

**MALAYSIA'S CANDIDATURE TO THE UNITED NATIONS
HUMAN RIGHTS COUNCIL
FOR THE TERM 2022-2024**

VOLUNTARY PLEDGES AND COMMITMENTS

1. Malaysia presents its candidacy for the membership of the United Nations Human Rights Council for the term 2022-2024 as it is confident that it would be able to serve as a constructive member of the Council. Malaysia is honoured to have been unanimously endorsed by the Association of Southeast Asian Nations (ASEAN) as ASEAN's candidate to the Council.

2. If elected to the Human Rights Council, Malaysia pledges to:-

i) Take a whole-of-society approach in the promotion and protection of human rights in the country, primarily in the assessment, monitoring and implementation of the Universal Periodic Review (UPR) recommendations

- Malaysia has institutionalised a multi-stakeholder biannual consultation involving all line agencies, the United Nations (UN) agencies, academia, business enterprise, and civil society, dedicated to following up on the recommendations laid down in its Universal Periodic Review (UPR). For the first time, and as a reflection of its determination in promoting and protecting human rights in the country, Malaysia is also undertaking the voluntary UPR mid-term report.
- Malaysia is collaborating closely with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the UN in Malaysia to jointly develop a UPR Monitoring Matrix that is in line with the relevant human rights conventions, Sustainable Development Goals (SDGs), and National Human Rights Action Plan (NHRAP). As a next step, Malaysia will utilise the National Recommendations Tracking Database (NRTD) developed by OHCHR to monitor the implementation of UPR recommendations, promote an inclusive dialogue with the academia, civil society and media to further strengthen the culture of human rights in the country. Malaysia is proud to be selected as one of the six model countries in the world for its "Study on Good Practices emerging from the UPR" by OHCHR.

- Following the recommendations during Malaysia's first UPR, the Government of Malaysia launched the National Human Rights Action Plan (NHRAP) in 2018 – a comprehensive plan to protect and promote human rights in the country through extensive collaboration between government agencies, civil society organisations and academia.
- Malaysia is committed to implementing its obligations under human rights conventions to which it is party to, namely the Convention on the Rights of the Child (CRC), the Convention on the Elimination of Discrimination Against Women (CEDAW), and the Convention on the Rights of People with Disabilities (CRPD). Malaysia's reporting record has improved tremendously in recent years, largely due to capacity building, adequate allocation of resources and measures to enhance awareness, and close partnership with various UN agencies and civil society organisations.
- Currently, the Government of Malaysia is conducting an in-depth study and review of its security laws, consisting of the Security Offences (Special Measures) Act of 2012, Prevention of Crime Act 1959, Prevention of Terrorism Act of 2015, Sedition Act 1948, Peaceful Assembly Act of 2012, and Printing Press and Publications Act of 1984. The review exercise includes consultations with Malaysia's national human rights institution (NHRI, i.e. Human Rights Commission of Malaysia – SUHAKAM), the Bar Council, legal practitioners, and academics.
- On the issue of death penalty, a moratorium has been imposed on all executions of death row inmates since 2018. In 2019, the Government of Malaysia commissioned a study to review the mandatory death penalty for 11 offences to give discretionary powers to the courts in commuting sentences for those offences, constituting a policy shift that will have a major impact on the justice system of Malaysia.

ii) Cooperate with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and other relevant United Nations agencies towards the promotion of human rights in the country and globally

- Malaysia welcomes the recent appointment of a Human Rights Advisor for the country and pledges to work closely with him to increase awareness on human rights issues and to strengthen the country's efforts in advancing human rights, particularly through capacity-building and technical assistance.

- Malaysia hosted the inaugural visit of the High Commissioner of Human Rights in October 2019 and had received 12 visits of the special procedures mandate holders (SPMH) of the Human Rights Council. In 2019, the Government of Malaysia issued a standing invitation to all SPMH to visit the country.
- Malaysia is engaging closely with the relevant stakeholders on the possibility of signing and ratifying the outstanding international conventions related to human rights. Malaysia is partnering with the OHCHR in translating the nine core human rights treaties into the national language, Bahasa Malaysia. The initiative is aimed at educating the public on the core human rights instruments, increasing their awareness on international human rights standards and practices, and possibly reconciling the standards with the laws and practice in Malaysia.

iii) Continue to engage constructively with the Human Rights Council (HRC) and its mechanisms while espousing a moderate and balanced perspective to nurture a spirit of cooperation

- Malaysia firmly believes in the long-term value of engaging on human rights issues based on a constructive rather than a confrontational approach. Malaysia intends to bring to the table at the HRC the spirit of constructive and practical engagement, cooperation, inclusivity, transparency, and mutual respect, with the conviction that despite differences in views and positions, there are more that unite rather than divide the international community when it comes to human rights advancement.
- If elected, Malaysia will pursue a balanced and non-politicised approach to human rights issues through constructive and inclusive dialogue, as well as capacity building and technical cooperation. We aimed to enrich the quality of dialogue, cooperation and action in protecting and promoting human rights globally.

iv) Implement policies and legislations that promote and protect the rights of the most vulnerable groups

- Malaysia remains committed to protecting and promoting the rights of all children, in line with its obligations under the CRC. Malaysia is collaborating with UNICEF to review the existing policies on children and

develop a new consolidated National Policy and Plan of Action on Children.

- The Government of Malaysia appointed a Children's Commissioner in its NHRI (SUHAKAM) in 2019 to further strengthen SUHAKAM's advisory role to the Government, focusing on the rights of the child.
- In 2017, Malaysia established a Special Court for Sexual Crimes against Children, the first of its kind in Southeast Asia, aimed at accelerating the hearings of sexual crime cases against children while protecting the safety, interests and wellbeing of child victims and child witnesses.
- Malaysia strives to improve the social service system for children through various initiatives such as the Diversion pilot project for children in conflict with the law, Alternative to Detention pilot project for unaccompanied and separated children at immigration centers, and Family Based Care pilot project for children in need of care and protection. These pilot projects aim to ensure that children grow and achieve their full potential in a family environment, instead of being placed in institutions.
- Malaysia has implemented numerous initiatives to elevate the livelihood of the indigenous community including through infrastructure development, poverty eradication and income generating activities, as well as human capital development programmes. Currently, the Government is preparing a blueprint national development policy for the indigenous people, focusing on seven areas i.e. economy, education, health, infrastructure, land, leadership and culture, consistent with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) 2007 and 2030 Agenda for Sustainable Development.
- Malaysia strongly believes in the right of every human being to the enjoyment of the highest attainable standard of physical and mental health, in line with the Sustainable Development Goals and the theme of Universal Health Coverage of 'leaving no one behind'. The right to health and healthcare is particularly crucial in light of the COVID-19 pandemic, particularly for marginalised and vulnerable groups. It is thus, vital to ensure universal access to COVID-19 vaccines that would be affordable, accessible, and equitable. In this regard, the Government of Malaysia is providing free health screenings and free vaccinations to all adults in the country, irrespective of their citizenship and immigration status. As part of

efforts to promote vaccine diplomacy, Malaysia will actively work with the World Health Organization (WHO) and like-minded countries to promote equitable access to vaccines. Malaysia welcomes expert advisory, capacity building and technical exchanges on health-related issues, as well as to explore new collaborations with the Member States.

- Furthermore, Malaysia is confident that being selected to the WHO Executive Board will enable Malaysia to play an active role in health diplomacy and ensure efficient health policies are implemented widely.
- Malaysia is participating in the COVAX Facility and is collaborating with countries around the world to ensure that vaccines be made a global public good.
- As host to the Asia Pacific hub for the World Food Programme (WFP) UN Humanitarian Response Depot, Malaysia has also stepped up its efforts to provide humanitarian relief assistance to support COVID-19 operations and humanitarian relief in other countries.

v) Strengthen efforts to achieve gender equality, women empowerment and eliminate violence against women

- Malaysia has always given utmost priority to women empowerment and gender equality. As a HRC member, Malaysia would remain fully committed to upholding its treaty obligations to CEDAW. Domestically, as part of its women empowerment agenda, the Government of Malaysia aims to achieve at least 30 percent participation of women at decision-making levels in the country. So far, the public sector has surpassed the target with 37.3 percent women in decision-making positions in 2019. Meanwhile, in the private sector, the percentage of women in the boardrooms of the top 100 public listed companies stood at 26.4 per cent in 2019, a significant increase from 19.2 percent in 2017.
- In addressing domestic violence, the Government has created a 24-hour hotline (*Talian Kasih*) to enable members of the public to report acts or suspicion of acts of domestic violence; launched one-stop crisis centres (OSCC) to provide medical, psychological, social, shelter and legal support to victims of violence; dedicated mosques as transit centres and shelters for victims of domestic violence of all races and religions; and established squad agents comprising women volunteers aged 18 and

above equipped with psychosocial support to eliminate violence against women.

- During the COVID-19 pandemic, the Government seeks to enhance women's digital literacy through the "Tap and Swipe Module", expected to benefit 40,000 women in the country. The Government also provides various initiatives for childcare services to support women in the workforce during the pandemic, including by providing financial grants to set up child care centres, tax incentives for child care centre operators, and subsidies to parents.
- The Government of Malaysia is currently reviewing and improving its Plan of Action for the Advancement of Women through close collaboration with the United Nations Development Programme (UNDP). Among others, the Plan seeks to develop a gender mainstreaming framework that includes capacity building programmes and the appointment of a gender focal team from every Ministry. As part of the effort to strengthen the legal framework to advance gender equality and women empowerment, the Government is developing the Sexual Harassment Bill and Gender Equality Bill.

vi) Take greater steps in engaging and empowering youth

- Malaysia has taken important steps in empowering its youth. A milestone was achieved in 2019 when the Federal Constitution of Malaysia was amended in a bipartisan effort to lower the voting age for Malaysian citizens from 21 to 18. The amendment also includes provisions for voters to be automatically registered on electoral rolls and for candidates to be eligible to stand for election from 18 years of age, thus, further expanding universal suffrage and civic participation for youth in Malaysia.
- In 2016, the Government amended the Child Act 2001 to enable children to be a part of the National Council for Children and actively participate in the Government's decision-making processes.

vii) Develop a National Action Plan on Business and Human Rights

- Recognising the importance of sensitising business enterprise on Business and Human Rights, and advocating for them to prevent and address adverse impacts of business activities on human rights, the Government of Malaysia has established several mechanisms in line with

the UN Guiding Principles on Business and Human Rights, such as the FTSE4 Good Environmental, Social and Governance Rating that includes human rights criteria for companies listed at the Malaysian Stock Exchange. The Companies Commission of Malaysia has also issued a circular on corporate responsibility disclosure and reporting that highlights international corporate governance standards and tools that contain human rights principles and performance indicators.

- The Government is preparing the Malaysia's National Action Plan on Business and Human Rights, in close consultations with various stakeholders including government agencies, SUHAKAM, business leaders, investor organisations, regulators, foreign missions, academia, and civil society.

viii) Intensify efforts to promote a safe, clean, healthy and sustainable environment and improve understanding on the effects of climate change on the enjoyment of human rights

- In recognising the adverse impacts of climate change on the rights to health, development, housing, water and food, as well as its disproportionate effects on vulnerable groups, Malaysia seeks to intensify cooperation at the bilateral and multilateral levels on climate change. The country's commitment in tackling climate change is reflected in the creation of the Malaysia Climate Change Action Council (MyCAC) in 2021, chaired by the Prime Minister, as the apex platform to set the direction, discuss climate change policies and actions, drive green economic growth, as well as catalyse green technology and low-carbon growth at all levels.
- Malaysia is on track to meet its Nationally Determined Contribution (NDC) pledge to the United Nations Framework Convention on Climate Change (UNFCCC) to reduce greenhouse gas (GHG) emissions intensity of GDP by 45% by 2030 relative to the emissions intensity of GDP in 2005. The Government is pursuing a model of green growth in transitioning towards environmental sustainability, as enshrined in its development plans, focusing on policy and regulatory framework, human capital, green technology investment, and financial instruments. Malaysia is committed to work with countries vulnerable to climate change, such as Small Island Developing States (SIDS) and other developing countries.

ix) Continue to promote diversity through respect for cultural rights

- As a multi-ethnic, multi-cultural, and multi-religious society, Malaysia firmly embraces the values of inclusivity, acceptance, and understanding in ensuring harmony and peaceful coexistence in a manner that would further enrich the country. The Government recently launched the National Unity Policy and National Unity Blueprint 2021-2030. The policy, based on the theme “Unity in Diversity”, is aimed at strengthening unity and national integration based on the Federal Constitution and *Rukun Negara* (National Principles); forming a national identity with a sense of self, patriotism, compassion, tolerance and being responsible towards and respectful of each other; and producing Malaysians who appreciate and practise unity. In coming up with the policy and blueprint, the Government engaged extensively with the public, the private sector, and non-governmental organisations.
- The Government is also finalising the National Culture Policy that supports the vision of common prosperity through the promotion and protection of cultural rights.

x) Continue to strengthen human rights institution and mechanism in Malaysia

- Malaysia commits to continue to support the strengthening of SUHAKAM, as an “A” status Paris Principle NHRI, among others, through improved funding support, ongoing law review towards strengthening its governing Act, and institutionalising more government agency engagement with SUHAKAM.

xi) Continue to engage constructively with all Member States and stakeholders towards the full realisation of the 2030 Agenda for Sustainable Development

- Malaysia acknowledges the crucial linkage between the 2030 Agenda for Sustainable Development and human rights. Malaysia is considered among the fastest countries to achieve the first goal of the Millennium Development Goals (MDG) which was to halve poverty by 2010.
- Inclusivity and development remain at the core of the country’s own transformation. Malaysia is undertaking initiatives to localise SDGs at the

district and local authority levels throughout the country with various stakeholders including civil society organisations and community leaders, based on the theme “leaving no one behind”.

Towards fulfilling these pledges, Malaysia is committed to:-

- i) Undertaking and promoting a balanced, impartial, universal, non-politicised, and constructive approach to human rights issues at the HRC.
- ii) Deepening cooperation at the international level in supporting the work of various UN actors and mechanisms involved in the promotion and protection of human rights, including promoting and protecting the rights of vulnerable, marginalised and minority communities in the country.
- iii) Upholding the principles of a whole-of-society approach by continuing to engage in inter-agency consultations with relevant stakeholders such as the NHRI (SUHAKAM) and Civil Society Organizations (CSOs) in furthering the promotion and protection of human rights for its people.
- iv) Continuing to review the implementation of international human rights instruments that Malaysia is party to. The reviews had led to the withdrawal of several reservations to CEDAW and CRC in 2010.
- v) Engaging closely with the relevant stakeholders on the possibility of signing and ratifying the outstanding international conventions related to human rights, with the aim to achieving a precise and full understanding of the relevant rights and obligations, as well as to consider the possibility of reconciling the standard established by the said instruments with the Federal Constitution and domestic laws.
- vi) Intensifying efforts to raise human rights awareness among all segments of the population including the public service, such as law-enforcement officials, members of the judiciary, government officials and other stakeholders.
- vii) Improving its monitoring mechanism on the UPR process, by using the NRTD developed by the OHCHR.
- viii) Supporting and implementing the 2030 Agenda for Sustainable Development, particularly in realising the right to development, including support for ongoing efforts aimed at its operationalisation and implementation.

- ix) Sharing best practices with other Member States and interested partners, including on advancing the rights of women, children and persons with disabilities, poverty eradication, health and education.
- x) Working continuously at the regional level with its partners under the ASEAN framework, in particular, with the ASEAN Intergovernmental Commission on Human Rights (AICHR) in the promotion of human rights in the region.
- xi) Increasing its bilateral collaborations in terms of technology transfer and the exchange of scientists in vaccine development as Malaysia calls for an affordable, accessible and equitable vaccine and embarks on the roadmap of vaccine development and production.
- xii) Continuing to work hand in hand with the UN and the WHO in improving the lives of our people. The challenges brought about by COVID-19 compel every country, including Malaysia to focus on the rights to physical and mental health; the right to social security; the right to education; and the right to an adequate standard of living, including food, clothing, and housing.

Malaysia's bid to be elected as a member of the Human Rights Council for the term 2022-2024 reflects the country's determination to continue to make progress in its efforts to protect and promote human rights, both domestically and internationally. Malaysia looks forward to engaging constructively as a Council member and to actively contribute towards human rights advancement for all.
