kuala Lumpur	LRTD
49.	22 Mar	'SUHAKAM Bersama Masyarakat' programme	Tun Hussein Onn Hall Negeri Sembilan	POD
50.	22 Mar	Visit to Seremban Prison	Negeri Sembilan	POD CMG
51.	23 Mar	Visit to IPD Seremban (Sikamat Police Station and Senawang lock-up)	Seremban, Negeri Sembilan	CMG

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
52.	25 Mar	ACT4CAT Campaign: Art for Grabs	The School, Jaya One, Petaling Jaya	POD
53.	27 Mar	Watching brief on Rohingya children case	High Court, Shah Alam	LRTD
54.	28-29 Mar	Visit to SK Betau	Pahang	CMG
55.	29-30 Mar	National Council of Professors Programme – Collaboration programme to Kota Marudu and Kudat	Kota Marudu and Kudat	Sabah
56.	30 Mar	Visit to Kajang Women's Prison to meet Siti Noor Aishah and Kateryna Rybalchenko	Kajang Prison	CMG
57.	30 Mar	MoU signing ceremony within FELDA, FGV and SUHAKAM	Bankuet 1Hall, Menara FELDA, Kuala Lumpur	PD
58.	4 Apr	Public Release & Launch of SUHAKAM's 2016 Annual Report	SUHAKAM Kuala Lumpur	CCD
59.	4 Apr	Watching brief on freedom of religion	High Court Shah Alam	LRTD
60.	5-6 Apr	Media and Communication Training Workshop for Human Rights Commission of Malaysia	SUHAKAM Kuala Lumpur	SUHAKAM ICD
61.	6 Apr	Watching brief on Rohingya children case	High Court Shah Alam	LRTD
62.	13 Apr	Watching brief on judicial review case of redelineation of electoral boundaries	High Court Melaka	LRTD

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
63.	13 Apr	Follow-up meeting with SIT, Monash University Malaysia	SUHAKAM Kuala Lumpur	POD
64.	16 Apr	SUHAKAM's Exhibition in conjunction with the Constitutional Day programme at the University of Malaya (UM)	Faculty of Law University Malaya	POD
65.	17 Apr	'SUHAKAM Bersama Mahasiswa' programme: Introduction to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) at Universiti Utara Malaysia (UUM)	School of International Studies, UUM, Kedah	POD
66.	27 Apr	UPR Thematic Consultation on Migration Issues	Kuala Lumpur	ICD
67.	3 May	Visit to Madrasah Tahfiz Al – Jauhar regarding into the death of Mohamad Thaqif Amin Mohd Gaddafi	Kota Tinggi, Johor	CMG
68.	4 May	Meeting with Malaysian Indian Congress (MIC)	MIC Office Kuala Lumpur	CCD
69.	4 May	Meeting with Parti Sosialis Malaysia	SUHAKAM Kuala Lumpur	CCD
70.	11 May	Follow-up Meeting with SIT, Monash University Malaysia	SUHAKAM Kuala Lumpur	POD

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
71.	15-19 May	Public Hearing of Enforcement Agency Integrity Commission (EAIC) concerning Balamurugan a/l M Suppiah's Death in Police Custody	Putrajaya	CMG
72.	16 May	Follow-up Meeting with MYC	SUHAKAM Kuala Lumpur	POD
73.	16 May	Roundtable discussion (RTD) on Promoting Business and Human Rights in Malaysia	Bayan Lepas Pulau Pinang	PD
74.	16 May	Public awareness programme on anti-trafficking in person	Bayan Lepas Pulau Pinang	PD
75.	16 May	Visit to Immigration Depot	Bekenu, Miri	Sarawak
76.	16 May	M. Mageswaran's case visit to Seremban Prison	Negeri Sembilan	CMG
77.	17 May	'SUHAKAM Bersama Masyarakat' programme	Niah, Miri	Sarawak
78.	18 May	Case visit to IPD Kangar, Perlis	IPD Kangar, Perlis	CMG
79.	18 May	Talk/Visit to Miri Police Station lock-up	Miri	Sarawak
80.	18 May	Meeting with Sarawak NGOs	Miri	Sarawak
81.	18 May	Case visit to Perlis Islamic Religious Department	Kangar, Perlis	CMG
82.	22 May	Follow-up Meeting with Vice President of MMU	Cyberjaya, Selangor	POD
83.	22-24 May	Visit to interview Wang Kelian witnesses	Pulau Pinang	CMG

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
84.	25 May	Parthiban a/l Karuthani case visit	Melaka Tengah Police Station, Melaka	CMG
85.	13 June	Talk on Human Rights and Transformasi Nasional 2050 (TN50)	SUHAKAM Kuala Lumpur	PD
86.	20 June	Watching brief on judicial review case of redelineation of electoral boundaries	Court of Appeal Putrajaya	LRTD
87.	5-7 July	Dialogue on Malaysia's Accession to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) Programme	SUHAKAM Kuala Lumpur	POD / CG / SUHAKAM
88.	6 July	Press Conference - UNCAT	SUHAKAM Kuala Lumpur	CCD POD
89.	12 July	Follow-up Meeting with Student Affairs Division of MMU	Multimedia University, Cyberjaya, Selangor	POD
90.	17 July	Visit to Orang Asli village	Tanjong Puput, Tasik Chini Pahang	POD SUHAKAM
91.	18 July	'SUHAKAM Bersama Masyarakat' programme	Hotel Ancasa, Pekan, Pahang	POD
92.	18 July	Watching brief on judicial review case of redelineation of electoral boundaries	Court of Appeal Putrajaya	LRTD
93.	20 July	Visit to Good Shepherd Social Welfare	Good Shepherd Social Welfare, Luyang	Sabah

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
94.	24 July	Briefing session with Members of Selangor State Assembly	Shah Alam Selangor	CCD
95.	25 July	MoU signing ceremony between SUHAKAM and Universiti Industri Selangor (UniSel)	Selangor	ETD SUHAKAM
96.	1 Aug	Benedict A/L Thanilas's case investigation	IPD Sentul, Kuala Lumpur	CMG
97.	1 Aug	Shafiullah bin Shahidulah's case visit	Central Lock-up Jinjang, Kuala Lumpur	CMG
98.	3 Aug	Briefing session with the opposition members of Parliament	Parliament	CCD
99.	4 Aug	Meeting with Parliamentarians from APHR with SUHAKAM	SUHAKAM Kuala Lumpur	CCD
100.	4 Aug	Roundtable discussion on access to information in Malaysia	SUHAKAM Kuala Lumpur	LRTD
101.	5 Aug	ATHAM programme	SMK Beluran, Sandakan	Sabah ETD
102.	7 Aug	Visit to Sekolah Tunas Bakti	Kota Samarahan	Sarawak
103.	8-9 Aug	SUHAKAM's Exhibition: Introduction to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT)	Kuching, Sarawak	POD Sarawak
104.	8-9 Aug	International Day of the Worldɔs Indigenous Peoples	Kuching, Sarawak	POD Sarawak
105.	9 Aug	Forum on Anti-trafficking in person	Kuching Sarawak	PD Sarawak

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
106.	9 Aug	SUHAKAM's Exhibition: NGO Fair programme, Monash University Malaysia Subang Jaya Campus, Selangor	Subang Jaya Campus, Selangor	POD
107.	9 Aug	Benedict a/l Thanilas case visit	IPD Sentul, Kuala Lumpur	CMG
108.	10 Aug	Case visit to Forensic Department, Kuala Lumpur Hospital into the death of Benedict a/l Thanilas	Forensic Department, Kuala Lumpur Hospital	CMG
109.	10 Aug	Visit to Pusat Perkembangan Kemahiran Kebangsaan, Serendah	Serendah, Selangor	CMG
110.	12-13 Aug	'SUHAKAM Bersama Masyarakat' Programme	Tamu Terbuka Pekan Paitan, Telupid	Sabah
111.	15 Aug	Courtesy visit to Deputy Vice Chancellor (HEPA) Universiti Malaysia Sabah	University Malaysia Sabah	Sabah
112.	17 Aug	Visit to Kampung Thangavelu, Kampung Papa and Kampung Mohan regarding land issue	Klang, Selangor	CMG
113.	17 Aug	Visit and interview Noor Azizah binti Wahab (complainant)	Sentul, KL	CMG
114.	18 Aug	SUHAKAM meeting with Sarawak Syariah Judicial Department regarding watching brief on syariah cases	Sarawak Syariah Judicial Department	LRTD / Sarawak

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
115.	19 Aug	Youth for rights programme at the Multimedia University (MMU)	Multipurpose Hall, MMU Cyberjaya	POD
116.	21 Aug	Visit and meeting with indigenous people	Lojing, Kelantan	CMG
117.	23 Aug	Visit to Tanah Merah, Kelantan Immigration Depot	Kelantan	CMG
118.	24 Aug	Roundtable discussion on Transformasi Nasional 2050 (TN50) from Human Rights perspective with government agencies	SUHAKAM Kuala Lumpur	PD
119.	28 Aug	Roundtable discussion on Transformasi Nasional 2050 (TN50) from Human Rights perspective with NGOs	SUHAKAM Kuala Lumpur	PD
120.	29-30 Aug	APF Senior Executive Officers (SEO) Meeting	Melaka	ICD
121.	30 Aug	Lecture at Monash University Malaysia	Subang Jaya Campus, Selangor	POD
122.	2-3 Sept	SUHAKAM's Exhibition: "Road to Democracy in Malaysia" in conjunction with Regional Conference Democracy in South East Asia: Achievements, Challenges, and Propects	Kuala Lumpur	POD SUHAKAM
123.	4-15 Sept	SUHAKAM Capacity Assessment	SUHAKAM Kuala Lumpur	SUHAKAM

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
124.	7 Sept	Case visit to holding area, KLIA regarding travel restriction of Adilur Rahman Khan	KLIA	CMG
125.	7 Sept	Visit to IPD Dang Wangi lock-up	Dang Wangi Kuala Lumpur	CMG
126.	12 Sept	Interview session with Chief Investigating Officers for the Wang Kelian mass grave and human trafficking case	Kuala Lumpur	CMG
127.	19 Sept	Visit to Kampung Baru Bali, Tronoh regarding to land complaints	Perak	CMG
128.	19 Sept	Visit to Teluk Muroh Lumut regarding to the memorandum by Teluk Muroh resident	Lumut, Perak	CMG
129.	20 Sept	Visit to Belantik Immigration Depot	Sik, Kedah	CMG
130.	20 Sept	Visit to Alor Setar Prison	Kedah	CMG
131.	21 Sept	Visit to Malaysia -Thailand border	Perlis	CMG
132.	25 Sept	Visit 14 women detainees (foreign citizens) at the Dang Wangi Police Station	IPD Dang Wangi	CMG
133.	26 Sept	Mustafa Akyol's case visit	Balai Polis Travers	CMG
134.	26 Sept	'SUHAKAM Bersama Masyarakat' programme	Dewan Panglima Rentap, Betong	Sarawak
135.	27 Sept	'SUHAKAM Bersama Mahasiswa' programme	Faculty of Law, Universiti INTI, Nilai	POD

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
136.	27 Sept	Monitoring on house demolition at Bukit Tangki Water, Cheras	Cheras	CMG
137.	27 Sept	Visit to Pusat Pemulihan Dalam Komuniti	Betong	Sarawak
138.	27 Sept	Visit to Resident Office Betong	Betong	Sarawak
139.	28 Sept	Talk/ Visit to Betong Police Headquarters Lock-up	Betong	Sarawak
140.	28 Sept	Visit to Resident Office Sri Aman	Sri Aman	Sarawak
141.	28 Sept	Meeting with YB Elizabeth Wong, Badan Bertindak Tanah Orang Asli and JAKOA	SUHAKAM Kuala Lumpur	PD
142.	28 Sept	SUHAKAM's Exhibition at the INTI University, Nilai	Faculty of Law, Universiti INTI, Nilai	POD
143.	28 Sept	Ang Kian Kok case visit	Shah Alam Central Lock-up	CMG
144.	2 Oct	Visit to Pusat Tahanan Angkatan Tentera, Kem Batu Kentonmen	Kuala Lumpur	CMG
145.	2 Oct	Briefing session with the Malaysian Youth Parliament (MYC)	International Youth Center, Cheras, Kuala Lumpur	POD
146.	3 Oct	Visit to IPD Taiping, Perak	Perak	CMG
147.	3 Oct	Restu Ilmu programme and Visit to Sekolah Integriti, PPA Muar, Johor	Sekolah Integriti, PPA Muar, Johor	POD
148.	4 Oct	'SUHAKAM Bersama Masyarakat' Programme	Dewan Taman Gemilang, Muar, Johor	POD

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
149.	4 Oct	Visit to Pusat Tahanan Perlindungan Taiping (KEMTA)	Taiping, Perak	CMG
150.	6 Oct	Secretariat Meeting: APF Project on Death Penalty	SUHAKAM Kuala Lumpur	LRTD
151.	7 Oct	SUHAKAM's Exhibition in conjunction with the "Lan Berambeh Anak Sarawak" programme	Dewan Tun Razak 2, PWTC, Kuala Lumpur	POD
152.	9 Oct	Courtesy visit to Speaker of the Sabah State Legislative Assembly	Speaker's Office Sabah	CCD/Sabah SUHAKAM
153.	9-10 Oct	SUHAKAM's Exhibition in conjunction with the 2017 IIA Malaysia National Conference programme	Kuala Lumpur Convention Centre, Kuala Lumpur	POD
154.	10 Oct	Courtesy visit to Chief Judge of the Sabah Syariah Court	Wisma Muis, Kota Kinabalu	CCD / Sabah SUHAKAM
155.	10 Oct	Exibition on UNCAT & Serial talk by Tan Sri Razali Ismail	Universiti Malaysia Sabah	PLCG / Sabah
156.	10 Oct	SUHAKAM's Exhibition: Introduction to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT)	Faculty of Arts and Humanities, Universiti Malaysia Sabah (UMS), Kota Kinabalu, Sabah.	POD / Sabah / SUHAKAM
157.	11 Oct	'SUHAKAM Bersama Masyarakat' programme	Kampung Maukab Ranau	Sabah SUHAKAM
158.	17-18 Oct	Mobile CTC programme	Tapak Tamu Kiulu, Tamparuli	Sabah

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
159.	19 Oct	Public Inquiry on disappearance of Pastor Raymond Koh, Amri Che Mat and Joshua & Ruth Hilmi - Session 1	SUHAKAM Kuala Lumpur	CMG
160.	20 Oct	Public Inquiry on disappearance of Pastor Raymond Koh, Amri Che Mat and Joshua & Ruth Hilmi - Session 2	SUHAKAM Kuala Lumpur	CMG
161.	25-27 Oct	Workshop for ATHAM's Coordinator Teacher in Kuching	Sarawak	ETD / Sarawak
162.	26 Oct	Visit to Bentong Prison	Bentong, Pahang	CMG
163.	27 Oct	Roundtable discussion on Intellectual Property Rights and Access to Medicines: A Human Rights Approach	SUHAKAM Kuala Lumpur	PD
164.	28-29 Oct	Mobile CTC programme	Menumbok, Sabah	Sabah
165.	29 Oct	Watching brief on custodial death case	Session Court Johor Bahru	LRTD
166.	29 Oct	SUHAKAM's Exhibition in conjunction with the "Karnival PPR Beringin" programme	PPR Beringin, Kepong, Kuala Lumpur	POD
167.	30 Oct	Briefing Session on Status of Implementation of SUHAKAM's National Inquiry Report on Land Rights of Indigenous Peoples	Kuala Lumpur	PD

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
168.	30 Oct	Public Inquiry on disappearance of Pastor Raymond Koh, Amri Che Mat and Joshua & Ruth Hilmi - Session 3	SUHAKAM Kuala Lumpur	CMG
169.	2 Nov	"Youth for Rights" programme at Universiti Teknologi MARA (UiTM)	Faculty of Laws, UiTM Shah Alam	POD
170.	2 Nov	Public Inquiry on disappearance of Pastor Raymond Koh, Amri Che Mat and Joshua & Ruth Hilmi - Session 4	SUHAKAM Kuala Lumpur	CMG
171.	3 Nov	Public Inquiry on disappearance of Pastor Raymond Koh, Amri Che Mat and Joshua & Ruth Hilmi - Session 5	SUHAKAM Kuala Lumpur	CMG
172.	3-5 Nov	SUHAKAM's Exhibition in conjunction with 'Pesta Benak 2017'	INTAN Campus Sarawak	Sarawak
173.	4 Nov	SUHAKAM's Exhibition in conjunction with the National Law Symposium 2017 programme	Moot Court, Ahmad Ibrahim Kulliyyah of Law, IIUM	POD
174.	4-5 Nov	Mobile CTC Programme	Beaufort Sabah	Sabah
175.	9 Nov	Visit to Sg. Buloh Prison	Sg. Buloh Prison Selangor	CMG
176.	11-12 Nov	Mobile CTC Programme	Sandakan Sabah	Sabah
177.	13 Nov	Talk on human rights	Film Censorship Board	Sarawak

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
178.	13 Nov	Public Inquiry on disappearance of Pastor Raymond Koh, Amri Che Mat and Joshua & Ruth Hilmi - Session 6	SUHAKAM Kuala Lumpur	CMG
179.	14 Nov	Public Inquiry on disappearance of Pastor Raymond Koh, Amri Che Mat and Joshua & Ruth Hilmi - Session 7	SUHAKAM Kuala Lumpur	CMG
180.	15 Nov	Public Inquiry on disappearance of Pastor Raymond Koh, Amri Che Mat and Joshua & Ruth Hilmi - Session 8	SUHAKAM Kuala Lumpur	CMG
181.	15 Nov	Visit to MRCB Office, KL Sentral concerning violence allegation by Polis Bantuan Malaysia against Uber driver	KL Sentral	CMG
182.	16 Nov	Public Inquiry on disappearance of Pastor Raymond Koh, Amri Che Mat and Joshua & Ruth Hilmi - Session 9	SUHAKAM Kuala Lumpur	CMG
183.	17 Nov	Public Inquiry on disappearance of Pastor Raymond Koh, Amri Che Mat and Joshua & Ruth Hilmi - Session 10	SUHAKAM Kuala Lumpur	CMG

NO.	DATE	ACTIVITY	VENUE	DIVISION / UNIT /BRANCH
184.	21-23 Nov	SUHAKAM's Exhibition in conjunction with the Tuanku Jaafar Conference & Workshop 2017 programme	Faculty of Law, Universiti Kebangsaan Malaysia, Bangi	POD
185.	23 Nov	Public Inquiry on disappearance of Pastor Raymond Koh, Amri Che Mat and Joshua & Ruth Hilmi - Session 11	SUHAKAM, Kuala Lumpur	CMG
186.	25 Nov	'SUHAKAM Bersama Masyarakat' programme	Kem Pueh Sematan	Sarawak
187.	28 Nov	Lucheon talk with NGO	SUHAKAM Sarawak	Sarawak
188.	27 Nov	Visit to Perlis Correctional Centre	Perlis	CMG
189.	29 Nov	Visit to Kluang Prison	Johor	CMG
190.	29 Nov	Visit to National Antidrug Agency (AADK) lock-up, Batu Kurau	Perak	CMG
191.	30 Nov	Visit to Taiping Prison	Perak	CMG
192.	13 Dec	'SUHAKAM Bersama Masyarakat' programme	Hotel Putra Regency, Kangar, Perlis	POD
193.	13 Dec	Visit to IPD Kangar	Perlis	CMG
194.	20 Dec	Visit to IPD Klang Selatan	Klang Selatan, Selangor	CMG
195.	22 Dec	Visit to IPD Shah Alam	Shah Alam, Selangor	CMG

Appendix III

List of Talks, Meetings, Workshops and Conferences - National 2017

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
1.	5 Jan	Meeting with Kota Kinabalu Prison Officer	Kota Kinabalu	Mr. Jasmih Mr. Heflin Ak Dino
2.	11 Jan	Meeting with EU Consultant on Gender Inequality	SUHAKAM Kuala Lumpur	Mr. Ameer Izyanif Mr. Mohamad Azizi Ms. Lau Sor Pian
3.	12 Jan	Meeting with FELDA Global Ventures Holdings Berhad (FGV)	Menara FELDA	Prof. Dato' Dr. Aishah Bidin Ms. Nurul Hasanah Mr. Mohamad Azizi Ms. Paremeswari S. Ms. Siti Zaihan
4.	12 Jan	Meeting Gender Analysis	SUHAKAM Kuala Lumpur	Ms. Nurul Hasanah Mr. Mohamad Azizi Ms. Lau Sor Pian
5.	12 Jan	Meeting with United Nations High Commission for Refugees (UNHCR)	SUHAKAM Kuala Lumpur	Ms. Paremeswari S.
6.	13 Jan	Opening of The Legal Year 2017 Ceremony	PICC, Putrajaya	Dato' Mah Weng Kwai Mr. Joshua
7.	16 Jan	Debriefing on Gender Analysis	Menara Tan & Tan	Ms. Yustina

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
8.	17 Jan	Visit to Orang Asli village, Kg. Ulu Temu, Rawang	Selangor	Ms. Hasmah
9.	18 Jan	Dialogue session with Taman Vista Penampang resident	Sabah	Mr. Jasmih
10.	19 Jan	Extraordinary Session of the OIC Council of Foreign Ministers (CFM) on the situation of the Rohingya Muslim minority in Myanmar	KLCC Convention Centre	Mr. Jerald Joseph Ms. Rodziah Abdul Mr. Wan Kasim Ms. Jesrina Grewal
11.	19 Jan	Meeting with Jabatan Kemajuan Orang Asli (JAKOA)	Selangor	Prof. Dato' Dr. Aishah Bidin Datuk Lok Yim Pheng Mr. Jerald Joseph Ms. Nurul Hasanah Mr. Mohamad Azizi Ms. Lau Sor Pian Mr. Abdul Rahman Ms. Hasmah
12.	20 Jan	Interview: Mr. Harinder Singh, a second-year law student, Faculty of Laws, Multimedia University (MMU) on Death in Police Custody: Enforcers Turned Abusers - A Malaysian Tribulation	SUHAKAM Kuala Lumpur	Mr. Simon Karunagaram
13.	20 Jan	Meeting with Ministry of International Trade and Industry (MITI)	MITI Office, Jalan Duta, Kuala Lumpur	Prof. Dato' Dr. Aishah Bidin Ms. Nurul Hasanah Mr. Mohamad Azizi Ms. Siti Zaihan

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
14.	20 Jan	Meeting with Deputy Director of INSAN	Sabah	Datuk Godfrey Gregory Joitol Mr. Jasmih Mr. Heflin Ak Dino
15.	23 Jan	Human rights talk at INSAN	Sabah	Mr. Jasmih Mr. Heflin Ak Dino
16.	23 Jan	Meeting with Universiti Perguruan Sultan Idris (UPSI), Tanjung Malim	Perak	Mr. Abdul Rahman Mr. Muhammad Syafiq
17.	24 Jan	Human rights talk for National Anti-Drug Agency (AADK), Bangi	Selangor	Ms. Hasmah
18.	25 Jan	Meeting with FELDA Global Ventures Holdings Berhad (FGV)	SUHAKAM Kuala Lumpur	Prof. Dato' Dr. Aishah Bidin Ms. Nurul Hasanah Ms. Paremeswari S. Ms. Siti Zaihan
19.	4 Feb	Visit to Orang Asli village, Desa Ria, Grik	Perak	Ms. Hasmah
20.	6 Feb	Interview on Refugee by Research Student of the School of International Studies, Universiti Utara Malaysia	SUHAKAM Kuala Lumpur	Mr. Shahizad
21.	7 Feb	Interview by Astro Vaanavil on Trafficking in Persons	SUHAKAM Kuala Lumpur	Ms. Paremeswari S.
22.	10 Feb	Interview: Dr. Murni Wan Mohd Nor, Faculty of Human Ecology, Universiti Putra Malaysia	SUHAKAM Kuala Lumpur	Mr. Jerald Joseph
23.	12 Feb	Forum: '*Sejauhmana Anda Memahami Hudud?*'	Universiti Malaya	Mr. Ameer Izyanif

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
24.	13 Feb	Meeting on Sustainable Development Goals (SDG)	EPU, Putrajaya	Prof. Dato' Dr. Aishah Bidin Mr. Jerald Joseph Ms. Nurul Hasanah Mr. Mohamad Azizi Ms. Siti Zaihan
25.	14 Feb	Consultation Session with Non-Governmental Organizations (NGOs)on the Safeguard Aspects of Trafficking in Persons	Kuala Lumpur	Ms. Paremeswari S.
26.	15 Feb	Case visit on death in custody	IPD Klang Utara, Selangor	Ms. Yustina
27.	16 Feb	Public Lecture: 'Akta RUU 355'	Universiti Malaya	Mr.Joshua
28.	20-22 Feb	Human Rights Workshop for Malaysia Prisons Department Series 1 at Akademi Koreksional Malaysia, Langkawi	Kedah	Mr. Abdul Rahman
29.	21 Feb	Meeting with YB Dato' Sri Azalina Othman	Parliament Malaysia	Commissioners Ms. Nurul Hasanah Mr. Ameer Izyanif
30.	23 Feb	Meeting with UN Representative	SUHAKAM Kuala Lumpur	Commissioners Mr. Ameer Izyanif Mr. Mohamad Azizi
31.	23 Feb	Meeting with UNICEF	UNICEF	Ms. Nur Syamimi
32.	23 Feb	Meeting with Protect & Save The Children	SUHAKAM Kuala Lumpur	Commissioners Mr. Ameer Izyanif

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
33.	23-24 Feb	Roundtable discussion on ICERD with KOMAS	Sabah	Datuk Godfrey Gregory Joitol Mr. Jasmih Mr. Heflin Ak Dino Ms. Nurul Hasanah Ms. Yustina
34.	24 Feb	Human rights talk at PULAPOL, Jalan Sultan Yahya Petra	Kuala Lumpur	Ms. Hasmah
35.	1 Mar	Anti-trafficking in Persons interview with Dr. Shalini (UM)	SUHAKAM Kuala Lumpur	Ms. Paremeswari S.
36.	1 Mar	Meeting with Bar Council on Orang Asli Public Inquiry	SUHAKAM Kuala Lumpur	Commissioners Mr. Ameer Izyanif Mr. Joshua
37.	1 Mar	Meeting with Selangor Syariah Chief Judge	JAKESS, Selangor	Prof. Dato' Dr. Aishah Bidin Dr. Nik Salida Suhaila Nik Saleh Ms. Nurul Hasanah Mr. Ameer Izyanif Ms. Nur Syamimi
38.	1 Mar	Meeting with The United Nations Children's Fund (UNICEF)	SUHAKAM Kuala Lumpur	Commissioners Ms. Paremeswari S.
39.	7 Mar	Awareness programme (follow up) on the Rights of the Child to the Safety at MRSM Kuala Klawang	Negeri Sembilan	Mr. Muhammad Syafiq Ms. Hasmah Ms. Nur Syamimi
40.	7 Mar	Visit from Marianne Clark, UNICEF to SUHAKAM Sabah	SUHAKAM Sabah	Datuk Godfrey Gregory Joitol Mr. Jasmih Mr. Heflin Ak Dino

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
41.	8 Mar	Meeting with Mufti of Selangor	Shah Alam, Selangor	Mr. Mohamad Azizi
42.	9 Mar	Awareness programme on the Rights of the Child to the Safety at MRSM Terendak	Melaka	Mr. Muhammad Syafiq
43.	10-11 Mar	Human rights talk at Universiti Malaysia Perlis (UNIMAP)	Perlis	Mr. Abdul Rahman
44.	10-12 Mar	Visit to Orang Asli village at Jerantut	Pahang	Ms. Hasmah
45.	13 Mar	Launching of Human Rights Best Practices in Schools (ATHAM) programme at SMK Batu Muda	Kuala Lumpur	Commissioners Ms. Hasmah
46.	14 Mar	Human rights talk at Universiti Malaysia Sabah	Sabah	Commissioners Mr. Jasmih
47.	13-14 Mar	Conference on Child Sexual Crime Bill	PWTC	Mr. Joshua
48.	13-15 Mar	AICHR Judicial Colloquium on the Sharing of Good Practices Regarding International Human Rights Laws	Kuala Lumpur	Commissioners Mr. Ameer Izyanif Ms. Nur Syamimi Ms. Yustina
49.	15 Mar	Human rights talk with Kuala Lumpur City Hall (DBKL)	Kuala Lumpur	Mr. Abdul Rahman
50.	17 Mar	Human rights talk for Negeri Sembilan Education Department	Negeri Sembilan	Ms. Hasmah

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
51.	18 Mar	Lecture Series: The Universality of Human Rights in Harmony with Religion by Prof. Syed Farid Al-Attas	IIM Kuala Lumpur	Tan Sri Razali Ismail Dato' Mah Weng Kwai Dr. Nik Salida Suhaila Nik Salleh Mr. Ameer Izyanif Ms. Nur Syamimi
52.	20 Mar	Meeting with National Institute of Public Administration (INTAN)	Kuala Lumpur	Datuk Lok Yim Pheng Mr. Abdul Rahman Mr. Muhammad Syafiq
53.	21 Mar	Meeting with Ministry of Education	Putrajaya	Mr. Abdul Rahman Ms. Hasmah Mr. Muhammad Syafiq
54.	23 Mar	Interview with Astro Awani	SUHAKAM Kuala Lumpur	Tan Sri Razali Ismail
55.	24 Mar	Meeting with Deputy Vice Chancellor, University Malaya	Universiti Malaya	Prof. Dato' Dr. Aishah Bidin Ms. Nurul Hasanah Mr. Ameer Izyanif Ms. Yustina
56.	27 Mar	Awareness programme on the Rights of the Child to the Safety at MRSM Kuala Kangsar	Perak	Mr. Muhammad Syafiq
57.	28 Mar	Media Interview: Mr. Low Han Shaun, The Malaysian Insight Reporter	SUHAKAM Kuala Lumpur	Mr. Simon Karunagaram
58.	29 Mar	Human rights talk for Pahang Education Department	Pahang	Ms. Hasmah

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
59.	30 Mar	Awareness programme on the rights of the child to the safety at PERMATA Insan	Negeri Sembilan	Mr. Muhammad Syafiq
60.	30 Mar	Programme on Freedom of Expression	KDU College	Mr. Ameer Izyanif
61.	31 Mar	Interview by UPSI students regarding SUHAKAM	SUHAKAM Kuala Lumpur	Ms. Nur Syamimi Ms. Elza Nadiah
62.	3 Apr	Awareness programme on the rights of the child to the safety at MRSM Serting	Negeri Sembilan	Mr. Muhammad Syafiq
63.	4 Apr	Visit to Orang Asli village at Kg. Embos, Maran	Pahang	Ms. Hasmah
64.	4 Apr	Meeting with Dr John Subritzky, New Zealand High Commissioner to Malaysia concerning land issues in Sabah	SUHAKAM Sabah	Datuk Godfrey Gregory Joitol Mr. Jasmih Slamat Mr. Heflin Ak Dino
65.	5 Apr	Human rights talk at PALAPES, Banting	Selangor	Mr. Abdul Rahman
66.	6-7 Apr	Awareness programme on the rights of the child to the safety at MRSM Kota Kinabalu	Sabah	Mr. Muhammad Syafiq
67.	11 Apr	Workshop on Verification Draft Report on National Sustainable Development Goals (SDG) Roadmap for Cluster 1: Inclusivity	UPE,Prime Minister Depart-ment Putrajaya	Mr. Mohamad Azizi

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
68.	10-12 Apr	Seminar on Human Rights Best Practices in Schools (ATHAM) for ATHAM Coordinator Teacher, Zone Kota Kinabalu	Sabah	Ms. Hasmah
69.	10-12 Apr	Human Rights workshop for Malaysia Prisons Department Series 2, Taiping	Perak	Mr. Abdul Rahman
70.	14 Apr	Seminar on Government feedback / SUHAKAM Annual Report 2016	Jabatan Perdana Menteri, Putrajaya	Prof Dato' Dr. Aishah Bidin Datuk Lok Yim Pheng
71.	17-19 Apr	Talk on Human Rights Best Practices in School (ATHAM) for Institut Perguruan Malaysia (IPGM) Sg. Siput	Perak	Ms. Hasmah
72.	18 Apr	Technical Committee Meeting on International Instruments on Convention for The Protection of All Persons from Enforced Disappearance	Kem. Dalam Negeri	Mr. Joshua
73.	19 Apr	Meeting on 'Penyelarasan Program Intervansi Jenayah Seksual Kanak-kanak'	Ministry of Education	Ms. Nur Syamimi
74.	20 Apr	Meeting with UNHCR	SUHAKAM Kuala Lumpur	Commissioners Ms. Nurul Hasanah Mr. Ameer Izyanif Ms. Nur Syamimi

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
75.	21 Apr	Consultation on Labour Law Reforms in compliance with governments commitment to Labour Consistency Plan	Bar Council	Ms. Yustina
76.	21 Apr	Human rights workshop for Malaysia Prisons Department Series 3 at PULAPEN, Taiping	Perak	Mr. Abdul Rahman
77.	22 Apr	Talk on Human Rights Best Practices in Schools (ATHAM) for Kelantan Headmaster	Kelantan	Ms. Hasmah
78.	25 Apr	Forum on "Malaysia's Population in 2050: What Does This Mean Socio-economically?"	Institute of Strategic & International Studies (ISIS) Malaysia, Kuala Lumpur	Ms. Nur Syamimi Ms. Lau Sor Pian
79.	2 May	Awareness programme on the rights of the child to the safety at MRSM Jasin	Melaka	Mr. Muhammad Syafiq
80.	3 - 4 May	Human rights workshop for Malaysia Prisons Department Series 4	Taiping Perak	Mr. Abdul Rahman
81.	4 May	Meeting on 'Penyelarasan BHEUU'	BHEUU Putrajaya	Mr. Ameer Izyanif
82.	4 May	Seminar on 'Wanita Cakna Isu Semasa'	JAKIM	Ms. Nur Syamimi
83.	5 May	Meeting with YB Senator Datuk Paul Law Seng Kuan	JPM, Putrajaya	Commissioners Mr. Ameer Izyanif

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
84.	6 May	Consultation on ASEAN Institute of Migrain Worker Member With Bar Council	Hotel Swiss Garden	Ms. Yustina
85.	6 May	National Consultation on the ASEAN Framework Instrument on Migrant Workers and ASEAN Forum on Migrant Labour	Kuala Lumpur	Ms. Chua Yen Sin
86.	6 May	Visit to Orang Asli village, Kg. Chemomoi, Triang	Pahang	Ms. Hasmah
87.	8 May	Forum on ATIP	Sabah	Ms. Paremeswari S.
88.	11 May	Seminar on 'Remaja Berwawasan'	Putrajaya	Mr. Muhammad Syafiq
89.	13 May	Human rights talk on children's rights at University of Malaya	Kuala Lumpur	Ms. Hasmah
90.	14 May	Human rights talk to parent and children in Petaling Jaya	Selangor	Ms. Hasmah
91.	15 May	Meeting with YB Hannah Yeoh, Selangor State Assembly Speaker	Speaker's Office Shah Alam	Tan Sri Razali Ismail Prof. Dato' Aishah Bidin Dato' Mah Weng Kwai Datuk Lok Yim Pheng Mr. Jerald Joseph Ms. Nurul Hasanah Ms. Rafidah Ms. Jesrina Grewal Ms. Elza Nadiah

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
92.	15 May	Meeting with C4	SUHAKAM Kuala Lumpur	Mr. Ameer Izyanif
93.	15 May	Human rights talk at UKM, Bangi	Selangor	Ms. Hasmah
94.	15-18 May	Round table discussion on ICERD	Pulau Pinang	Mr. Muhammad Syafiq
95.	18 May	Visit to ATHAM school – SMK Batu Muda	Kuala Lumpur	Ms. Hasmah
96.	18 May	Seminar on 'Indeks Syariah Malaysia (SISMA)'	INTAN Kuala Lumpur	Ms. Nur Syamimi
97.	18 May	Meeting with Jabatan Perhubungan Perusahaan regarding Union Busting issues	Jab. Perhubungan Perusahaan Malaysia, Putrajaya	Ms. Nurul Hasanah Mr. Mohammad Azizi Ms. Yustina
98.	19 May	Meeting with the Ministry of Foreign Affairs (MOFA)	Wisma Putra	Tan Sri Razali Ismail Prof. Dato' Dr. Aishah Bidin Dato' Mah Weng Kwai Mr. Jerald Joseph Ms. Nurul Hasanah Mr. Wan Kasim Ms. Jesrina Grewal
99.	19 May	Human rights talk at Majlis Perasmian KRT, Seremban	Negeri Sembilan	Mr. Abdul Rahman
100.	22 May	Site visit FGV - Pahang	Pahang	Prof. Dato' Dr. Aishah Bidin Mr. Mohamad Azizi Mr. Helmi Fendy

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
101.	23-25 May	Human rights workshop for Malaysia Prisons Department Series 4, Taiping	Perak	Mr. Abdul Rahman
102.	24 May	Meeting with Chief Judge	Istana Keha-kiman, Putrajaya	Tan Sri Razali Ismail Dato' Mah Weng Kwai Mr. Jerald Joseph Datuk Lok Yim Pheng Ms. Nurul Hasanah Mr Ameer Izyanif Ms. Jesrina Grewal Mr. Joshua
103.	25 May	Public Lecture on Security Laws and Constitution	Universiti Malaya	Mr. Joshua
104.	25 May	Guidelines and Tips for Employers of Foreign Domestic Helpers - Book Launch Ceremony	PICC, Putrajaya	Mr. Nyak Baqi
105.	26 May	Meeting with Ministry of Education	Putrajaya	Datuk Lok Yim Pheng Mr. Abd Rahman Ms. Hasmah Mr. Muhammad Syafiq
106.	30 May	Meeting on Social Compliance & Human Rights Task Force		Mr. Mohamad Azizi
107.	31 May	Meeting with Parti Amanah Negara (AMANAH)	Wisma Amanah Negara, Jalan Ipoh, Kuala Lumpur	Tan Sri Razali Ismail Dato' Mah Weng Kwai Dr. Nik Salida Suhaila Nik Saleh Mr. Simon

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
				Karunagaram Ms. Nurul Hasanah Ms. Jesrina Grewal Ms. Elza Nadiah
108.	31 May	Meeting with ADPAN	SUHAKAM Kuala Lumpur	Ms. Nurul hasanah Mr. Ameer Izyanif Ms. Nur Syamimi
109.	1 June	Meeting with Syariah Lawyer (PGSM)	Shah Alam, Selangor	Mr. Ameer Izyanif Ms. Nur Syamimi Mr. Joshua
110.	7 June	Meeting with UNHCR	UNHCR	Mr. Joshua
111.	9 June	Meeting with BITU	Putrajaya	Mr. Mohamad Azizi Ms. Lau Sor Pian
112.	12 June	Memorandum by BERSIH regarding free and fair elections	SUHAKAM Sabah	Datuk Godfrey Gregory Joitol Mr. Jasmih Slamat Mr. Heflin Ak Dino
113.	13-15 June	'Warshah Islah Pendidikan Islam Lembaga Penasihat Penyelarasan Pelajaran dan Pendidikan Agama Islam (LEPAI)' programme	PICC, Putrajaya	Mr. Abdul Rahman Mr. Muhammad Syafiq Mr. Ahmad Afiifi
114.	14 June	MOFA's Consultation Session with CSOs on the Implementation of the Outcome of Malaysia's 2nd UPR (Cluster 3)	Wisma Putra	Prof. Dato' Dr. Aishah Datuk Lok Yim Pheng Mr. Wan Kasim
115.	14 June	SCHR Working Group (Policy Commitment) with SUHAKAM	Menara FELDA, Kuala Lumpur	Mr. Mohamad Azizi Ms. Paremeswari S.

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
116.	14-16 June	Visit to Tapah Prison, Batu Gajah Prison, IPD Ipoh and IPD Teluk Intan, Perak	Perak	Ms. Joshua
117.	16 June	Consultation Session on Domestic Workers	Bar Council Kuala Lumpur	Ms. Nur Syamimi Ms. Chua Yen Sin Mr. Ahmad Afiifi
118.	19 June	Meeting with Social Welfare Department	JKM Putrajaya	Mr. Joshua
119.	5 July	Meeting with C4	SUHAKAM Kuala Lumpur	Mr. Ameer Izyanif Ms. Nur Syamimi Mr. Joshua
120.	7 July	MAPO Meeting	KDN, Putrajaya	Datuk Lok Yim Pheng Mr. Mohamad Azizi Ms. Lau Sor Pian
121.	13 July	Meeting with UNICEF	UPEN, Sabah	Datuk Godfrey Gregory Joitol Mr. Jasmih Mr. Heflin Ak Dino
122.	15 July	Media interview with BFM Radio on human rights issues	BFM Radio	Datuk Godfrey Gregory Joitol Mr. Francis Johen
123.	17 July	Telephone interview with Malaysian Digest regarding human rights in Malaysia	SUHAKAM Kuala Lumpur	Mr. Jerald Joseph
124.	21 July	Media interview on human trafficking by Hana Maher from The Malaysian Insight	SUHAKAM Kuala Lumpur	Tan Sri Razali Ismail
125.	20 July	Human rights talk at ILKAP, Bangi	Selangor	Ms. Hasmah

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
126.	20-21 July	Awareness programme on the rights of the child to the safety at MRSM Pasir Salak	Perak	Mr. Muhammad Syafiq
127.	21-22 July	Malaysia National Conference and Training Workshop on Abolition of the Death Penalty in Malaysia and in Asia	KL & SCAH	Mr. Ameer Izyanif
128.	24 July	Visit to ATHAM school - SK Tun Abdul Razak, Kuala Kubu Bharu	Selangor	Ms. Hasmah
129.	24 July	Migrant Entrepreneurs International; United Kingdom; Impacto Sdn Bhd; & UN Global Compact Malaysia are hosting an exclusive closed-door presentation and discussion on "Economic – Value of Refugee Entrepreneurs"	The Ploy, Daman-sara Heights	Mr. Helmi Fendy
130.	24 July	Focus group discussion programme on 'Dasar Pembangunan Luar Bandar TN50'	Kota Kinabalu	Mr. Heflin Ak Dino
131.	25 July	Working visit by Second Secretary (Political), High Commission of Canada	SUHAKAM Sabah	Datuk Godfrey Gregory Joitol Mr. Jasmih Slamat Mr. Heflin Ak Dino
132.	25 July	Visit to Orang Asli school – SK Bukit Bangkong (A), Kuala Langat	Selangor	Ms. Hasmah

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
133.	25 July	Stakeholder Consultation on Countering Technology-Related Harassment and Gender-Based Violence	Kuala Lumpur	Ms. Sarah Adibah
134.	25 July	Parliamentary Roundtable and Consultations on the Abolition of The Death Penalty in Malaysia and in Asia"	Parliment	Mr. Ameer Izyanif
135.	26 -27 July	Human rights workshop for Malaysia Prisons Department Series 5 at Akademi Koreksional Malaysia, Langkawi	Kedah	Mr. Abdul Rahman
136.	26 July	Visit to ATHAM school – SMK Sungai Manggis, Kuala Langat	Selangor	Ms. Hasmah
137.	26 July	MOFA's Consultation Session with CSOs on the Implementation of the Outcome of Malaysia's 2nd UPR (Cluster 4 and 5)	Wisma Putra	Datuk Lok Yim Pheng Ms. Chua Yen Sin
138.	27 July	Follow-up meeting with C4	SUHAKAM Kuala Lumpur	Mr. Ameer Izyanif Ms. Nur Syamimi
139.	27-28 July	Awareness programme on the Rights of the Child to the Safety at MRSM Kuala Lipis	Pahang	Mr. Muhammad Syafiq

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
140.	28 July	Meeting on 'Pra-Persidangan Dewan Negara untuk Pegawai Perhubungan Parlimen Peringkat Kementerian/ Agensi Bil.2/2017'	Parliament Malaysia	Mr. Mohd Ariff Saifullah
141.	30 July	Visit to Orang Asli village at Sg. Temon Danga Bay, Johor Bharu	Johor	Ms. Hasmah
142.	31 July	Meeting with YB Tan Sri Mohamad bin Haji Aziz, Johor State Assembly Speaker	Speaker's Office Johor Bahru	Tan Sri Razali Mr. Jerald Joseph Ms. Nurul Hasanah Ms. Jesrina Grewal Ms. Hasmah
143.	31 July	Meeting with Prof. Datuk Ir. Dr. Wahid bin Omar, Vice Chancellor, UTM	VC Office UTM Johor	Tan Sri Razali Mr. Jerald Joseph Ms. Nurul Hasanah Ms. Jesrina Grewal
144.	31 July	Media interview on human rights issues with BFM Radio	BFM Radio	Datuk Lok Yim Pheng
145.	1 Aug	Awareness programme (follow-up) on children's rights to safety at MRSM Johor Bharu	Johor	Mr. Muhammad Syafiq
146.	1 Aug	Visit to ATHAM school – SMK Taman Pelangi Indah, Johor Bharu	Johor	Ms. Hasmah
147.	2 Aug	Meeting with Her Majesty The Queen of Johor Raja Zarith Sofiah bt Sultan Idris	Johor	Tan Sri Razali Ismail Commissioners Ms. Nurul Hasanah Ms. Jesrina Grewal
148.	2 Aug	Media interview on human rights issues with BFM Radio	BFM Radio	Mr. Jerald Joseph

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
149.	2-3 Aug	Awareness programme on the rights of the child to the safety at MRSM Kepala Batas	Pulau Pinang	Mr. Muhammad Syafiq
150.	3 Aug	'Majlis Perdana Ulama-Imara+NGO Islam' and Malaysian Syariah Index 2017 Presentation with YAB Prime Minister	PICC, Putrajaya	Ms. Nur Syamimi
151.	3 Aug	Media interview on human rights issues with BFM Radio	BFM Radio	Dato' Mah Weng Kwai
152.	4 Aug	Media interview with Bernama News Channel on access to information in Malaysia	BERNAMA	Tan Sri Razali Ismail
153.	7 Aug	Meeting with PDRM at Bukit Aman	Kuala Lumpur	Mr. Abdul Rahman Ms. Wan Norhafizah
154.	8 Aug	Meeting with YAB Datuk Amar Abang Haji Abdul Rahman Zohari Bin Tun Abang Haji Openg, Chief Minister of Sarawak	Sarawak	Tan Sri Razali Ismail Commissioners Ms. Nurul Hasanah Ms. Jesrina Grewal
155.	8 Aug	Forum on Islam, Civilization and Science 207 (FICAS 2017)	JW Marriot, Putrajaya	Mr. Joshua Ms. Sarah Adibah
156.	9-10 Aug	Awareness programme on the rights of the child to the safety at MRSM Tumpat	Kelantan	Mr. Muhammad Syafiq
157.	9-11 Aug	Seminar on Human Rights Best Practices in Schools (ATHAM) for ATHAM Coordinator Teacher, Tawau Zone	Sabah	Ms. Hasmah

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
158.	10 Aug	Meeting with UNHCR and IDC	UNHCR	Mr. Joshua
159.	11 Aug	Meeting on Communal Title at Department of Director General Land and Mines	Putrajaya	Mr. Joshua Ms. Lau Sor Pian
160.	11 Aug	Round table discussion (RTD) on Methodology for Bajau Laut Consultation	Sandakan, Sabah	Mr. Ameer Izyanif
161.	11-12 Aug	Awareness programme on the rights of the child to the safety at MRSM Kuching	Sarawak	Mr. Muhammad Syafiq
162.	12-13 Aug	TN50: The Circles Ideation Lab	Menara UOA Bangsar, Kuala Lumpur	Mr. Helmi Fendy
163.	14 Aug	Committee meeting on the protection and rehabilitation of victims - trafficking in persons	KPWKM, Putrajaya	Mr. Helmi Fendy
164.	14 Aug	UNHCR Memorandum of Understanding (MOU)	UNHCR	Ms. Nurul Hasanah Mr. Ameer Izyanif Mr. Joshua
165.	15 Aug	Media interview on human rights issues with BFM Radio	BFM Radio	Prof. Dato' Dr. Aishah Bidin
166.	16-17 Aug	Awareness programme on the rights of the child to the safety at MRSM Kuala Krai	Kelantan	Mr. Muhammad Syafiq

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
167.	16 Aug	Meeting with Bersih Steering Committee to discuss on Electoral Reform Work	SUHAKAM Kuala Lumpur	Tan Sri Razali Ismail Commissioners, TSUs, CCD
168.	16 Aug	Human rights talk at Center for Orang Asli Concerns (COAC)	Petaling Jaya Selangor	Ms. Hasmah
169.	16 Aug	Meeting with US embassy on US Trafficking in Persons Report 2017	Bar Council, Kuala Lumpur	Commissioners Ms. Siti Rahayu
170.	17 Aug	Working Group on Arbitrary Detention Meeting	UNHCR	Mr. Joshua
171.	18 Aug	Meeting with Sarawak Syariah Chief Judge	Sarawak	Dr. Nik Salida Suhaila Nik Saleh Mr. Ameer Izyanif
172.	21 Aug	Media interview on human rights issues with BFM Radio	BFM Radio	Tan Sri Razali Ismail
173.	23 Aug	Human rights talk at PALAPES, Banting	Selangor	Mr. Abdul Rahman
174.	24 Aug	Human Rights Education Workshop for Sekolah Agama Rakyat's teachers under JAWI	Kuala Lumpur	Ms. Hasmah
175.	25 Aug	Symposium on Violence Against Women (SAWO)	Dewan Majlis Perkhid-matan Sabah	Datuk Godfrey Mr. Jasmih

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
176.	29 Aug	Seminar on National Human Rights Action Plan 2017	Putrajaya	Tan Sri Razali Ismail Dr. Nik Salida Suhaila Nik Saleh Ms. Siti Zaihan Ms. Elza Nadiah Ms. Nur Syamimi
177.	29 Aug	Human rights talk at Sekolah Agama Rakyat (SAR)	Pahang	Ms. Hasmah
178.	29 Aug	'Seminar Kebangsaan Mahkamah Syariah 60 Tahun Pasca Kemerdekaan 2017'	IAIS Malaysia	Ms. Sarah Adibah
179.	4 Sept	Meeting with Council of Churches Malaysia (CCM)	Petaling Jaya	Tan Sri Razali Commissioners TSUs
180.	5-6 Sept	Awareness programme on the rights of the child to the safety at MRSM Beseri	Perlis	Mr. Muhammad Syafiq
181.	7 Sept	Access to banking for the blind	Grand Seasons Hotel, Kuala Lumpur	Mr. Mohamad Azizi
182.	9 Sept	Human rights talk at Maktab Penjara Kajang	Kajang Selangor	Mr. Abdul Rahman
183.	11-12 Sept	Visit to ATHAM school and Sekolah Agama Rakyat at Gombak	Selangor	Ms. Hasmah
184.	12 Sept	Meeting with Rapporteur on Cultural Rights	SUHAKAM Kuala Lumpur	Commissioners Mr. Ameer Izyanif Mr. Joshua

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
185.	12-14 Sept	Strategic Workshop: AADK Transformation Lab	UM	Ms. Sarah Adibah
186.	13 Sept	Visit to ATHAM school and Sekolah Agama Rakyat at Sekinchan	Selangor	Ms. Hasmah
187.	13 Sept	Work visit FROM Counsellro Bramm, Embassy of The Kingdom of the Netherlands in Singapore	SUHAKAM Kuala Lumpur	Commissioners Mr. Ameer Izyanif
188.	14 Sept	Visit to ATHAM school and Sekolah Agama Rakyat at Kuala Langat	Selangor	Ms. Hasmah
189.	14 Sept	MOFA's Consultation Session with CSOs on the Implementation of the Outcome of Malaysia's 2nd UPR (Cluster 6 and 7)	Wisma Putra	Datuk Lok Yim Pheng Mr. Wan Kasim
190.	14 Sept	Meeting with Ranau District Officer regarding SUHAKAM Bersama Masyarakat	Ranau District Office	Mr. Jasmih Mr. Heflin Ak Dino
191.	15 Sept	Visit to ATHAM school and Sekolah Agama Rakyat at Cheras	Kuala Lumpur	Ms. Hasmah
192.	16-17 Sept	Awareness programme on children's rights to safety at MRSM Pengkalan Chepa	Kelantan	Ms. Hasmah

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
193.	18 Sept	Meeting with Bangladesh National Human Rights Commission	SUHAKAM Kuala Lumpur	Mr. Ameer Izyanif
194.	19 Sept	MOFA's Consultation Session with CSOs on the Implementation of the Outcome of Malaysia's 2nd UPR (Cluster 2)	Wisma Putra	Datuk Lok Yim Pheng Ms. Chua Yen Sin
195.	19 Sept	Meeting on 'Pelantikan Panel Hakim Pertandingan Amalan Terbaik Sekolah Murid Orang Asli Peringkat Kebangsaan Tahun 2017'	Ministry of Education Putrajaya	Ms. Hasmah
196.	19 Sept	Meeting on Death Penalty	Bar Council	Ms. Nur Syamimi
197.	19 Sept	Meeting with Australia High Commission	SUHAKAM Kuala Lumpur	Mr. Joshua
198.	20 Sept	Meeting with Menteri Besar Perlis, YAB Dato' Sri Azlan Man	Perlis	Tan Sri Razali Ismail Commissioners TSUs, CCD
199.	20 Sept	Meeting with Mufti of Perlis, Prof. Dato' Dr. Mohd Asri Zainul Abidin	Perlis	Tan Sri Razali Ismail Commissioners CCD
200.	21 Sept	7th National Conference on Non-Discrimination Enjoyment on Cultural Rights in Malaysia for All: Posibilities in the Midst of Challenge	Hotel Hilton, Petaling Jaya	Mr. Joshua Datuk Godfrey Gregory Joitol

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
201.	21-24 Sept	Visit to Orang Asli schools regarding 'Pertandingan Amalan Terbaik Peringkat Kebangsaan Tahun 2017'	Selangor Perak	Ms. Hasmah
202.	22 Sept	Meetings with Mr. Stephen Pliesner (UNDP) to discussions on current issues such as migrants, land and socio-economic issues in Sabah.	Horizon Hotel Kota Kinabalu	Datuk Godfrey Gregory Joitol Mr. Jasmih
203.	24-25 Sept	Awareness programme on the rights of the child to the safety at MRSM Kuala Terengganu	Terengganu	Mr. Muhammad Syafiq
204.	25 Sept	Malaysia -New Zealand International Symposium on Indigenous Peoples' Right & Studies	Universiti Sains Islam Malaysia, Nilai, Negeri Sembilan	Ms. Lau Sor Pian
205.	25 Sept	Courtesy call – Kingdom of Norway	SUHAKAM Kuala Lumpur	Tan Sri Razali Ismail
206.	25 Sept	TN50 Dialogue Session: 'Melangkah Ke Hadapan Meneruskan Agenda Integriti Negara'	Institut Integriti Malaysia, Kuala Lumpur	Mr. Helmi Fendy
207.	25 – 27 Sept	Human Rights Seminar for PDRM Officer	Putrajaya	Mr. Abdul Rahman Ms. Wan Norhafizah

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
208.	26 Sept	Meeting with UNHCR	SUHAKAM Kuala Lumpur	Mr. Ameer Izyanif Mr. Joshua
209.	26 Sept	Meeting with Tn. Hj. Azril Mohd Amin from CENTHRA	SUHAKAM Kuala Lumpur	Tan Sri Razali Ismail
210.	26 Sept	'Konvensyen Wanita Mendepani Cabaran Abad-21': Keseimbangan Dalam Kepimpinan, Kerjaya dan Keluarga'	AlHijrah Big Studio (ABS) TV Cyberjaya	Ms. Sarah Adibah Ms. Siti Rahayu
211.	26 Sept	Meeting with Ketua Unit Tanah Hasil Bumi	Kota Kinabalu	Mr. Jasmih
212.	27 Sept	Meeting at Universiti Malaysia Sabah	Universiti Malaysia Sabah	Mr. Jasmih Mr. Heflin Dino
213.	27 Sept	Meeting with YBhg. S.S Datuk Dr. Zulkifli bin Mohamad Al-Bakri, Mufti of Federal Territory of Kuala Lumpur	Putrajaya	Tan Sri Razali Ismail Commissioners Ms. Nurul Hasanah Ms. Lee Pei Hsi Ms. Jesrina Grewal Mr. Ameer Izyanif
214.	27 Sept	Meeting with Chief Justice	Putrajaya	Tan Sri Razali Ismail Commissioners Ms. Nurul Hasanah Ms. Jesrina Grewal Mr. Ameer Izyanif
215.	27 Sept	Youth for Rights: Digital Rights	INTI College, Nilai	Mr. Joshua

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
216.	27-29 Sept	Visit to Orang Asli Schools for Human Rights Best Practices in Schools (ATHAM), National Level 2017 contest	Pahang and Kelantan	Ms. Hasmah
217.	28 Sept	Meeting with YBhg. Dato' Azmil Zabidi, Director General SEARCCT	SUHAKAM Kuala Lumpur	Ms. Nurul Hasanah Mr. Ameer Izyanif
218.	28 Sept	Meeting with JAKOA	SUHAKAM Kuala Lumpur	Ms. Nurul Hasanah Mr. Joshua
219.	28 Sept	Meeting with Ministry of Education	Putrajaya	Ms. Nur Syamimi
220.	28-29 Sept	Workshop on Training of Trainers (TOT) 'Modul Pendidikan Hak Asasi Manusia Pasca Ujian Penilaian Sekolah Rendah (UPSR)'	Negeri Sembilan	Ms. Wan Norhafizah Mr. Muhammad Syafiq
221.	29 Sept	Live show by Bernama Today	BERNAMA	Tan Sri Razali Ismail
222.	2 Oct	Human Rights Workshop for Malaysia Prisons Department Series 6, Taiping	Taiping	Mr. Abdul Rahman Ms. Wan Norhafizah
223.	2-5 Oct	Seminar on 'Amalan Terbaik Sekolah Murid Orang Asli Peringkat Kebangsaan Tahun 2017'	Kuala Lumpur	Ms. Hasmah

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
224.	3 Oct	Interactive Smart Citizen Discussion: 3rd SMART Cities Asia 2017	Kuala Lumpur Convention Centre, Pusat Konvensyen Kuala Lumpur	Mr. Helmi Fendy
225.	3 Oct	Serial talk on SUHAKAM	Universiti Malaysia Sabah	Mr. Jasmih
226.	3-5 Oct	Human rights workshop for Medical Officer, Malaysia Prisons Department Series 7, Taiping	Taiping	Mr. Abdul Rahman Ms. Wan Norhafizah
227.	5 Oct	Opening Ceremony and Public Sector Chief Information Officer Convention and Exhibition (Cio Convex) 2017	Putrajaya	Ms. Siti Zaihan
228.	5 Oct	Media interview with Bismillah Ad-Dhuha programme, Astro Oasis	Astro	Dr. Nik Salida Suhaila Nik Saleh
229.	5 Oct	Courtesy call from Maldives Human Rights Commission	SUHAKAM Kuala Lumpur	Tan Sri Razali Ismail Commisioners
230.	5-6 Oct	AADK Drugs Transformation: Enhance the Treatment and Rehabilitation Process of PWUDs	Shah's Village Hotel, Petaling Jaya	Ms. Sarah Adibah

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
231.	6 Oct	Human rights talk at Kolej Vokasional ERT Setapak	Kuala Lumpur	Ms. Hasmah
232.	6 Oct	Interview by Ms. Ezza Izzati, UITM student on human trafficking	SUHAKAM Kuala Lumpur	Mr. Shahizad
233.	6 Oct	Meeting on abolition of the Death Penalty Project (ADPP) 2017	SUHAKAM Kuala Lumpur	Mohamad Azizi
234.	10 Oct	Serial talk by Tan Sri Razali Ismail	Universiti Malaysia Sabah	SUHAKAM
235.	10 Oct	Meeting with Sabah Syariah Chief Judge	Jabatan Kehakiman Syariah Sabah	Mr. Ameer Izyanif
236.	12-14 Oct	Strategic Workshop: AADK Transformation Lab	Universiti Malaya	Ms. Sarah Adibah
237.	13 Oct	Meeting with Amnesty International Malaysia	SUHAKAM Kuala Lumpur	Ms. Nurul Hasanah Mr. Ameer Izyanif Ms. Nur Syamimi
238.	17 Oct	Courtesy call from US Embassy	SUHAKAM Kuala Lumpur	Tan Sri Razali Ismail Commisioners
239.	19 Oct	Human rights talks at Universiti Industri Selangor (UniSel), Bestari Jaya	Selangor	Ms. Wan Norhafizah Mr. Muhammad Syafiq
240.	20 Oct	Media interview by Singapore Straits Times	SUHAKAM Kuala Lumpur	Tan Sri Razali Ismail

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
241.	22-23 Oct	Workshop on Custodial Medicine-Preventing Death in Custody	Ancasa Hotel and Spa, KL	Ms Nur Syamimi
242.	23 Oct	Meeting with Director General of the National Security Council	Putrajaya	Ms. Nurul Hasanah Mr. Ameer Izyanif
243.	23 Oct	Live interview with Bernama News Channel	BERNAMA	Tan Sri Razali Ismail
244.	23 Oct	Interview by UKM students	SUHAKAM Kuala Lumpur	Mr. Ameer Izyanif Mr. Joshua
245.	23-24 Oct	Workshop on 'Pemantapan Munsyi Muda Bahasa Siri 1/2017'	INTAN Bukit Kiara	Ms. Sarah Adibah
246.	23-24 Oct	Workshop on Training of Trainers (TOT) 'Modul Pendidikan Hak Asasi Manusia Pasca Pentaksiran Tingkatan 3 (PT3) at Klana Resort, Seremban'	Negeri Sembilan	Ms. Hasmah
247.	24 Oct	International Conference on Heart of Borneo by Sabah State Forestry Department	Magellan Hotel, Sutera Habour	Datuk Godfrey Gregory Joitol Mr. Heflin Ak Dino
248.	25-26 Oct	Expert Round Table Discussion (RTD) on the Hague Children's Convention	IIUM	Mr. Joshua Ms. Sarah Adibah
249.	25-27 Oct	Seminar on Human Rights Best Practices in Schools (ATHAM) for ATHAM Coordinator Teacher Kuching Zone	Sarawak	Ms. Hasmah

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
250.	25-27 Oct	AICHR Regional Consultation on the Right to Safe Drinking Water and Sanitation in ASEAN	Sabah	Datuk Godfrey Gregory Joitol Mr. Heflin Ak Dino Ms. Nur Syamimi
251.	26 Oct	UPR Pre-Session Meeting on the Rights of Indigenous Peoples	Bar Council	Mr. Wan Kasim
252.	30-31 Oct	AADK Drugs Transformation: Decriminalizing persons who used Drugs.	Crystal Crown, Petaling Jaya	Ms. Sarah Adibah
253.	31 Oct	Meeting with Special Rapporteur Indigenous People	SUHAKAM Kuala Lumpur	Mr. Ameer Izyanif
254.	30 Oct-1 Nov	Land Conference	Pearl International Hotel, Petaling Jaya Selangor	Ms. Hasmah
255.	2-3 Nov	Meeting with NGOs regarding Orang Asli	Petaling Jaya Selangor	Ms. Hasmah
256.	2 Nov	Forum on 'Pasca Bajet Negara 2018: Satu Analisis'	INTAN Bukit Kiara	Ms. Sarah Adibah
257.	3 Nov	Human Rights 365 Partners Meeting	Wisma UN	Ms. Nur Syamimi
258.	4 Nov	National Law Symposium: Islam & Human Rights	IIUM	Mr. Ahmad Afiifi Ms. Wan Norhafizah Ms. Nur Syamimi
259.	4 Nov	Human Rights Talks at Orang Asli village, Ulu Geruntom	Perak	Ms. Hasmah

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
260.	7 Nov	Meeting with Inspector General of Police	Bukit Aman	Ms. Nurul Hasanah Mr. Ameer Izyanif
261.	10 Nov	Visit to Orang Asli school	Raub, Pahang	Ms. Hasmah
262.	14 Nov	Human rights talk at SPRM's academy	Kuala Lumpur	Mr. Abdul Rahman
263.	15 Nov	Human rights talk at Genting Highland	Pahang	Ms. Wan Norhafizah
264.	23 Nov	Tengku Jaafar Workshop 2017	Fakulti Undang-Undang, UKM	Mr. Ameer Izyanif
265.	27-30 Nov	Human Rights Workshop for Malaysia Prisons Department Series 8, Taiping	Perak	Mr. Abdul Rahman Ms. Wan Norhafizah
266.	28 Nov	UM Alumni TN50 on Older Person	UM	Mr. Ameer Izyanif
267.	29-30 Nov	UPR Statelessness	Sandakan Sabah	Mr. Ameer Izyanif
268.	30 Nov	Death penalty workshop: Laws vs human rights	UNISEL Bestari Jaya, Selangor	Ms. Wan Norhafizah Mr. Muhammad Syafiq
269.	28 Nov-1 Dec	Visit to Sekolah Agama Rakyat and Maahad Tahfiz	Kedah	Ms. Hasmah
270.	4 Dec	Interview with Bernama Radio	BERNAMA	Dr. Nik Salida Suhaila Nik Saleh
271.	6 Dec	Media interview with Astro 360	SUHAKAM Kuala Lumpur	Mr. Jerald Joseph

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
272.	6-7 Dec	Regional Roundtable on Judicial Engagement for Southeast Asia	Swiss Garden Hotel, Kuala Lumpur	Mr. Joshua
273.	12 Dec	Seminar on 'Aplikasi ICT dalam Kehidupan Harian OKU Penglihatan'	Kuala Lumpur	Ms. Nur Syamimi
274.	13 Dec	Refugees in the Context of Human Security: Malaysia Perspective	UiTM Shah Alam	Mr. Ameer Izyanif
275.	14 Dec	Meeting on ATD	UNHCR	Mr. Joshua
276.	14-15 Dec	Death penalty workshop: Laws vs human rights	UPSI Tanjung Malim, Perak	Ms. Cik Wan Norhafizah Mr. Muhammad Syafiq Ms. Nur Syamimi
277.	15 Dec	Meeting to Discuss MOU and Workplan with UNHCR	SUHAKAM Kuala Lumpur	Mr. Ameer Izyanif Mr. Joshua
278.	15 Dec	Consultation Session on 'Cadangan Penggubalan Akta Keharmonian Nasional Bil 1/2017'	Jab. Perpadu-an Negara dan Inte-griti Nasional, Putrajaya	Ms. Sarah Adibah
279.	30 Dec	Death penalty Workshop: Laws vs human rights	UNISEL, Selangor	Ms. Nur Syamimi

List of Talks, Meetings, Workshops and Conferences – International 2017

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
1.	22-28 Jan	Training Monitoring Economic, Social and Cultural Rights (ESCR-APF)	Philippines	Mr. Mohamad Azizi Mr. Wan Kasim Mr. Helmi Fendy
2.	30-31 Jan	APF Workshop on the Garment Industry and Business and Human Rights	Bangkok, Thailand	Mr. Muhammad Faiz
3.	13-17 Feb	APF Face-to Face Workshop: Sexual Orientation, Gender Identity and Sex Characteristics (SOGISC)	Manila Philippines	Ms. Nurul Hasanah Ms. Lau Sor Pian
4.	20-22 Feb	High Level Roundtable Side Event regarding the GANHRI Proposed Statute and SCA Rules and Procedures Amendments & the International Conference on Human Rights Approach to Conflict Situation in the Arab Region	Doha, Qatar	Prof. Dato' Dr. Aishah Bidin

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
5.	25-26 Feb	Global Parliamentarian's Conference on Discrimination based on Work and Descent	Kathmandu, Nepal	Mr. Jerald Joseph
6.	28 Feb-2 Mar	Improving Security Sector Governance in Southeast Asia: A Learning Lab	Siem Reap, Cambodia	Mr. Jerald Joseph
7.	6-8 Mar	Annual Meeting of GANHRI / APF Meeting	Geneva, Switzerland	Tan Sri Razali Ismail Mr. Jerald Joseph Mr. Wan Kasim
8.	9 Mar	GANHRI-UNICEF Seminar on The Role of NHRIs in the Promotion and Protection of Children's Rights: Contributions to the Implementation of the 2030 Agenda	Geneva, Switzerland	Mr. Jerald Joseph
9.	11-13 Mar	Workshop on Business, Human Rights and Access to Justice in Asia	Manila Philippines	Mr. Jerald Joseph
10.	29 Mar-1 Apr	Lecturer Workshop on Teaching Human Rights	Nakthon Pathom Province, Thailand	Mr. Jerald Joseph
11.	5 Apr	OHCHR Regional Consultation on OHCHR Strategic Directions 2018-2021	Bangkok, Thailand	Mr. Jerald Joseph
12.	24-28 Apr	16th Session of UN Permanent Forum on Indigenous Issues	New York United States	Mr. Jerald Joseph
13.	25-26 Apr	APF-UNDP Conference on the Yogyakarta Principles: What we learnt and where to now?	Bangkok, Thailand	Dr. Nik Salida Suhaila Nik Saleh

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
14.	27-28 Apr	SEANF TWG Meeting 1/2017	Manila Philippines	Ms. Chua Yen Sin
15.	2 May	Consultative Roundtable on a Special Mechanism for the Promotion and Protection of the Freedom of Expression and the Safety of Journalists in Southeast Asia	Jakarta, Indonesia	Ms. Jesrina Grewal
16.	24-25 May	Regional Conference on Children on the move in Southeast Asia	Bangkok, Thailand	Dato' Mah Weng Kwai
17.	29 May-2 June	NHRCK Partnership Programme for NHRI Human Rights Officers	Seoul, South Korea	Mr. Heflin Ak Dino
18.	1-2 June	Regional Workshop on Business and Human Rights: Moving ahead with National Action Plans in ASEAN	Bangkok, Thailand	Prof. Dato' Dr. Aishah Bidin Mr. Wan Kasim
19.	5-7 June	APF Face-to-face Workshop on Business and Human Rights	Bangkok, Thailand	Ms. Siti Zaihan Mr. Sophian
20.	11-13 June	2017 UNHCR-NGO Statelessness Retreat	Puidoux, Switzerland	Mr. Ameer Izyanif
21.	13-14 June	Asian NHRI Workshop on the Indigenous Navigator	Chiang Mai, Thailand	Mr. Jerald Joseph Ms. Lau Sor Pian Ms. Nur Adlin
22.	19-21 June	3rd AICHR Regional Dialogue on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community	Phuket, Thailand	Mr. Francis Johen Ms. Lee Pei Hsi

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
23.	18-23 June	Networking Delegation with ENNHRI and GANHRI network on Implementation of the UN Guiding Principles on Business and Human Rights through National Action Plans	Brussels and Berlin	Tan Sri Razali Ismail Ms. Jesrina Grewal
24.	17-21 July	RWI Face-to-Face Workshop for Regional Blended Learning Course on Human Rights and Environment/ Climate Change in the Framework of Agenda 2030	Bangkok, Thailand	Ms. Nur Syamimi Ms. Siti Rahayu
25.	22-26 July	NHRI Meeting with The Pre- Sessional Working Group for the 69th Session of The Committee on The Elimination of Discrimination Against Women (CEDAW)	Palais des Nations, Geneva	Prof. Dato' Dr. Aishah Bidin Mr. Joshua
26.	24-28 July	ASEM Annual Human Rights Training: Human Rights and Persons with Disabilities	Jakarta, Indonesia	Mr. Muhammad Faiz
27.	7-8 Sept	SEANF TWG Meeting 2/2017	Cebu Philippines	Mr. Wan Kasim
28.	19-21 Sept	2nd ASEM Conference on Global Ageing and Human Rights of Older Persons	Seoul, South Korea	Ms. Nurul Hasanah

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
29.	20-22 Sept	Trans Health and Rights Conference: Increasing Access to HIV and Other Health Services for Trans People	Bangkok, Thailand	Ms. Lau Sor Pian
30.	8-10 Oct	9th International Conference of Ombuds Institutions for the Armed Forces	London, United Kingdom	Mr. Jerald Joseph
31.	9-13 Oct	7th Regional Conference on Human Rights and Agribusiness in South East Asia	Pontianak, West Kalimantan, Indonesia	Mr. Mohamad Azizi Mr. Helmi Fendy
32.	11-12 Oct	7th Regional Conference on Human Rights and Agribusiness in South East Asia	Pontianak, West Kalimantan, Indonesia	Mr. Mohamad Azizi
33.	13-16 Oct	*AICHR Training Business and Human Rights*	Bangkok, Thailand	Mr. Ameer Izyanif
34.	20 Oct	Regional Forum on Business and Human Rights	Manila Philippines	Mr. Helmi Fendy
35.	8-10 Nov	14th SEANF Annual Meeting and SEANF Conference	Manila Philippines	Tan Sri Razali Ismail Ms. Jesrina Grewal
36.	13-16 Nov	AICHR Training on Business and Human Rights	Bangkok, Thailand	Mr. Ameer Izyanif Mr. Heflin Ak Dino
37.	16 Nov	COP23 event on Human Rights and Climate Change: The Role of Communities, Activists, NGOs and NHRIs in the Climate Crisis	Bonn, Germany	Mr. Jerald Joseph

NO.	DATE	TALKS, MEETINGS, WORKSHOPS AND CONFERENCES	VENUE	REPRESENTATIVE
38.	21-22 Nov	APF Communications Network Collaboration Workshop	Dhaka, Bangladesh	Ms. Lee Pei Hsi Ms. Jesrina Grewal
39.	22-23 Nov	Learning Session: Investing in Children's Rights	Manila Philippines	Mr. Francis Johen
40.	27-29 Nov	2017 Annual Forum on Business and Human Rights	Geneva, Switzerland	Prof. Dato' Dr. Aishah Bidin Mr. Wan Kasim
41.	29-30 Nov	22nd Annual General Meeting and Biennial Conference of APF	Bangkok, Thailand	Datuk Lok Yim Pheng Ms. Chua Yen Sin
42.	12-16 Dec	APF' Facilitators' Training Blended Learning Course	Indonesia	Ms. Siti Zaihan

Appendix V

Monthly Meetings 2017 – Attendance of Members of the Commission

NO.	SERIAL NO. OF MEETING	DATE	MEMBERS OF THE COMMISSION PRESENT	MEMBERS OF THE COMMISSION ABSENT	WITH LEAVE	WITHOUT LEAVE
1	1-2017	10/1/2017	1. TAN SRI RAZALI ISMAIL 2. DATUK GODFREY GREGORY JOITOL 3. PROF. DATO' DR. AISHAH BIDIN 4. DATO' MAH WENG KWAI 5. DATUK LOK YIM PHENG 6. MR. FRANCIS JOHEN ANAK ADAM 7. MR. JERALD JOSEPH 8. DR. NIK SALIDA SUHAILA NIK SALEH 9. MS. RODZIAH ABDUL	-	-	-

NO.	SERIAL NO. OF MEETING	DATE	MEMBERS OF THE COMMISSION PRESENT	MEMBERS OF THE COMMISSION ABSENT	WITH LEAVE	WITHOUT LEAVE
2	2-2017	7/2/2017	1. TAN SRI RAZALI ISMAIL 2. DATUK GODFREY GREGORY JOITOL 3. PROF. DATO' DR. AISHAH BIDIN 4. DATO' MAH WENG KWAI 5. DATUK LOK YIM PHENG 6. MR. FRANCIS JOHEN ANAK ADAM 7. MR. JERALD JOSEPH 8. DR. NIK SALIDA SUHAILA NIK SALEH 9. MS. RODZIAH ABDUL	-	-	-
3	3-2017	17/3/2017	1. TAN SRI RAZALI ISMAIL 2. DATUK GODFREY GREGORY JOITOL 3. PROF. DATO' DR. AISHAH BIDIN 4. DATO' MAH WENG KWAI 5. DATUK LOK YIM PHENG 6. MR. FRANCIS JOHEN ANAK ADAM 7. MR. JERALD JOSEPH 8. DR. NIK SALIDA SUHAILA NIK SALEH 9. MS. RODZIAH ABDUL	-	-	-

NO.	SERIAL NO. OF MEETING	DATE	MEMBERS OF THE COMMISSION PRESENT	MEMBERS OF THE COMMISSION ABSENT	WITH LEAVE	WITHOUT LEAVE
4	4-2017	19/4/2017	1. TAN SRI RAZALI ISMAIL 2. DATUK GODFREY GREGORY JOITOL 3. PROF. DATO' DR. AISHAH BIDIN 4. DATO' MAH WENG KWAI 5. DATUK LOK YIM PHENG 6. MR. FRANCIS JOHEN ANAK ADAM 7. MR. JERALD JOSEPH 8. DR. NIK SALIDA SUHAILA NIK SALEH 9. MR. SIMON KARUNAGARAM	PUAN RODZIAH ABDUL	-	-
5	5-2017	9/5/2017	1. TAN SRI RAZALI ISMAIL 2. DATUK GODFREY GREGORY JOITOL 3. PROF. DATO' DR. AISHAH BIDIN 4. DATO' MAH WENG KWAI 5. DATUK LOK YIM PHENG 6. MR. FRANCIS JOHEN ANAK ADAM 7. MR. JERALD JOSEPH 8. DR. NIK SALIDA SUHAILA NIK SALEH 9. MR. SIMON KARUNAGARAM	PUAN RODZIAH ABDUL	-	-

NO.	SERIAL NO. OF MEETING	DATE	MEMBERS OF THE COMMISSION PRESENT	MEMBERS OF THE COMMISSION ABSENT	WITH LEAVE	WITHOUT LEAVE
6	6-2017	6/6/2017	1. TAN SRI RAZALI ISMAIL 2. DATUK GODFREY GREGORY JOITOL 3. PROF. DATO' DR. AISHAH BIDIN 4. DATO' MAH WENG KWAI 5. DATUK LOK YIM PHENG 6. MR. FRANCIS JOHEN ANAK ADAM 7. MR. JERALD JOSEPH 8. DR. NIK SALIDA SUHAILA NIK SALEH 9. MR. SIMON KARUNAGARAM	-	-	-
7	7-2017	11/7/2017	1. TAN SRI RAZALI ISMAIL 2. DATUK GODFREY GREGORY JOITOL 3. PROF. DATO' DR. AISHAH BIDIN 4. DATUK LOK YIM PHENG 5. MR. FRANCIS JOHEN ANAK ADAM 6. MR. JERALD JOSEPH 7. DR. NIK SALIDA SUHAILA NIK SALEH 8. MS. NURUL HASANAH AHAMED HASSAIN MALIM	DATO MAH WENG KWAI	-	-

NO.	SERIAL NO. OF MEETING	DATE	MEMBERS OF THE COMMISSION PRESENT	MEMBERS OF THE COMMISSION ABSENT	WITH LEAVE	WITHOUT LEAVE
8	8-2017	7/8/2017	1. TAN SRI RAZALI ISMAIL 2. DATUK GODFREY GREGORY JOITOL 3. DATO' MAH WENG KWAI 4. DATUK LOK YIM PHENG 5. MR. FRANCIS JOHEN ANAK ADAM 6. MR. JERALD JOSEPH 7. DR. NIK SALIDA SUHAILA NIK SALEH 8. MS. NURUL HASANAH AHAMED HASSAIN MALIM	PROF. DATO' DR. AISHAH BIDIN	-	-
9	9-2017	5/9/2017	1. TAN SRI RAZALI ISMAIL 2. DATUK GODFREY GREGORY JOITOL 3. PROF. DATO' DR AISHAH BIDIN 4. DATO' MAH WENG KWAI 5. DATUK LOK YIM PHENG 6. MR. FRANCIS JOHEN ANAK ADAM 7. MR. JERALD JOSEPH 8. DR. NIK SALIDA SUHAILA NIK SALEH 9. MS. NURUL HASANAH AHAMED HASSAIN MALIM	-	-	-

NO.	SERIAL NO. OF MEETING	DATE	MEMBERS OF THE COMMISSION PRESENT	MEMBERS OF THE COMMISSION ABSENT	WITH LEAVE	WITHOUT LEAVE
10	10-2017	9/10/2017	1. TAN SRI RAZALI ISMAIL 2. DATUK GODFREY GREGORY JOITOL 3. PROF. DATO' DR. AISHAH BIDIN 4. DATO' MAH WENG KWAI 5. DATUK LOK YIM PHENG 6. MR. FRANCIS JOHEN ANAK ADAM 7. MR. JERALD JOSEPH 8. DR. NIK SALIDA SUHAILA NIK SALEH 9. MS. NURUL HASANAH AHAMED HASSAIN MALIM	-	-	-
11	11-2017	7/11/2017	1. TAN SRI RAZALI ISMAIL 2. DATUK GODFREY GREGORY JOITOL 3. PROF. DATO' DR. AISHAH BIDIN 4. DATO' MAH WENG KWAI 5. DATUK LOK YIM PHENG 6. MR. FRANCIS JOHEN ANAK ADAM 7. MR. JERALD JOSEPH 8. DR. NIK SALIDA SUHAILA NIK SALEH 9. MS. NURUL HASANAH AHAMED HASSAIN MALIM	-	-	-

NO.	SERIAL NO. OF MEETING	DATE	MEMBERS OF THE COMMISSION PRESENT	MEMBERS OF THE COMMISSION ABSENT	WITH LEAVE	WITHOUT LEAVE
12	12-2017	12/12/2017	1. TAN SRI RAZALI ISMAIL 2. DATUK GODFREY GREGORY JOITOL 3. PROF. DATO' DR. AISHAH BIDIN 4. DATO' MAH WENG KWAI 5. DATUK LOK YIM PHENG 6. MR. FRANCIS JOHEN ANAK ADAM 7. MR. JERALD JOSEPH 8. DR. NIK SALIDA SUHAILA NIK SALEH 9. MS. NURUL HASANAH AHAMED HASSAIN MALIM	-	-	-

APPENDIX VI

Certificate of The Auditor – General on The Commission's Accounts for 2017

LAPORAN KETUA AUDIT NEGARA
MENGENAI PENYATA KEWANGAN
SURUHANJAYA HAK ASASI MANUSIA MALAYSIA
BAGI TAHUN BERAKHIR 31 DISEMBER 2017

Laporan Mengenai Penyata Kewangan

Pendapat

Penyata Kewangan Suruhanjaya Hak Asasi Manusia Malaysia telah diaudit oleh wakil saya yang merangkumi Penyata Kedudukan Kewangan pada 31 Disember 2017 dan Penyata Pendapatan, Penyata Perubahan Ekuiti serta Penyata Aliran Tunai bagi tahun berakhir pada tarikh tersebut, ringkasan polisi perakaunan yang signifikan dan nota kepada penyata kewangan seperti dinyatakan.

Pada pendapat saya, penyata kewangan ini memberikan gambaran yang benar dan saksama mengenai kedudukan kewangan Suruhanjaya Hak Asasi Manusia Malaysia pada 31 Disember 2017 dan prestasi kewangan serta aliran tunai bagi tahun berakhir pada tarikh tersebut selaras dengan piawaian pelaporan kewangan yang diluluskan di Malaysia dan Akta Suruhanjaya Hak Asasi Manusia Malaysia 1999.

Asas Kepada Pendapat

Saya telah melaksanakan pengauditan berdasarkan Akta Audit 1957 dan *The International Standards of Supreme Audit Institutions*. Tanggungjawab saya dihuraikan selanjutnya di perenggan Tanggungjawab Juruaudit Terhadap Pengauditan Penyata Kewangan dalam laporan ini. Saya percaya bahawa bukti audit yang diperoleh adalah mencukupi dan bersesuaian untuk dijadikan asas kepada pendapat saya.

Kebebasan dan Tanggungjawab Etika Lain

Saya adalah bebas daripada Suruhanjaya Hak Asasi Manusia Malaysia dan telah memenuhi tanggungjawab etika lain berdasarkan *The International Standards of Supreme Audit Institutions.*

Maklumat Lain Selain Daripada Penyata Kewangan dan Laporan Juruaudit Mengenainya

Ahli Suruhanjaya Hak Asasi Manusia Malaysia bertanggungjawab terhadap maklumat lain dalam Laporan Tahunan. Pendapat saya terhadap penyata kewangan Suruhanjaya Hak Asasi Manusia Malaysia tidak meliputi maklumat lain selain daripada Penyata Kewangan dan Laporan Juruaudit mengenainya dan saya tidak menyatakan sebarang bentuk kesimpulan jaminan mengenainya.

Tanggungjawab Ahli Suruhanjaya Terhadap Penyata Kewangan

Ahli Suruhanjaya bertanggungjawab terhadap penyediaan penyata kewangan Suruhanjaya Hak Asasi Manusia Malaysia yang memberi gambaran benar dan saksama selaras dengan piawaian pelaporan kewangan yang diluluskan di Malaysia dan Akta Suruhanjaya Hak Asasi Manusia Malaysia 1999. Ahli Suruhanjaya juga bertanggungjawab terhadap penetapan kawalan dalaman yang perlu bagi membolehkan penyediaan penyata kewangan Suruhanjaya Hak Asasi Manusia Malaysia adalah bebas daripada salah nyata yang ketara sama ada disebabkan fraud atau kesilapan.

Semasa penyediaan penyata kewangan Suruhanjaya Hak Asasi Manusia Malaysia, Ahli Suruhanjaya bertanggungjawab untuk menilai keupayaan Suruhanjaya Hak Asasi Manusia Malaysia untuk beroperasi sebagai satu usaha berterusan, mendedahkannya jika berkaitan serta menggunakannya sebagai asas perakaunan.

Tanggungjawab Juruaudit Terhadap Pengauditan Penyata Kewangan

Objektif saya adalah untuk memperoleh keyakinan yang munasabah sama ada penyata kewangan Suruhanjaya Hak Asasi Manusia Malaysia secara keseluruhannya adalah bebas daripada salah nyata yang ketara, sama ada disebabkan fraud atau kesilapan, dan mengeluarkan Laporan Juruaudit yang merangkumi pendapat saya. Jaminan yang munasabah adalah satu tahap jaminan yang tinggi, tetapi bukan satu jaminan bahawa audit yang dijalankan mengikut *The International Standards of Supreme Audit Institutions* akan sentiasa mengesan salah nyata yang ketara apabila ia wujud. Salah nyata boleh wujud daripada fraud atau kesilapan dan dianggap ketara sama ada secara individu atau agregat sekiranya boleh dijangkakan dengan munasabah untuk mempengaruhi keputusan ekonomi yang dibuat oleh pengguna berdasarkan penyata kewangan ini.

Sebagai sebahagian daripada pengauditan mengikut *The International Standards of Supreme Audit Institutions*, saya menggunakan pertimbangan profesional dan mengekalkan keraguan profesional sepanjang pengauditan. Saya juga:

a. Mengenal pasti dan menilai risiko salah nyata ketara dalam penyata kewangan Suruhanjaya Hak Asasi Manusia Malaysia, sama ada disebabkan fraud atau kesilapan, merangka dan melaksanakan prosedur audit yang responsif terhadap risiko berkenaan serta mendapatkan bukti audit yang mencukupi dan bersesuaian untuk memberikan asas kepada pendapat saya. Risiko untuk tidak mengesan salah nyata ketara akibat daripada fraud adalah lebih tinggi daripada kesilapan, kerana fraud mungkin melibatkan pakatan, pemalsuan, ketinggalan yang disengajakan, representasi yang salah, atau mengatasi kawalan dalaman.

b. Memahami kawalan dalaman yang relevan untuk merangka prosedur audit yang bersesuaian tetapi bukan untuk menyatakan pendapat mengenai keberkesanan kawalan dalaman Suruhanjaya Hak Asasi Manusia Malaysia.

c. Menilai kesesuaian dasar perakaunan yang diguna pakai, kemunasabahan anggaran perakaunan dan pendedahan yang berkaitan oleh Ahli Suruhanjaya.

d. Membuat kesimpulan terhadap kesesuaian penggunaan asas perakaunan untuk usaha berterusan oleh Ahli Suruhanjaya dan berdasarkan bukti audit yang diperoleh, sama ada wujudnya ketidakpastian ketara yang berkaitan dengan peristiwa atau keadaan yang mungkin menimbulkan keraguan yang signifikan terhadap keupayaan Suruhanjaya Hak Asasi Manusia Malaysia sebagai satu usaha berterusan. Jika saya membuat kesimpulan bahawa ketidakpastian ketara wujud, saya perlu melaporkan dalam Laporan Juruaudit terhadap pendedahan yang berkaitan dalam penyata kewangan Suruhanjaya Hak Asasi Manusia Malaysia atau, jika pendedahan tersebut tidak mencukupi, pendapat saya akan diubah. Kesimpulan saya dibuat berdasarkan bukti audit yang diperoleh sehingga tarikh Laporan Juruaudit.

e. Menilai sama ada keseluruhan persembahan termasuk pendedahan penyata kewangan Suruhanjaya Hak Asasi Manusia Malaysia memberi gambaran yang saksama.

Saya telah berkomunikasi dengan Ahli Suruhanjaya, antaranya mengenai skop dan tempoh pengauditan yang dirancang serta penemuan audit yang signifikan termasuk kelemahan kawalan dalaman yang dikenal pasti semasa pengauditan.

Laporan Mengenai Keperluan Perundangan dan Peraturan Lain

Berdasarkan keperluan Akta Suruhanjaya Hak Asasi Manusia Malaysia 1999, saya juga melaporkan bahawa pada pendapat saya, rekod perakaunan dan rekod lain yang dikehendaki Akta untuk disimpan oleh Suruhanjaya Hak Asasi Manusia Malaysia telah disimpan dengan sempurna menurut peruntukan Akta.

Hal-hal Lain

Laporan ini dibuat untuk Ahli Suruhanjaya dan bukan untuk tujuan lain. Saya tidak bertanggungjawab terhadap pihak lain bagi kandungan laporan ini.



(MONA BINTI OTHMAN)
b.p. KETUA AUDIT NEGARA
MALAYSIA

PUTRAJAYA
18 MEI 2018



SURUHANJAYA HAK ASASI MANUSIA MALAYSIA

PENGAKUAN OLEH PEGAWAI UTAMA YANG BERTANGGUNGJAWAB KE ATAS PENGURUSAN KEWANGAN SURUHANJAYA

Saya, Dawamani D. Ponnusamy , Pegawai Utama yang bertanggungjawab ke atas pengurusan kewangan SURUHANJAYA HAK ASASI MANUSIA MALAYSIA, dengan ikhlasnya mengakui bahawa Penyata Kedudukan Kewangan pada 31 Disember 2017, Penyata Pendapatan, Penyata Perubahan Ekuiti serta Penyata Aliran Tunai bagi tahun berakhir pada tarikh tersebut dan nota-nota kepada penyata kewangan yang disertakan, mengikut sebaik-baik pengetahuan dan kepercayaan saya, adalah betul dan saya membuat ikrar ini dengan sebenarnya mempercayai bahawa ia adalah benar dan atas kehendak–kehendak Akta Akuan Berkanun , 1960.

Sebenarnya dan sesungguhnya diakui)
Oleh penama di atas,)
Dawamani D. Ponnusamy)
Di Kuala Lumpur pada 17 MAY 2018)

Di hadapan saya,

PESURUHJAYA SUMPAH
No: W465
Nama: KAPT.(B) JASNI BIN YUSOFF
1 JAN 2018 - 31 DIS 2018
MALAYSIA

Lot 1.08, Tingkat 1,
Bangunan KWSP, Jln Raja Laut,
50350 Kuala Lumpur.
Tel: 019-6680745

SURUHANJAYA HAK ASASI MANUSIA MALAYSIA

PENYATA OLEH PENGERUSI DAN SALAH SEORANG AHLI SURUHANJAYA

Kami, TAN SRI RAZALI ISMAIL dan DATUK GODFREY GREGORY JOITOL yang merupakan Pengerusi dan Naib Pengerusi SURUHANJAYA HAK ASASI MANUSIA MALAYSIA, dengan ini menyatakan bahawa, pada pendapat Suruhanjaya, Penyata Kedudukan Kewangan pada 31 Disember 2017, Penyata Pendapatan, Penyata Perubahan Ekuiti serta Penyata Aliran Tunai bagi tahun berakhir pada tarikh tersebut dan nota-nota kepada penyata kewangan yang disertakan, adalah disediakan mematuhi piawaian perakaunan Malaysian Private Entiti Reporting Standard (MPERS) yang diterbitkan oleh Lembaga Piawaian Perakaunan Malaysia untuk menunjukkan gambaran yang benar dan saksama berkenaan kedudukan SURUHANJAYA HAK ASASI MANUSIA MALAYSIA pada 31 Disember 2017 dan hasil kendaliannya serta aliran tunainya bagi tahun berakhir pada tarikh tersebut.

Bagi pihak Suruhanjaya,

TAN SRI RAZALI ISMAIL

Pengerusi

Kuala Lumpur

Tarikh: 17 MAY 2018

Bagi pihak Suruhanjaya,

DATUK GODFREY GREGORY JOITOL

Naib Pengerusi

Kuala Lumpur

Tarikh: 17 MAY 2018

SURUHANJAYA HAK ASASI MANUSIA MALAYSIA

PENYATA KEDUDUKAN KEWANGAN PADA 31 DISEMBER 2017

	Nota	2017 RM	2016 RM
ASET BUKAN SEMASA			
Loji dan Peralatan	6	446,154	532,137
Jumlah Aset Bukan Semasa		446,154	532,137
ASET SEMASA			
Faedah Terakru		-	1,121
Deposit dan Prabayar	7	631,607	636,246
Simpanan Tetap	8	-	400,000
Tunai dan Baki di Bank	9	1,659,062	590,712
Jumlah Aset Semasa		2,290,669	1,628,079
Jumlah Aset		**2,736,823**	**2,160,216**
EKUITI			
Lebihan/(Kurangan) terkumpul		2,011,694	5,936,927
Lebihan/(Kurangan) tahun semasa bawa kehadapan		547,849	(3,925,233)
Jumlah Ekuiti	11	2,559,543	2,011,694
LIABILITI SEMASA			
Pelbagai Pemiutang dan Akruan	10	177,280	148,522
Jumlah Liabiliti Semasa		177,280	148,522
Jumlah Ekuiti dan Liabiliti		**2,736,823**	**2,160,216**

Nota-nota yang disertakan merupakan sebahagian asas penyata kewangan ini.

SURUHANJAYA HAK ASASI MANUSIA MALAYSIA

PENYATA PENDAPATAN BAGI TAHUN BERAKHIR 31 DISEMBER 2017

	Nota	2017 RM	2016 RM
PENDAPATAN			
Geran Kerajaan		11,616,300	5,953,930
Pendapatan Lain	12	269,806	67,687
Perbelanjaan Pengurusan	13	(11,352,468)	(10,034,682)
Pendapatan Kewangan		14,211	87,832
Lebihan/(Kurangan) pada tahun semasa		**547,849**	**(3,925,233)**

Nota-nota yang disertakan merupakan sebahagian asas penyata kewangan ini.

SURUHANJAYA HAK ASASI MANUSIA MALAYSIA

PENYATA PERUBAHAN EKUITI BAGI TAHUN BERAKHIR 31 DISEMBER 2017

	Dana Terkumpul
	RM
Pada 1 Januari 2016	5,936,927
Lebihan/(Kurangan) bagi tahun	(3,925,233)
Pada 31 Disember 2016/1 Januari 2017	2,011,694
Lebihan/(Kurangan) bagi tahun	547,849
Pada 31 Disember 2017	2,559,543

Nota-nota yang disertakan merupakan sebahagian asas penyata kewangan ini.

SURUHANJAYA HAK ASASI MANUSIA MALAYSIA

PENYATA ALIRAN TUNAI BAGI TAHUN BERAKHIR 31 DISEMBER 2017

	2017 RM	2016 RM
ALIRAN TUNAI DARI AKTIVITI OPERASI		
Lebihan /(Kurangan) sebelum cukai	547,849	(3,925,233)
Pelarasan kepada:		
Susut nilai Loji dan Peralatan	199,907	220,588
Hapuskira Loji dan Peralatan	-	1,515
Hapuskira deposit	3,734	-
Lebihan/(Kurangan) sebelum perubahan modal kerja	751,490	(3,703,130)
Peningkatan/(Kurangan) Pelbagai Penghutang Deposit dan Prabayar	2,026	3,209
Peningkatan/(Kurangan) Pelbagai Pemiutang dan Akruan	28,758	(148,897)
Aliran Tunai dari aktiviti operasi	782,274	(3,848,818)
ALIRAN TUNAI DARI AKTIVITI PELABURAN		
Pembelian Loji dan Peralatan	(113,924)	(19,570)
Aliran Tunai dari aktiviti pelaburan	(113,924)	(19,570)
Peningkatan bersih dalam tunai dan kesetaraan tunai	668,350	(3,868,388)
Tunai dan kesetaraan tunai pada awal tahun	990,712	4,859,100
Tunai dan kesetaraan tunai pada akhir tahun	1,659,062	990,712

Nota-nota yang disertakan merupakan sebahagian asas penyata kewangan ini.

SURUHANJAYA HAK ASASI MANUSIA MALAYSIA

NOTA-NOTA KEPADA PENYATA KEWANGAN 31 DISEMBER 2017

1.0 OBJEKTIF-OBJEKTIF/FUNGSI-FUNGSI UTAMA

1.1 Suruhanjaya Hak Asasi Manusia Malaysia ditubuhkan oleh Parlimen Malaysia di bawah Akta Suruhanjaya Hak Asasi Manusia Malaysia 1999, Akta 597 dengan objektif untuk melindungi dan memajukan hak asasi manusia di Malaysia. Akta ini diwartakan pada 9 September 1999.

1.2 Fungsi utama Suruhanjaya adalah untuk:

1.2.1 memupuk kesedaran dan menyediakan pendidikan yang berhubungan dengan hak asasi manusia

1.2.2 menasihati dan membantu Kerajaan dalam merumuskan perundangan dan arahan dan tatacara pentadbiran dan mengesyorkan langkah-langkah yang perlu diambil

1.2.3 mengesyorkan kepada Kerajaan berkenaan dengan penandatangan atau penyertaan dalam perjanjian triti dan suratcara antarabangsa yang lain dalam bidang hak asasi manusia; dan

1.2.4 menyiasat aduan berkenaan dengan pelanggaran hak asasi manusia

1.3 Penyata Kewangan Bagi Tahun Berakhir 31 Disember 2017 telah diluluskan oleh Suruhanjaya pada 17 Mei 2018.

1.4 Pejabat berdaftar Suruhanjaya dan tempat utama pengoperasiannya terletak di Tingkat 11 Menara TH Perdana Jalan Sultan Ismail.

1.5 Suruhanjaya menerima pakai piawaian perakaunan berdasarkan surat edaran Ketua Setiausaha Perbendaharaan berkenaan Pemakaian Piawaian Perakaunan Bagi Rangka Kerja Pelaporan Penyata Kewangan Oleh Badan Berkanun Persekutuan Bagi Tahun 2016 Dan Tahun-tahun Berikutnya bertarikh 9 Disember 2016.

2.0 PEMATUHAN KEPADA PIAWAIAN PERAKAUNAN

2.1 Penyata kewangan Suruhanjaya telah disediakan dengan mematuhi Piawaian Perakaunan Malaysian Private Entities Reporting Standard (MPERS) yang diterbitkan oleh Malaysian Accounting Standard Board (MASB).

2.2 Bagi tahun berakhir 31 Disember 2017, Suruhanjaya telah menggunapakai rangkaan MPERS.

2.3 Kesemua piawaian dalam MPERS digunapakai sepenuhnya dalam penyata kewangan untuk tahun semasa yang berakhir 31 Disember 2017, angka perbandingan untuk tahun semasa berakhir 31 Disember 2016.

3.0 ASAS PERAKAUNAN

3.1 Penyata kewangan ini telah disediakan menurut kelaziman kos sejarah dan mematuhi nilai saksama.

3.2 Penyata kewangan Suruhanjaya dibentangkan dalam Ringgit Malaysia.

3.3 Pihak pengurusan perlu menggunakan pertimbangan, anggapan dan anggaran untuk menilai dan melaporkan jumlah aset dan liabiliti pada akhir tahun semasa serta melaporkan jumlah pendapatan dan perbelanjaan pada tahun semasa.

3.4 Pertimbangan dan anggapan digunakan di dalam penilaian dan mungkin akan menyebabkan keputusan sebenar tidak selari dengan jumlah yang dilaporkan.

4.0 DASAR PERAKAUNAN PENTING

4.1 Loji dan Peralatan dan Susutnilai

Loji dan peralatan dinyatakan pada kos ditolak susutnilai terkumpul dan kerugian nilai kemerosotan terkumpul.

Susutnilai diperuntukkan berdasarkan kaedah garis lurus dikira untuk menghapus kira kos setiap aset sepanjang anggaran hayat kegunaannya.

Kadar susutnilai tahunan adalah 20%.

Loji dan peralatan disusutnilai dengan memperuntukkan jumlah susut nilai komponen atau item penting kepada lebihan baki hayat berguna. Pada akhir setiap tempoh pelaporan, nilai sisa, jangka hayat guna dan kaedah susut nilai bagi loji dan dan peralatan disemak semula untuk kewajaran. Sebarang perubahan dalam anggaran aset dilaraskan secara prospektif kepada jangka hayat yang tinggal, bermula dalam tempoh semasa.

4.2 Tunai dan Kesetaraan Tunai

Tunai merangkumi wang tunai di tangan dan di bank dan simpanan. Kesetaraan tunai merangkumi pelaburan mudah tunai yang boleh ditukarkan kepada amaun tunai yang diketahui yang tertakluk kepada risiko pertukaran nilai yang tidak signifikan. Pihak Suruhanjaya telah menggunakan kaedah tidak langsung di dalam penyediaan Penyata Aliran Tunai.

4.3 Faedah Kakitangan

Faedah Jangka Pendek

Upah, gaji dan bonus diiktiraf sebagai perbelanjaan pada tahun yang mana berkaitan oleh kakitangan Suruhanjaya.

Pelan Caruman Tetap

Suruhanjaya membuat caruman kepada Kumpulan Wang Simpanan Pekerja (KWSP) dan Pertubuhan Keselamatan Sosial (PERKESO). Caruman sedemikian diiktiraf sebagai perbelanjaan dalam Penyata Pendapatan seperti yang ditanggung. Apabila caruman telah dibayar, Suruhanjaya tiada obligasi bayaran lagi.

4.4 Peruntukan

Peruntukan dibuat bila pihak Suruhanjaya mempunyai obligasi sah atau konstruktif pada masa kini berikutan peristiwa lepas, di mana kemungkinan aliran keluar sumber akan diiktirafkan untuk menjelaskan obligasi, dan bila anggaran yang boleh diyakini boleh dibuat bagi amaun tersebut.

4.5 Geran Kerajaan

Geran daripada kerajaan diiktiraf pada nilai saksamanya di mana terdapat jaminan munasabah bahawa geran akan diterima dan Suruhanjaya akan mematuhi semua syarat yang ada padanya.

Geran kerajaan berkaitan dengan pembelian Loji dan peralatan dimasukkan dalam liabiliti bukan semasa sebagai pendapatan tertunda dan dikreditkan kepada penyata pendapatan sepanjang hayat dijangka ke atas Loji dan Peralatan berkaitan, asas-asas yang seimbang dengan susut nilai Loji dan Peralatan yang berkaitan.

4.6 Pengiktirafan Pendapatan Hibah, Faedah Simpanan Tetap dan Mudharabah Insuran

Pendapatan Hibah, Faedah Simpanan Tetap dan Mudharabah Insuran diiktiraf berdasarkan asas tunai.

5.0 PERTIMBANGAN KRITIKAL DAN ANGGARAN KETIDAKPASTIAN

5.1 Suruhanjaya tidak mempunyai pertimbangan dan anggapan yang menyebabkan penyediaan penyata kewangan tidak munasabah.

5.2 Ketidakpastian anggaran

Pengukuran beberapa aset dan liabiliti memerlukan pihak pengurusan menggunakan anggaran berdasarkan pelbagai input yang boleh diperhatikan dan andaian lain. Perkara yang tertakluk kepada ketidaktentuan anggaran penting adalah dalam mengukur: (a) peruntukan; dan (b) susut nilai hartanah, loji dan peralatan.

(a) Penilaian peruntukan

Suruhanjaya menggunakan anggaran terbaik sebagai dasar penilaian peruntukan. Pihak pengurusan menilai berdasarkan pengalaman, isu semasa dan isu akan datang dengan kemungkinan munasabah yang berlaku.

(b) Susutnilai

Setiap kos loji dan peralatan disusutnilai dengan kaedah garis lurus yang menunjukkan manfaat ekonomi hayat aset tersebut. Anggaran digunakan dalam pemilihan kaedah susut nilai, hayat berguna dan nilai sisa.

Penggunaan sebenar manfaat ekonomi bagi hartanah, loji dan peralatan mungkin berbeza daripada anggaran yang digunakan dan ini boleh membawa kepada keuntungan atau kerugian pada masa pelupusan.

6.0 LOJI DAN PERALATAN

2017	Buku, Peralatan dan Kelengkapan	Komputer	Kenderaan	Pengubahsuaian	Jumlah
	RM	RM	RM	RM	RM
Kos					
Pada 1 Januari	771,104	848,467	1,637,148	1,766,413	5,023,132
Tambahan	40,229	73,695	-	-	113,924
Hapuskira	-	-	-	-	-
Pada 31 Disember	811,333	922,162	1,637,148	1,766,413	5,137,056
Susutnilai Terkumpul					
Pada 1 Januari	698,611	614,928	1,574,733	1,602,723	4,490,995
Caj untuk tahun	30,103	96,567	32,557	40,680	199,907
Hapuskira	-	-	-	-	-
Pada 31 Disember	728,714	711,495	1,607,290	1,643,403	4,690,902
Nilai Buku Bersih					
Pada 1 Januari	72,493	233,539	62,415	163,690	532,137
Pada 31 Disember	82,619	210,667	29,858	123,010	446,154

2016	Buku, Peralatan dan Kelengkapan	Komputer	Kenderaan	Pengubahsuaian	Jumlah
	RM	RM	RM	RM	RM
Kos					
Pada 1 Januari	794,430	988,329	1,637,148	1,766,413	5,186,320
Tambahan	4,320	15,250	-	-	19,570
Pelupusan	(27,646)	(155,112)	-	-	(182,758)
Pada 31 Disember	771,104	848,467	1,637,148	1,766,413	5,023,132
Susutnilai Terkumpul					
Pada 1 Januari	689,353	680,995	1,542,175	1,539,127	4,451,650
Caj untuk tahun	35,900	88,534	32,558	63,596	220,588
Pelupusan	(26,642)	(154,601)	-	-	(181,243)
Pada 31 Disember	698,611	614,928	1,574,733	1,602,723	4,490,995
Nilai Buku Bersih					
Pada 1 Januari	105,077	307,334	94,973	227,286	734,670
Pada 31 Disember	72,493	233,539	62,415	163,690	532,137

7.0 DEPOSIT DAN PRABAYAR

	2017 RM	2016 RM
Deposit	624,655	635,183
Prabayar (Penghutang Lain-lain)	6,952	1,063
Jumlah pada kos	631,607	636,246
Tolak: Peruntukan bagi hutang ragu	-	-
Jumlah deposit dan prabayar semasa	631,607	636,246

8.0 SIMPANAN TETAP

Simpanan tetap dengan bank berlesen tidak dicagarkan untuk sebarang tujuan. Kadar faedah efektif bagi simpanan tetap dengan bank berlesen pada 3.30% setahun. Tempoh matang ialah antara 32 hari hingga 64 hari.

9.0 TUNAI DAN BAKI DI BANK

	2017 RM	2016 RM
Tunai di tangan	5,000	4,337
Tunai di bank	1,654,062	586,375
Jumlah	1,659,062	590,712

10.0 PELBAGAI PEMIUTANG DAN AKRUAN

	2017 RM	2016 RM
Pelbagai pemiutang	2,540	-
Operasi pemiutang	14,091	-
Lain-lain pemiutang	266	1,081
Akruan	160,383	147,441
Jumlah	177,280	148,522

11.0 DANA TERKUMPUL

	2017 RM	2016 RM
Baki pada 1 Januari	2,011,694	5,936,927
Lebihan/(Kurangan) Bagi Tahun Semasa	547,849	(3,925,233)
Baki pada 31 Disember	2,559,543	2,011,694

12.0 PENDAPATAN LAIN

Pendapatan lain adalah dana yang diterima Suruhanjaya bagi maksud memupuk kesedaran dan menyediakan pendidikan yang berhubungan dengan hak asasi manusia yang diluluskan Suruhanjaya.

Pendapatan Lain	2017 RM
Asian Forum For Human Rights and Decelopment	4,402
Asia Pacific Forum	95,526
Article 19 – Identifying and Countering Hate Speech	1,575
SUARAM Convention Against Torture Campaign	2,030
Training of Trainers on ATHAM Teachers	5,000
Asia Europe Foundation Annual Human Rights Training	717
Koffi Annan Foundation Regional Conference in SEA	139,178
Child Rights Coalition Asia Learning Session	3,105
Positive Malaysian Treatment Access and Advocacy Group	8,801
ASEAN Intergovernmental Commission on Human Rights	1,023
Networking Programme on Implementation of United Nations	1,385
Jeju International Training Centre Enhancing a Victim Centered Approach	1,861
Democratic Control of Armed Force Asia Pacific	165
Raoul Wallenberg Institute Workshop	5,038
	269,806

Pendapatan Lain	2016 RM
CAT Campaign Activities in Conjuction With The International	10,314
Meeting UN Permanent Forum on Indigenous Issues	15,143
2016 Partnership Program for Human Rights Defenders	1,775
Human Rights Award 2016	5,000
Raoul Wallenberg Institute Study Visit by MNHRC	8,751
6th Regional Conference on Human Rights and Agribusiness in SEA	26,704
Jumlah Pendapatan Lain	67,687

13.0 PERBELANJAAN PENGURUSAN

Perbelanjaan Pengurusan adalah bagi membolehkan Suruhanjaya menjalankan fungsinya.

	2017	2016
	RM	RM
Emolumen	5,167,753	5,117,404
Perjalanan dan sara hidup	677,083	261,076
Pengangkutan	2,720	996
Perhubungan dan utiliti	225,629	222,190
Sewaan	2,203,265	2,174,634
Bekalan bahan mentah	70,042	49,354
Bekalan dan bahan-bahan lain	181,865	89,372
Penyelenggaraan dan pembaikan kecil	492,800	453,642
Perkhidmatan Ikhtisas dan hospitaliti	2,110,693	1,436,981
Susutnilai	199,907	220,588
Ganjaran	15,472	6,223
Kerugian daripada jualan/pelupusan harta	-	1,515
Hapuskira deposit	3,734	-
Lain-lain Perbelanjaan	1,505	707
Jumlah Perbelanjaan Pengurusan	11,352,468	10,034,682

Pembayaran emolumen bagi Pegawai dan Kakitangan lantikan Suruhanjaya adalah seperti berikut:

	2017	2016
	RM	RM
Gaji	3,205,291	3,186,033
Imbuhan Khidmat Awam	134,775	149,070
Elaun Perumahan	366,055	384,560
Elaun Keraian	132,193	133,181
Lain-lain elaun	421,662	400,249
Sumbangan Badan Berkanun	691,258	690,918
Faedah Kewangan Lain	216,519	173,393
Jumlah	5,167,753	5,117,404

14.0 PENDEDAHAN KEPADA PIHAK BERKAITAN

Suruhanjaya dianggotai oleh 8 orang Pesuruhjaya yang dilantik oleh Yang di-Pertuan Agong dan terdiri daripada seorang Pengerusi dan 7 orang Pesuruhjaya. Pesuruhjaya bertanggungjawab untuk merancang, mengarah dan mengawal aktiviti Suruhanjaya secara terus atau sebaliknya. Pembayaran emolumen Pesuruhjaya dikelaskan di dalam perbelanjaan Perkhidmatan Ikhtisas. Jumlah manfaat Pesuruhjaya sepanjang tahun kewangan adalah seperti berikut:

	2017	2016
	RM	RM
Elaun Tetap Pesuruhjaya	777,300	628,286
Sumbangan Badan Berkanun	122,585	99,182
Jumlah	899,885	727,468

15.0 MAKLUMAT KAKITANGAN

Jumlah kakitangan Suruhanjaya pada akhir tahun adalah 78 (2016: 80).

16.0 INSTRUMEN KEWANGAN

Objektif dan Polisi Pengurusan Risiko Kewangan

Polisi pengurusan risiko kewangan Suruhanjaya bertujuan memastikan sumber kewangan mencukupi untuk menjalankan operasi-operasinya dengan lancar.

(a) Risiko Mudah Tunai

Pihak Suruhanjaya mengamalkan pengurusan risiko mudah tunai yang hemat untuk meminimumkan ketidakpadanan aset dan liabiliti kewangan dan untuk mewujudkan tahap tunai dan kesetaraan tunai yang mencukupi bagi memenuhi keperluan modal kerja.

(b) Nilai Saksama

Nilai dibawa tunai dan kesetaraan tunai, pelbagai dan lain-lain belum terima, pelbagai dan lain-lain belum bayar menghampiri nilai saksama kerana sifat instrumen kewangan yang jangka pendek.

List of Abbreviations

AADK	National Anti-Drugs Agency
ADPP	Abolition of the Death Penalty Project
AMANAH	Parti Amanah Negara
AICHR	ASEAN Intergovernmental Commission on Human Rights
ACT4CAT	Act for Convention Against Torture Campaign
APT	Association of the Prevention of Torture
ATD	Alternatives to Detention
ATT	Alliance Anti Traffic
ATIPSOM	Anti-Trafficking in Persons and Anti-Smuggling of Migrants
ASEAN	Association of Southeast Asian Nations
BNM	Central Bank of Malaysia
BHR	Business and Human Rights
C4	Centre to Combat Corruption and Cronyism
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CCD	Corporate Communication Division
CCRC	Cure & Care Rehabilitation Centre
CCTV	Closed Circuit Television
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CEO	Chief Executive Officer
CG	Communication Group
CMG	Complaints and Monitoring Group
CRC	Convention on the Rights of the Child

CRPD	Convention on the Rights of Persons with Disabilities
CSO	Civil Society Organisations
CSR	Corporate Social Responsibility
CTI	Convention Against Torture Initiative
CTC	Community Transformation Centres
DBKL	Kuala Lumpur City Council
DDASPM	Dangerous Drugs Act (Special Preventive Measures) 1985
DG	Director General
EAIC	Enforcement Agency Integrity Commission
EC	Election Commission
EIA	Environmental Impact Assessment
ETD	Education and Training Division
EPU	Economic Planning Unit
FGV	Felda Global Ventures Holdings Berhad
FPIC	Principle of Free, Prior, and Informed Consent
FELDA	Federal Land Development Authority
GLC	Government Linked Companies
HRBPS	Human Rights Best Practices in School
HRC	Human Rights Council
ICCPR	International Covenant on Civil and Political Rights
ICD	International Coordination Division
ICEPD	International Convention for the Protection of All Persons from Enforced Disappearances
IPC	Inter-Parliamentary Union
IDFR	Institute of Diplomacy and Foreign Relations
IIUM	International Islamic University Malaysia

IIAM	Institute of Internal Auditors Malaysia
IPU	Inter-Parliamentary Union
JAIS	Selangor State Religious Department
JAKIM	Department of Islamic Development Malaysia
JAWI	Federal Territories Islamic Religious Department
JAKOA	Department of Orang Asli Development
JITU	Jabatan Integriti dan Tadbir Urus Negara
JVC	Joint-venture Company
KLCC	Kuala Lumpur City Centre
LRTD	Law Reform and Treaties Division
MAMPU	Malaysia Administrative Modernisation and Management Planning Unit
MAPO	Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants
MACC	Malaysian Anti-Corruption Commission
MKN	National Security Council
MMU	Multimedia University Malaysia
MOE	Ministry of Education
MPAJ	Ampang Jaya City Council
MOFA	Ministry of Foreign Affairs
MO1	Malaysian Official 1
MOH	Ministry of Health
MOHA	Ministry of Home Affairs
MoU	Memorandum of Understanding
MUM	Monash University Malaysia
MNHRC	Myanmar National Human Rights Commission
MJSC	MARA Junior Science Colleges

MYP	Malaysia Youth Parliament
MBOAM	Malaysian Indigenous Youth Council
NAP	National Action Plan (NAP)
NCR	Native Customary Rights
NGOs	Non-Governmental Organisations
NHRAP	National Human Rights Action Plan
NHRI	National Human Rights Institutions
NI	National Inquiry into the Land Rights of Indigenous Peoples in Malaysia
OHCHR	Office of the High Commissioner for Human Rights
OSF	Open Society Foundation
OIC	Organisation of Islamic Cooperation
PASS	Peninsular Sarawakian Society
PANTAS	Perkhidmatan Tanah Anak Negeri Sabah
PEMANDU	Performance Management and Delivery Unit
PWUD	Persons who use drugs
PD	Policy Division
POCA	Prevention of Crime Act 1959
POD	Promotion and Outreach Division
PLG	Policy and Law Reform Group
PICC	Putrajaya International Convention Centre
PSC	Parliamentary Select Commitee
PPR	People Housing Project
PWC	Price Waterhouse Cooper
PWD	Persons with Disabilities
PL	Provisional Lease

RELA	Angkatan Relawan Rakyat Malaysia
RMP/PDRM	Royal Malaysia Police
RTD	Roundtable Discussion
RWI	Raoul Wallenberg Institute
SAR	Sekolah Agama Rakyat
SUARAM	Suara Rakyat Malaysia
SUHAKAM	Human Rights Commission of Malaysia
SOACA	Sexual Offences Against Children Act 2017
SOSMA	Security Offences (Special Measures) Act 2012
SOP	Standard Operating Procedure
SIT	School of Information Technology
SSM	Companies Commission of Malaysia
SK	Primary School
SMK	Secondary School
SME	Small and Medium Enterprises
TPPA	Trans Pacific Partnership Agreement
TIP	Trafficking in Persons
TOT	Training of Trainers
UDHR	Universal Declaration of Human Rights
UiTM	MARA University of Technology
UKM	National University of Malaysia
UM	University of Malaya
UNIMAS	University Malaysia Sarawak
UUM	University Utara Malaysia
UMS	Universiti Malaysia Sabah
UN	United Nations

UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNDP	United Nations Development Programme
UNGP	United Nations Guiding Principles on Business and Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNISEL	University of Selangor
UPR	Universal Periodic Review
UPSI	Universiti Pendidikan Sultan Idris
UPSR	Primary School Achievement Test
UNGA	UN General Assembly


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70 YEARS UNIVERSAL DECLARATION OF HUMAN RIGHTS
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