

Press Release

Launch of SUARAM's 2008 Human Rights Report: Urgent Need for Reforms to End Increasingly Serious and Repeated Human Rights Violations in Malaysia

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SUARAM, in conjunction with the launch of its "Malaysia Human Rights Report 2008: Civil and Political Rights", today strongly urged the government to urgently implement substantial legislative and institutional human rights reforms.

In its annual report card on the situation of human rights in Malaysia, SUARAM noted the new political realities, especially after the watershed 2008 General Elections which saw the ruling-Barisan Nasional (BN) suffering its biggest loss in Malaysian electoral history since 1969.

Under this backdrop, three main issues were highlighted by SUARAM:

1. The increasingly lack of accountability of law enforcement agencies, which has resulted in serious human rights violations with impunity.
2. The heightened politicisation of race and religion, which has further hampered the grave state of human rights in the country.
3. The failure of the government to heed strong calls and demands for reforms.

The year 2008 was also the final year of Abdullah Badawi's premiership. According to SUARAM, at the end of 2008, it was apparent that the BN government under the leadership of Abdullah Badawi had failed to implement its many promises for reforms. Much has happened since the end of 2008, including the change of leadership of the country with Najib Razak taking over as the Prime Minister of Malaysia. However, there has yet to be any substantial improvements where human rights are concerned.

"Many pledges made by Abdullah Badawi since 2003, for instance reforming the police force, have not yet been implemented. In fact, in many ways, Malaysia's human rights record has gone from bad to worse. We are witnessing an alarming number of deaths in police custody while substantial reforms on the police force are still nowhere in sight," said SUARAM chairperson K. Arumugam.

According to official government statistics cited in SUARAM's report, there were 13 cases of deaths in police custody in 2008, while 255 deaths were recorded in prisons in the same year. The report also recorded a staggering number of 44 cases of deaths by police shootings with possibly more cases unreported by the media.

"In 2009, we have already recorded so far at least 5 cases of deaths in police custody. Just last week, the death of Teoh Beng Hock while in the compounds of the Malaysian Anti-Corruption Commission

(MACC) under extremely suspicious circumstances leaves little doubt that there is an urgent and critical need to ensure greater accountability of law enforcement agencies," said Arumugam.

In view of this and the alarming number of cases of deaths in custody, SUARAM strongly urged the government to immediately implement the recommendations of the Parliamentary Select Committee on the Penal Code and the Criminal Procedure Code to legislate a Coroner's Act and to set up a Coroner's Court and ensure that inquests are held within one months of each case of death in custody.

SUARAM's report also documented serious violations by other law enforcement agencies, including abuses of the rights of refugees and migrants by the People's Volunteer Corps (RELA) and Immigration Department officers.

Meanwhile, SUARAM noted that the grave situation of human rights in Malaysia was compounded by a heightened politicisation of race and religion, particularly after the 12th General Elections.

"While racial and religious intolerance has been a major problem in recent years, 2008 saw an increase of this regressive trend, perpetuated by the blatant politicisation of race and religion by the United Malays National Organisation (UMNO)-led ethnic-based BN coalition, especially after the 12th General Elections in an attempt to regain lost ground," said SUARAM documentation and monitoring coordinator John Liu.

Indeed, in 2008, the BN government justified its repression on human rights by using the excuse of "maintaining racial harmony and social order". A clear example of this, as documented in SUARAM's report, was the continued use of the Internal Security Act (ISA). In one instance, the government even claimed that the draconian law was used for the detention of a journalist in September to ensure her own safety after her report quoting racist remarks made by an UMNO politician had apparently caused an uproar.

Commenting on the government's continued use of the ISA, Liu said, "The government has put it on record that it has no plans to abolish the ISA despite numerous calls from various quarters, including those from within the ruling coalition for the law to be repealed. The BN government's stand on the ISA on the one hand demonstrates its arrogance in ignoring the will of the people. On the other, it clearly shows the reliance of the BN government on repressive laws and measures as a means to ensure political survival."

"Nothing can justify the government's continued use of the ISA," Liu added. He noted that even former premier Abdullah Badawi has now joined the chorus in demanding for the ISA to be abolished.

"While there is a strong sense of hypocrisy in Abdullah Badawi's statement as he himself had signed ISA detention orders of hundreds of individuals, his call for the Act to be repealed only goes to show that the ISA is indeed indefensible and unjustifiable," Liu said.

At the same event, SUARAM also released locally the 2009 annual report on the situation of human rights defenders published by two international human rights groups, the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT). In its section on Malaysia, the two groups noted that the government's attacks on freedoms of speech, assembly and association have put human rights defenders in Malaysia at severe risk of persecution and prosecution of human rights defenders. Citing cases such as the government's use of laws such as the ISA, the Sedition Act and the Printing Presses and Publications Act (PPPA), the report noted that 2008 "was a dark year for the media and freedom of expression". The FIDH-OMCT report also

voiced its concerns over the “rise in religious tensions” which “put defenders of religious freedom at risk”.

“SUARAM’s 2008 report is the 10th edition of our annual human rights report. The issues and patterns of human rights violations documented in this report are mostly similar to those documented in our first report. We are therefore witnessing serious and repeated human rights violations in the country,” said Liu.

SUARAM, in its concluding chapter of its 2008 report, strongly called on the BN government at the federal level and both the BN and Pakatan Rakyat state governments to immediately implement genuine human rights reforms, such as the rejection of racialised politics and racism, the repeal of Emergency laws and detention-without-trial laws, the reform of the police force, and greater respect and protection of freedom of expression, assembly and association.

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