

# MALAYSIA: STRIDES AND SETBACKS

## AMNESTY INTERNATIONAL: SUBMISSION TO THE 45<sup>TH</sup> SESSION OF THE UPR WORKING GROUP, JANUARY- FEBRUARY 2024

### SUMMARY

This submission was prepared for the Universal Periodic Review (UPR) of Malaysia in January-February 2024. In it, Amnesty International evaluates the implementation of its recommendations made to Malaysia in the previous UPR, including in relation to the death penalty, the rights to freedom of expression and assembly and the rights of migrant workers.

It also assesses the national human rights framework with regard to the ratification of core human rights treaties and the independence of the Human Rights Commission of Malaysia, known as SUHAKAM (National Human Rights Institution).

Regarding the human rights situation on the ground, Amnesty International raises concerns about the rights to freedom of expression and assembly, the treatment of migrants and refugees and Indigenous peoples, the abolition of the mandatory death penalty, continued deaths in custody and Indigenous peoples' rights.

It ends with a set of recommendations to Malaysia which, if implemented, would contribute to improving the human rights situation.

## FOLLOW UP TO THE PREVIOUS REVIEW

1. Malaysia received 268 recommendations during its 2018 review. Of these, the government fully or partially supported 148 recommendations and noted (rejected) 120, including those which remain relevant and if implemented would contribute to improving the human rights situation.
2. Although the government fully supported several recommendations to review legislation which stifles freedom of expression and assembly to bring it into line with international human rights law,<sup>1</sup> it only partially accepted or noted others.<sup>2</sup> Despite government pledges to review repressive laws including the Sedition Act<sup>3</sup>, no reforms have taken place.
3. The government supported recommendations to take steps to abolish the death penalty and maintain a moratorium on executions.<sup>4</sup> In April 2023, there was significant progress when the government abolished the mandatory death penalty and removed the death penalty as punishment for seven offences.<sup>5</sup>
4. The government also supported recommendations to respect and protect the rights of migrant workers, ensure necessary measures to improve social cohesion, and prevent and punish all forms of hate and violence against them.<sup>6</sup> Regrettably, recent years have seen an increasing crackdown by the authorities on migrants and refugees in general.<sup>7</sup>
5. As in previous reviews, the government only partially accepted or noted numerous recommendations to ratify core human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture<sup>8</sup>. It also rejected recommendations to remove all reservations to the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities.<sup>9</sup>

## THE NATIONAL HUMAN RIGHTS FRAMEWORK

6. Recent efforts to ratify further human rights treaties failed. In 2018, the government reversed plans to sign onto the International Convention on the Elimination of All Forms of Racial Discrimination following backlash from certain groups.<sup>10</sup> In 2019, the government withdrew from the Rome Statute of the International Criminal Court a month after signing it, following dissent from Malaysia's royal families.<sup>11</sup>
7. In 2022, the Human Rights Commission of Malaysia (SUHAKAM) suffered a setback when new Commissioners were appointed by the government in an untransparent selection process.<sup>12</sup> In March 2023, the government appointed a Children's Commissioner.<sup>13</sup>

## THE HUMAN RIGHTS SITUATION ON THE GROUND

### Freedom of expression and assembly

8. Authorities continued to use repressive laws to silence those exercising their right to freedom of expression. Police conducted 692 investigations between January 2020 and June 2022 under the Communications and Multimedia Act (CMA) and related laws, resulting in 87 prosecutions including of artists, performers and political activists.<sup>14</sup> There were reports of additional investigations and arrests under the CMA after June 2022. The Sedition Act,<sup>15</sup> the Printing Presses and Publications Act<sup>16</sup> and the Film Censorship Act also continue to be used to restrict freedom of expression.
9. In February 2021, online news outlet Malaysiakini was fined RM 500,000 (USD 107,500) for contempt over comments of readers allegedly critical of the country's judiciary.<sup>17</sup> In February 2022, police detained activist Fahmi Reza for two days over an artwork on his Twitter account satirising a government minister.<sup>18</sup> In March 2023, artists and filmmakers behind the film Mentega Terbang, about a young woman exploring the concept of the afterlife in various religions, faced police questioning, death threats and property vandalism.<sup>19</sup>

10. Authorities persisted in blocking peaceful demonstrations, investigating and charging organizers and participants with criminal offences, particularly under the Peaceful Assembly Act (PAA) and the Penal Code. In June 2022, police prevented several hundred lawyers from the Bar Council from marching to parliament to protest government interference in the judiciary - three leaders were subsequently investigated under the PAA.

### Migrants and refugees

11. Malaysia continued to violate the international prohibition against *refoulement* by forcibly returning people to countries where they are at risk of serious human rights violations.
12. In February 2021, the government deported 1,086 individuals to Myanmar, despite the military coup earlier that month and in contravention of a stay on the deportation granted by a court.<sup>20</sup> In January 2023, the government deported 114 more, including children, after the stay.<sup>21</sup> In December 2022, a court dismissed a judicial review filed by Amnesty International Malaysia and Asylum Access Malaysia highlighting concerns about unaccompanied minors and the lack of informed consent of deportees. The deportations constitute constructive refoulement, as the individuals could only choose to remain in indefinite detention or be returned to Myanmar, both of which violate their rights. They are among the many understood to have been carried out by the government since the 2021 military coup, despite the escalation of violence and increasing human rights violations in Myanmar.
13. Authorities continued to push back or prosecute Rohingya people stranded on boats fleeing persecution in Myanmar and the hardships of refugee camps in Bangladesh. In April 2020, the government allowed 202 Rohingya people to disembark from a boat adrift off the coast of Langkawi<sup>22</sup>; a second boat carrying 269 Rohingya people was allowed to disembark in June 2020.<sup>23</sup> Several were reported by media to have died during the journey. Survivors were detained in a temporary immigration detention centre in Sungai Bakap, Penang. The authorities subsequently convicted 31 Rohingya men of offences under the Immigration Act 1959/63 and sentenced them to seven months in prison; at least 20 were sentenced to caning which was withdrawn after protests.<sup>24</sup> On 20 April 2022, four adults and two children died during an alleged breakout from Sungai Bakap detention centre; a 14-year-old child died days later from injuries. Most of the detainees were re-arrested. Despite calls to investigate the incident, it remains unclear who was responsible for the deaths.<sup>25</sup> In 2023, the government closed the Sungai Bakap detention centre.<sup>26</sup>

### Death penalty

14. On 16 June 2023, Malaysia published in the Official Gazette the Abolition of Mandatory Death Penalty Act 2023 and the Revision of Sentence of Death and Imprisonment for Natural Life (Temporary Jurisdiction of The Federal Court) Act 2023, which repealed the mandatory death penalty and established a resentencing process for those under the sentence of death and imprisonment for natural life.<sup>27</sup> Concerns remain, however, including keeping whipping among the limited number of alternative punishments. The death penalty is also retained as discretionary punishment for drug-related and other offences that do not meet the threshold of the “most serious crimes” to which the use of this punishment must be restricted under international law and standards.<sup>28</sup> An official moratorium on executions has remained in place since 2018.
15. The law will come into force at a date to be announced by the Minister of Law, followed by a 90-day period allowing those facing the death sentence or imprisonment for natural life, and already confirmed by the Federal Court, to apply for resentencing, which will affect 840 people. Those undergoing trial and appeal can apply for.<sup>29</sup> However, the process is not adequately explained in the law. In reviewing sentences, the Federal Court would “call for and examine the record of proceedings, grounds of judgment and other relevant documents” (Article 2.3).<sup>30</sup>
16. Present and recent governments made some effort to make more information on those held on death row publicly available, mainly in response to Parliamentary questions. However, the enduring lack of transparency, including on death sentences imposed and commuted through the pardon procedure, continues to make it difficult to independently and adequately monitor the death penalty’s implementation and impact.

17. In 2019, research by Amnesty International indicated that the death penalty in Malaysia had largely fallen on those convicted of drug offences, which disproportionately included women and foreign nationals.<sup>31</sup> The limited information available showed a significant number of those on death row were from disadvantaged socio-economic backgrounds, while certain ethnic minorities were overrepresented, pointing to multiple layers of arbitrariness and discrimination in the use of the punishment.
18. Numerous violations of the right to a fair trial left defendants at risk of the death penalty. Despite legal aid schemes available, those arrested for offences punishable by death who could not hire a lawyer independently often did not receive legal assistance upon arrest or while under police remand. Criminal cases cannot be reopened following a final judgment even on the grounds of new facts – a critical safeguard especially in cases involving the death penalty. Other violations include the lack of legal representatives assigned to cases until the trial is due to start, insufficient access to interpreters and varying support for foreign nationals.
19. The opaque and secretive pardons process exposed people to arbitrary decisions that could lead to execution. Contrary to international standards, Malaysian law does not guarantee the right to legal counsel for pardon application. The problem appears particularly acute for foreign nationals, who made up over half of those who have not filed a pardon application.

### Deaths in custody

20. Consistent reports of unlawful use of force against people in detention and deaths in custody continued. Research by Amnesty International and other human rights organisations has repeatedly shown that abuses have persisted, and those responsible have not been held to account.<sup>32</sup>
21. In April 2018, the Ministry of Home Affairs said it had introduced new procedures requiring detainees to complete a form detailing their health condition. CCTVs were installed in lockups that did not have them. These changes have not significantly improved matters. In February 2023, the government announced it may bring in new measures after revealing 24 deaths in custody recorded in 2022.<sup>33</sup>
22. In 2018, the government announced plans to establish an independent police commission to investigate police misconduct and serve as an oversight body.<sup>34</sup> In July 2022, parliament passed the widely criticised Independent Police Conduct Commission (IPCC) Act of 2020. It lacked the independence and investigative powers needed to effectively investigate police misconduct including in relation to custodial deaths.<sup>35</sup> Concerns include provisions allowing the appointment of police officers to the commission and requirements of prior notification to visit to police stations and other facilities.<sup>36</sup> The act was expected to come into force in June 2023.<sup>37</sup>

### Indigenous peoples' rights

23. Across Malaysia, extensive land development has adversely impacted Indigenous peoples, posing threats to a wide spectrum of human rights.
24. In 2018, Amnesty International found that Indigenous leaders, activists, lawyers and faced the threat of assault, arrest and investigation by the police because of their peaceful activities to defend Indigenous land. In instances of attacks and threats, witnesses said police routinely failed to investigate or respond to allegations by Indigenous and other human rights defenders.<sup>38</sup>
25. A failure to obtain free, prior and informed consent for development projects has continued to be reported, and communities learned of such projects only when these have started, often through signage put up barring them from entering these areas. The consequences of speaking out to defend Indigenous lands have also created a climate of fear amongst communities and activists.
26. In 2021, the Selangor state government degazetted or withdrew the protected status of 537 hectares of the Kuala Langat North Forest Reserve (KLNFR). Public outcry and political pressure pushed the government to announce it would gazette the reserve again, but this has yet to take place as of June 2023.<sup>39</sup>

## RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW

Amnesty International calls on the government of Malaysia to:

### National human rights framework

27. As previously recommended, ratify core human rights treaties, including the International Covenants, the International Convention on the Elimination of all Forms of Racial Discrimination and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
28. As previously recommended, ratify the UN Convention Relating to the Status of Refugees and the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
29. Strengthen and ensure the independence of SUHAKAM so that it can effectively perform its functions and maintain its A grade status in line with the Paris Principles.

### Freedom of expression and assembly

30. Repeal the 1948 Sedition Act and repeal or amend other laws which arbitrarily restrict the right to freedom of expression, including the Communications and Multimedia Act and the Printing Presses and Publications Act, to ensure that they are in line with international human rights standards.
31. Immediately and unconditionally release those imprisoned solely for the peaceful exercise of their right to freedom of expression; drop charges under these laws against individuals for peacefully exercising this right and, pending the repeal or amendment of these laws, ensure that no one else is arrested, investigated, charged or imprisoned under them for the peaceful exercise of their human rights.
32. Review or amend the Peaceful Assembly Act, Penal Code, and other laws to allow for peaceful protests without arbitrary restrictions, drop charges and investigations against individuals solely for the exercise of their right to freedom of peaceful assembly and, pending the review or amendment of these laws, ensure no one else is arrested, investigated, charged or imprisoned under these laws for exercising their right to peaceful assembly.

### Migrants and refugees

33. End automatic and/or indefinite detention for all irregular migrants and ensure that special populations such as survivors of trafficking and refugees are accorded requisite protections in international law.
34. Ensure that children are never detained, and that families are not separated through detaining adult caregivers.
35. Respect the international legal principle of non-refoulement, halt all deportations of migrants and refugees to countries where they may be at risk, and ensure legal pathways for entry and regularization, including asylum for all people whose safety is at risk and family reunification.
36. Facilitate the safe disembarkation of Myanmar refugees on boats, dispatch search and rescue boats to those at sea and put in place pathways for them to safely remain in the country, including by seeking asylum, without resorting to detention.
37. Allow the UN High Commissioner for Refugees to carry out its mandate, including by granting it access to anyone in detention, and ensuring its evaluation and recommendations are individually adhered to around individual assessments of people in detention.

### Death penalty

38. As previously recommended, abolish the death penalty for all crimes; pending this, extend the official moratorium on executions indefinitely until the death penalty is fully abolished and all existing death sentences are reviewed and commuted; and abolish the death penalty for crimes not meeting the threshold of the “most serious crimes” under international law and standards, as first steps.
39. Ensure that all persons facing the death penalty – including those from disadvantaged backgrounds – have access to competent legal assistance, from the moment of arrest or when they first face criminal charges, to appeals and other recourse procedures, and ensure that the Bar Council Legal Aid Centre in Malaysia is provided sufficient resources to appoint competent pro bono lawyers in all regions.
40. Establish transparent procedures for the exercise of the power to grant pardon applications, in order to fulfil its purpose of being a meaningful safeguard of due process.
41. Individually review, with the intention to commute, the sentences of over 1,300 individuals on death row; ensure that any resentencing process is in line with international fair trial standards, including by ensuring that those applying for review have adequate time, resources and access to legal representation, and by guaranteeing their right to appeal; and ensure that alternative sentences do not contravene the prohibition against torture or other cruel, inhuman or degrading treatment or punishment.
42. Regularly publish full and detailed information, disaggregated at least by gender, nationality and ethnic background, about the use of the death penalty which can contribute to public debate on the issue. The data should include the number of persons sentenced to death and for what offences, the number of prisoners appealing the sentences and at what level and location of detention, among others.

#### **Deaths in custody**

43. Ensure thorough, transparent and effective investigations by independent bodies into all complaints and reports of torture and other ill-treatment by police and any other state officials and ensure that those suspected to be responsible are prosecuted in proceedings that meet international standards of fairness.
44. Introduce a robust and transparent police oversight commission that is impartial and independent, and with the necessary investigative and disciplinary powers to hold the police accountable.

#### **Indigenous peoples’ rights**

45. Ensure Indigenous peoples are free from harassment and the threat of criminalization through the use of repressive laws and can exercise their rights and conduct their human rights work in a safe environment.
46. Initiate thorough and impartial investigations into attacks, threats and assaults against Indigenous land defenders, and where there is sufficient evidence of criminal responsibility, bring those responsible to justice in fair trials.
47. Protect and uphold the human rights of Indigenous peoples, including their rights to land; the protection of their cultural heritage; free, prior and informed consent; and a healthy environment.
48. Address the long term, systemic changes necessary to protect Indigenous peoples’ rights by establishing an Independent National Commission on Indigenous Land Rights.

## ANNEX 1

### KEY AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE

Amnesty International Malaysia, “Historic change unfolding as Dewan Rakyat votes to repeal mandatory death penalty”, 2 April 2023 <https://www.amnesty.my/2023/04/03/malaysia-historic-change-unfolding-as-lawmakers-vote-to-repeal-mandatory-death-penalty/>

Amnesty International Malaysia, Amnesty International Malaysia condemns deportation of more Myanmar nationals, including children, 23 February 2023, <https://www.amnesty.my/2023/02/23/amnesty-international-malaysia-condemns-deportation-of-more-myanmar-nationals-including-children/>

Amnesty International Malaysia, “Fahmi Reza charged: laws must not be used to stifle peaceful dissent”, 10 February 2023 <https://www.amnesty.my/2022/02/10/media-quote-fahmi-reza-charged-laws-must-not-be-used-to-stifle-peaceful-dissent-and-critique/>

Submission to the UN Committee on the Elimination of Discrimination against Women: 86th pre-sessional working group, 27 Feb 2023-3 March 2023, List of Issues, 30 January 2023, <https://www.amnesty.org/en/documents/asa28/6393/2023/en/>

Malaysia: “Next government must advance human rights”, 17 November 2022, <https://www.amnesty.org/en/latest/news/2022/11/malaysia-elections-human-rights/>

8-point human rights agenda for the new government, 16 November 2022, <https://www.amnesty.org/en/documents/asa28/6226/2022/en/>

Halt forced deportation of people from Myanmar and ensure access to asylum, 21 October 2022 <https://www.amnesty.org/en/documents/asa28/6138/2022/en/>

Amnesty International Malaysia, “Media Quote: IPCC and SOSMA”, 25 July 2022 <https://www.amnesty.my/2022/07/25/media-quote-ipcc-and-sosma/>

Malaysia: “Move to abolish mandatory death penalty is ‘welcome step’ in right direction”, 10 June 2022 <https://www.amnesty.org/en/latest/news/2022/06/malaysia-mandatory-death-penalty-abolition/>

Amnesty International Malaysia, “Drop investigations into Nagaenthran vigils,” 28 April 2022 <https://www.amnesty.my/2022/04/28/drop-investigations-in-to-nagaenthran-vigils/>

Amnesty International Malaysia, Deaths of six detainees at Sungai Bakap, 20 April 2022 <https://www.amnesty.my/2022/04/21/deaths-of-six-detainees-at-sungai-bakap/>

Amnesty International Malaysia, “IPCC bill is a step backwards for police accountability”, 27 October 2021 <https://www.amnesty.my/2022/04/28/drop-investigations-in-to-nagaenthran-vigils/>

*PM’s resignation must restore respect for freedom of expression and assembly*, 17 August 2021 <https://www.amnesty.org/en/latest/news/2021/08/malaysia-pm-resignation-restore-respect-freedom-expression/>

Amnesty International Malaysia, “PDRM fails to protect detainees: civil society demands police accountability & IPCMC”, 1 June 2021 <https://www.amnesty.my/2021/06/01/joint-press-statement-pdrm-fails-to-protect-detainees-civil-society-demands-police-accountability-ipcmc/>



Stop intimidation of human rights lawyer and defenders, 1 April 2021

<https://www.amnesty.org/en/documents/asa28/3943/2021/en/>

Malaysia: “Deportation to Myanmar puts lives in danger”, 18 February 2021

<https://www.amnesty.org/en/latest/news/2021/02/myanmar-deportation-malaysia-danger/>

Amnesty International Malaysia, “Attack on students’ freedom of expression must end”, 7 November 2020

<https://www.amnesty.my/2020/11/07/attack-on-students-freedom-of-expression-must-end/>

Malaysia: “Court ruling against whipping must be first step toward protecting Rohingya refugees”, 22 June 2020

<https://www.amnesty.org/en/latest/news/2020/07/malaysia-court-ruling-against-whipping-must-be-first-step-toward-protecting-rohingya-refugees/>

Malaysia: “Stop plans to cane Rohingya refugees and release those already imprisoned”, 20 July 2020,

<https://www.amnesty.org/en/latest/news/2020/07/malaysia-stop-plans-to-cane-rohingya-refugees-and-release-those-already-imprisoned/>

A historic opportunity: Ensuring an effective police commission in Malaysia, 6 July 2020

<https://www.amnesty.org/en/documents/asa28/2125/2020/en/>

Joint Statement: End harassment and intimidation of media workers and critics in Malaysia, 11 July 2020

<https://www.amnesty.org/en/documents/asa28/2712/2020/en/>

Malaysia: Raft of police investigations a blatant attempt to intimidate peaceful protesters, 4 March 2020

<https://www.amnesty.org/en/latest/news/2020/03/malaysia-raft-police-investigations-blatant-attempt-intimidate-peaceful-protesters/>

Fatally flawed: Why Malaysia must abolish the death penalty, 10 October 2019

<https://www.amnesty.org/en/documents/act50/1078/2019/en/>

Attacks on women’s day march inconsistent with the government’s stated commitment to fundamental freedoms, 18 March 2019,

<https://www.amnesty.org/en/documents/asa28/0067/2019/en/>

Malaysia: Ratify core human rights treaties, repeal repressive laws, and abolish the death penalty: Human Rights Council

adopts Universal Periodic Review outcome on Malaysia, 14 March 2019

<https://www.amnesty.org/en/documents/asa28/0028/2019/en/>

The Forest is our Heartbeat: The struggle to save indigenous land in Malaysia, 29 November 2018

<https://www.amnesty.org/en/documents/asa28/9424/2018/en/>

Malaysia: Caning of two women a terrible day for human rights, 3 September 2018

<https://www.amnesty.org/en/latest/press-release/2018/09/malaysia-caning-of-two-women-a-terrible-day-for-human-rights/>

Malaysia: End discrimination and backlash against LGBTI people, 11 July 2018

<https://www.amnesty.org/en/documents/asa28/8770/2018/en/>



## ANNEX 2

### MATRIX OF RECOMMENDATIONS FROM THE PREVIOUS CYCLE, WITH COMMENTS ON PROGRESS

| Recommendation  | Position  | Full list of themes  | Amnesty International's assessment/comments on level of implementation |
|---|-----------|--|--|
| <b>Theme: A12 Acceptance of international norms</b>   |           |  |  |
| 151.24 Continue exploring possibilities to extend its international commitments, in particular consider ratification of the International Covenant on Civil and Political Rights and the Rome Statute of the International Criminal Court, as previously recommended (Latvia);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7  | Supported | A12 Acceptance of international norms<br>B11 International humanitarian law<br>B52 Impunity<br>D1 Civil & political rights - general measures of implementation<br>D51 Administration of justice & fair trial<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general  | <b>Not implemented</b> (See paragraphs 5 and 6 above)                  |
| 151.44 Become a party to the Rome Statute of the International Criminal Court (Netherlands);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7  | Supported | A12 Acceptance of international norms<br>B11 International humanitarian law<br>B52 Impunity<br>D51 Administration of justice & fair trial<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general  | <b>Not implemented</b> (See paragraph 6 above)                         |
| 151.9 Speed up its deliberations on the signature and ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Turkey);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7 | Supported | A12 Acceptance of international norms<br>B32 Racial discrimination<br>D1 Civil & political rights - general measures of implementation<br>D25 Prohibition of torture and cruel, inhuman or degrading treatment<br>E1 Economic, social & cultural rights - general measures of implementation<br>G4 Migrants<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- migrants | <b>Not implemented</b> (See paragraph 5 above)                         |
| 151.26 Move forward towards the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7   | Supported | A12 Acceptance of international norms<br>D25 Prohibition of torture and cruel, inhuman or degrading treatment<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general  | <b>Not implemented</b> (See paragraph 5 above)                         |

| Recommendation  | Position  | Full list of themes  | Amnesty International's assessment/comments on level of implementation  |
|---|-----------|--|---|
| <p>151.31 Consider ratifying core international human rights treaties to which it is not yet a party, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>  | Supported | <p>A12 Acceptance of international norms<br/>G4 Migrants<br/>S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b><br/>- general<br/>- migrants</p>  | <b>Not implemented</b> (See paragraph 5 and 30 above)   |
| <p>151.5 Continue efforts to accede to international treaties related to civil, political and cultural rights (Iraq);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>   | Supported | <p>A12 Acceptance of international norms<br/>S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b><br/>- general</p>   | <b>Not implemented</b> (See paragraph 5 above)  |
| <p>151.6 Accelerate the process of ratification of the key international human rights instruments (Kazakhstan);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>   | Supported | <p>A12 Acceptance of international norms<br/>S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b><br/>- general</p>   | <b>Not implemented</b> (See paragraph 5 above)  |
| <b>Theme: A21 National Mechanisms for Reporting and Follow up (NMRF)</b>  |           |  |   |
| <p>151.47 Create a national mechanism for implementation, reporting and follow-up of the recommendations from the universal periodic review (Portugal);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>   | Supported | <p>A21 National Mechanisms for Reporting and Follow-up (NMRF)<br/>A27 Follow-up to Universal Periodic Review (UPR)<br/>S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b><br/>- general</p> | <b>Partially implemented</b> (While the government submitted its first ever midterm report for its third UPR in 2018, its ministries do not have a dedicated human rights officer or a UPR officer to monitor and evaluate implementation of UPR recommendations, as recommended by the country's National Human Rights Institution and civil society organizations.) |
| <b>Theme: A22 Cooperation with treaty bodies</b>  |           |  |   |
| <p>151.53 Continue to cooperate with treaty bodies and special procedure mandate holders (Chad);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>  | Supported | <p>A22 Cooperation with treaty bodies</p> <p><b>Affected persons:</b><br/>- general</p>  | <b>Partially implemented</b> (A number of visit requests by special procedures have yet to be accepted as shown <a href="#">here</a> .)   |
| <b>Theme: A24 Cooperation with special procedures</b>   |           |  |   |
| <p>151.48 Consider issuing a standing invitation to all special procedures of the Human Rights Council (Republic of Moldova); Extend an open invitation to all special procedures of the Human Rights Council (Ukraine); Extend an open standing invitation to the special procedure mandate holders (Paraguay);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 18</p> | Supported | <p>A24 Cooperation with special procedures</p> <p><b>Affected persons:</b><br/>- general</p>   | <b>Implemented</b> (The government extended a standing invitation to all thematic special procedures on 26 February 2019.)  |

| Recommendation  | Position  | Full list of themes  | Amnesty International's assessment/comments on level of implementation  |
|---|-----------|--|---|
| <p>151.49 Respond positively to the pending visit requests by the special procedure mandate holders of the Human Rights Council and consider the extension of a standing invitation to all the special procedure mandate holders, as previously recommended (Latvia);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>                               | Supported | <p>A24 Cooperation with special procedures</p> <p><b>Affected persons:</b><br/>- general</p>   | <p><b>Partially implemented</b> (A number of visit requests by special procedures have yet to be accepted as shown here.)</p> |
| <p><b>Theme: A26 Cooperation with the Universal Periodic Review (UPR)</b></p>   |           |  |   |
| <p>151.50 Continue taking measures to implement the accepted recommendations of the universal periodic review (Bolivarian Republic of Venezuela);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>   | Supported | <p>A26 Cooperation with the Universal Periodic Review (UPR)</p> <p><b>Affected persons:</b><br/>- general</p>  | <p><b>Partially implemented</b> (See paragraphs 1 to 5 above)</p>   |
| <p>151.51 Continue taking measures to implement universal periodic review recommendations (Cameroon);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>   | Supported | <p>A26 Cooperation with the Universal Periodic Review (UPR)</p> <p><b>Affected persons:</b><br/>- general</p>  | <p><b>Partially implemented</b> (See paragraphs 1 to 5 above)</p>   |
| <p><b>Theme: A41 Constitutional and legislative framework</b></p>   |           |  |   |
| <p>151.58 Continue with its efforts to strengthen domestic legislation to bring it into compliance with international obligations (Bhutan);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>   | Supported | <p>A41 Constitutional and legislative framework</p> <p><b>Affected persons:</b><br/>- general</p>  | <p><b>Partially implemented</b> (See paragraphs 2 and 3 above)</p>  |
| <p>151.143 Accelerate consultations within the Government in order to review the following legislation: the Sedition Act, the Printing Presses and Publications Act, the Prevention of Crime Act, the Special Offence Act, the Peaceful Assembly Act and the Prevention of Terrorism Act (Georgia);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p> | Supported | <p>A41 Constitutional and legislative framework</p> <p>B8 Human rights &amp; counter-terrorism</p> <p>D44 Right to peaceful assembly</p> <p>D43 Freedom of opinion and expression</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b><br/>- general</p> | <p><b>Not implemented</b> (See paragraphs 9 and 11 above)</p>   |
| <p>151.59 Incorporate in its legislation a definition of discrimination against women in conformity with article 1 of the Convention on the Elimination of All Forms of Discrimination against Women (Chile);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>   | Supported | <p>A41 Constitutional and legislative framework</p> <p>F12 Discrimination against women</p> <p>B31 Equality &amp; non-discrimination</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p><b>Affected persons:</b><br/>- women</p>  | <p><b>Not implemented</b> (See paragraph 5 above)</p>   |
| <p>151.201 Adopt gender equality legislation to reduce inequalities between men and women (Albania);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>  | Supported | <p>A41 Constitutional and legislative framework</p> <p>F12 Discrimination against women</p> <p>F11 Advancement of women</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S10 SDG 10 - inequality</p> <p><b>Affected persons:</b><br/>- women</p>                              | <p><b>Not implemented</b> (No known gender equality legislation passed to date.)</p>  |
| <p><b>Theme: A42 Institutions &amp; policies - General</b></p>  |           |  |   |

| Recommendation   | Position  | Full list of themes   | Amnesty International's assessment/comments on level of implementation  |
|--|-----------|---|---|
| 151.61 Continue undertaking efforts in addressing human rights issues in an institutionalized, systematic and holistic manner (Pakistan);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7                            | Supported | A42 Institutions & policies - General<br><b>Affected persons:</b> - general   | <b>Partially implemented</b> (See paragraphs 1 to 5 above)  |
| 151.256 Continue the implementation of plans and strategies to strengthen the economic and social well-being of indigenous peoples (Plurinational State of Bolivia);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7 | Supported | A42 Institutions & policies - General<br>G3 Indigenous peoples<br>S10 SDG 10 - inequality<br><b>Affected persons:</b> - Indigenous peoples  | <b>Not implemented</b> (See paragraphs 24 to 28 above)  |
| 151.87 Consider including measures aimed at ensuring increased efficiency and accountability of public service in its national development strategy (Azerbaijan);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7    | Supported | A42 Institutions & policies - General<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b> - general  | <b>Partially implemented</b> (A proposed legislation creating the Ombudsman, aimed at addressing a wide range of public complaints against government offices, is pending before parliament.) |
| <b>Theme: A51 Human rights education - general</b>   |           |   |   |
| 151.64 Continue its endeavours to promote human rights education and training (Islamic Republic of Iran);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7  | Supported | A51 Human rights education - general<br>E51 Right to education - General<br><b>Affected persons:</b> - general  | <b>Partially implemented</b> (There was some effort when the National Human Rights Institution published human rights modules for primary and secondary levels in 2019)                       |
| 151.62 Take additional measures to strengthen education and training in the area of respecting and protecting human rights (Egypt);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7                                  | Supported | A51 Human rights education - general<br>E51 Right to education - General<br>A54 Awareness raising and dissemination<br><b>Affected persons:</b> - general   | <b>Partially implemented</b> (There was some effort when the National Human Rights Institution published human rights modules for primary and secondary levels in 2019)                       |
| <b>Theme: A53 Professional training in human rights</b>  |           |   |   |
| 151.65 Continue training and capacity-building programmes aimed at improving the skills and knowledge of health-care providers (Tunisia);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7                            | Supported | A53 Professional training in human rights<br>E41 Right to health - General<br>S03 SDG 3 - health<br><b>Affected persons:</b> - general<br>- medical staff   | <b>Not implemented</b>  |
| <b>Theme: A54 Awareness raising and dissemination</b>  |           |   |   |
| 151.66 Strengthen human rights training at all levels of the Administration and relevant agencies (France);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7  | Supported | A54 Awareness raising and dissemination<br>A53 Professional training in human rights<br>A51 Human rights education - general<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b> - general<br>- public officials | <b>Partially implemented</b> (There was some effort to provide human rights training to government agencies, but only to select law enforcement agencies.)                                    |

| Recommendation   | Position  | Full list of themes   | Amnesty International's assessment/comments on level of implementation |
|--|-----------|---|--|
| <b>Theme: B52 Impunity</b>   |           |   |  |
| 151.266 Take necessary measures to prevent and punish all forms of violence against migrant workers, including hate crimes and racism (Myanmar);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7 | Supported | B52 Impunity<br>B32 Racial discrimination<br>G4 Migrants<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- migrants         | <b>Not implemented</b> (See paragraphs 12 to 14 above)                 |
| <b>Theme: D23 Death penalty</b>  |           |   |  |
| 151.92 Ensure the adoption of the necessary legislation to abolish the death penalty in a timely manner (Republic of Moldova);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7                   | Supported | D23 Death penalty<br>A41 Constitutional and legislative framework<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general | <b>Partially implemented</b> (See paragraph 15 above)                  |
| 151.95 Establish a moratorium on the death penalty pending an act of Parliament to abolish it (Albania);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7   | Supported | D23 Death penalty<br>A41 Constitutional and legislative framework<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general | <b>Implemented</b> (See paragraph 15 above)                            |
| 151.91 Establish a de facto moratorium on the death penalty with a view to its abolition (Portugal);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7   | Supported | D23 Death penalty<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general   | <b>Implemented</b> (See paragraph 15 above)                            |
| 151.93 Continue to take steps for the abolishment of the death penalty and to revise the cases of persons on death row (Romania);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7                | Supported | D23 Death penalty<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general<br>- persons deprived of their liberty          | <b>Partially implemented</b> (See paragraph 15 above)                  |
| 151.97 Continue with abolishing the death penalty and adopt a moratorium on the execution of the death penalty (Spain);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7                          | Supported | D23 Death penalty<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general   | <b>Partially implemented</b> (See paragraph 15 above)                  |
| 151.98 Take further steps in limiting capital crimes with the aim of abolishing the death penalty (Cyprus);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7                                      | Supported | D23 Death penalty<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general   | <b>Partially implemented</b> (See paragraph 15 above)                  |
| 151.99 Intensify its efforts towards the abolition of the death penalty (Georgia);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7   | Supported | D23 Death penalty<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general   | <b>Partially implemented</b> (See paragraph 15 above)                  |
| 151.100 Immediately place a moratorium on the application of the death penalty with a view to its complete abolition (Fiji);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7                     | Supported | D23 Death penalty<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general   | <b>Implemented</b> (See paragraph 15 above)                            |

| Recommendation  | Position  | Full list of themes   | Amnesty International's assessment/comments on level of implementation |
|---|-----------|---|--|
| 151.104 Consider the adoption of a moratorium on executions (Italy);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7  | Supported | D23 Death penalty<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general   | <b>Implemented</b> (See paragraph 15 above)                            |
| 151.106 Concretize the commitment of abolishing the death penalty as soon as possible (Switzerland);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7  | Supported | D23 Death penalty<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general   | <b>Partially implemented</b> (See paragraph 15 above)                  |
| 151.107 Abolish the death penalty (Norway);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7   | Supported | D23 Death penalty<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general   | <b>Not implemented</b> (See paragraph 15 above)                        |
| 151.108 Introduce a moratorium on executions with a view to abolishing the death penalty (Paraguay);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7  | Supported | D23 Death penalty<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general   | <b>Implemented</b> (See paragraph 15 above)                            |
| <b>Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment</b>  |           |   |  |
| 151.114 Conduct systematically an independent and impartial investigation into allegations of human rights violations in prisons, with a view to putting an end to reported practices of torture, inhuman and degrading treatment or punishment in prisons (Switzerland);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7 | Supported | D25 Prohibition of torture and cruel, inhuman or degrading treatment<br>D26 Conditions of detention<br>S16 SDG 16 - peace, justice and strong institutions<br>B52 Impunity<br><b>Affected persons:</b><br>- persons deprived of their liberty | <b>Not implemented</b> (See paragraphs 20 to 23 above)                 |
| <b>Theme: D43 Freedom of opinion and expression</b>   |           |   |  |
| 151.136 Enact legislation guaranteeing the right of access to information and ensure its full implementation (Slovakia);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7  | Supported | D43 Freedom of opinion and expression<br>A41 Constitutional and legislative framework<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general   | <b>Not implemented</b> (No legislation to date)                        |
| 151.139 Take further steps to ensure a free, independent, pluralistic and diverse media landscape, including by reducing political influence on media outlets (Austria);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7  | Supported | D43 Freedom of opinion and expression<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- media   | <b>Not implemented</b> (See paragraph 10 above)                        |
| <b>Theme: D44 Right to peaceful assembly</b>  |           |   |  |
| 151.147 Revise the Peaceful Assembly Act in order to eliminate discrimination and hindrance to the freedom of association and peaceful assembly (Czechia);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7  | Supported | D44 Right to peaceful assembly<br>D45 Freedom of association<br>A41 Constitutional and legislative framework<br>S16 SDG 16 - peace, justice and strong institutions<br><b>Affected persons:</b><br>- general                                  | <b>Not implemented</b> (See paragraph 11 above)                        |
| <b>Theme: D51 Administration of justice &amp; fair trial</b>  |           |   |  |



| Recommendation  | Position  | Full list of themes  | Amnesty International's assessment/comments on level of implementation |
|---|-----------|--|--|
| <p>151.73 Continue its efforts to enhance the rule of law, to ensure respect for human rights and fundamental freedoms and to eliminate all forms of discrimination, in compliance with international standards (Italy);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>                | Supported | <p>D51 Administration of justice &amp; fair trial<br/>S16 SDG 16 - peace, justice and strong institutions<br/>B31 Equality &amp; non-discrimination</p> <p><b>Affected persons:</b><br/>- general</p>  | <p><b>Not implemented</b> (See paragraphs 2 and 4 to 6 above)</p>      |
| <p><b>Theme: E1 Economic, social &amp; cultural rights - general measures of implementation</b></p>   |           |  |  |
| <p>151.257 Strengthen policies and measures for the well-being of the indigenous peoples in Malaysia to uplift their economic and social status and benefit from the country's economic development (Lao People's Democratic Republic);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p> | Supported | <p>E1 Economic, social &amp; cultural rights - general measures of implementation<br/>E21 Right to an adequate standard of living - general<br/>G3 Indigenous peoples<br/>S10 SDG 10 - inequality</p> <p><b>Affected persons:</b><br/>- Indigenous peoples</p> | <p><b>Not implemented</b> (See paragraph 24 to 28 above)</p>           |
| <p><b>Theme: E32 Right to just and favourable conditions of work</b></p>  |           |  |  |
| <p>151.170 Intensify measures to improve working conditions, security and safety, and further improve education on individual and collective rights for migrant workers (Viet Nam);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>   | Supported | <p>E32 Right to just and favourable conditions of work<br/>E51 Right to education - General<br/>G4 Migrants<br/>S08 SDG 8 - economic growth, employment, decent work<br/>S10 SDG 10 - inequality</p> <p><b>Affected persons:</b><br/>- migrants</p>            | <p><b>Not implemented</b> (See paragraphs 12 to 14 above)</p>          |
| <p>151.264 Explore best practices adopted by the receiving countries for migrant workers, in line with relevant ILO conventions (India);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>  | Supported | <p>E32 Right to just and favourable conditions of work<br/>G4 Migrants<br/>A3 Inter-State cooperation &amp; development assistance<br/>S08 SDG 8 - economic growth, employment, decent work</p> <p><b>Affected persons:</b><br/>- migrants</p>                 | <p><b>Not implemented</b> (See paragraphs 12 to 14 above)</p>          |
| <p><b>Theme: G1 Members of minorities</b></p>   |           |  |  |
| <p>151.254 Continue its efforts to protect minorities (Libya);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>  | Supported | <p>G1 Members of minorities<br/>B31 Equality &amp; non-discrimination<br/>S10 SDG 10 - inequality</p> <p><b>Affected persons:</b><br/>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>  | <p><b>Not implemented</b> (See paragraph 24 to 28 above)</p>           |
| <p><b>Theme: G4 Migrants</b></p>  |           |  |  |
| <p>151.259 Continue efforts aimed at enhancing the safety and advancing the welfare of migrant workers (Philippines);</p> <p><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7</p>   | Supported | <p>G4 Migrants<br/>S10 SDG 10 - inequality</p> <p><b>Affected persons:</b><br/>- migrants</p>  | <p><b>Not implemented</b> (See paragraphs 12 to 14 above)</p>          |



| Recommendation   | Position  | Full list of themes   | Amnesty International's assessment/comments on level of implementation |
|--|-----------|---|--|
| 151.261 Continue efforts to enhance the transparency and efficiency of the recruitment system of migrant workers (Bangladesh);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7 | Supported | G4 Migrants<br>S10 SDG 10 - inequality<br>E31 Right to work<br>S08 SDG 8 - economic growth, employment, decent work<br><b>Affected persons:</b><br>- migrants | <b>Not implemented</b> (See paragraphs 12 to 14 above)                 |
| 151.267 Continue to take further necessary measures to ensure protection of the rights of migrant workers (Nepal);<br><b>Source of position:</b> A/HRC/40/11/Add.1 - Para. 7             | Supported | G4 Migrants<br>S16 SDG 16 - peace, justice and strong institutions<br>S10 SDG 10 - inequality<br><b>Affected persons:</b><br>- migrants                       | <b>Not implemented</b> (See paragraphs 12 to 14 above)                 |

<sup>1</sup> UN Human Rights Council, Report of the Working Group on the Universal Periodic

Review: Malaysia, 7 January 2019, UN Doc. A/HRC/40/11 and its Addendum, 18 February 2019, UN Doc. A/HRC/40/11/Add.1, recommendation 151.143 [Georgia], 151.147 [Czechia]

<sup>2</sup> A/HRC/40/11/Add.1, recommendations 151.137 [USA], 151.140 [Brazil], 151.142 [Czechia], 151.144 [Ireland]

<sup>3</sup> Straits Times, "Malaysia's Sedition Act to be repealed or replaced with new law: Minister", 10 May 2019, <https://www.straitstimes.com/asia/se-asia/malaysia-sedition-act-to-be-repealed-or-replaced-with-new-law-minister>

<sup>4</sup> A/HRC/40/11/Add.1, recommendations 151.91 [Portugal], 151.92 [Republic of Moldova], 151.93 [Romania], 151.95 [Albania], 151.97 [Spain], 151.98 [Cyprus], 151.99 [Georgia], 151.100 [Fiji], 151.104 [Italy], 151.106 [Switzerland], 151.107 [Norway], 151.108 [Paraguay]

<sup>5</sup> Amnesty International Malaysia, "Historic change unfolding as Dewan Rakyat votes to repeal mandatory death penalty", 2 April 2023, <https://www.amnesty.my/2023/04/03/malaysia-historic-change-unfolding-as-lawmakers-vote-to-repeal-mandatory-death-penalty/>

<sup>6</sup> A/HRC/40/11 add.1, recommendations 151.265 [Myanmar], 151.266 [Myanmar], 151.170 [Vietnam]

<sup>7</sup> Amnesty International Malaysia, "Amnesty International Malaysia condemns deportation of more Myanmar nationals, including children", 23 February 2023, <https://www.amnesty.my/2023/02/23/amnesty-international-malaysia-condemns-deportation-of-more-myanmar-nationals-including-children/>

<sup>8</sup> A/HRC/40/11/Add.1, recommendations 151.3 [Finland], 151.4 [France], 151.7 [Republic of Korea], 151.10 [United Kingdom of Great Britain and Northern Ireland], 151.12 [Switzerland], 151.13 [Czechia], 151.14 [Honduras], 151.16 [Kenya], 151.17 [Nepal], 151.18 [Paraguay], 151.20 [Albania], 151.21 [Australia], 151.22 [Cote d'Ivoire], 151.23 [Greece], 151.25 [Myanmar], 151.27 [Denmark] [Montenegro], 151.28 [Fiji], 151.30 [Greece], 151.32 [Sri Lanka], 151.37 [Montenegro],

<sup>9</sup> A/HRC/40/11/Add.1, recommendations 151.39 [Norway], 151.38 [Turkey]

<sup>10</sup> See for example: New Straits Times, *Why Malaysia backpedalled on ICERD ratification*, 24 November 2018, <https://www.nst.com.my/news/nation/2018/11/434078/why-malaysia-backpedalled-icerd-ratification>

<sup>11</sup> See for example: Al Jazeera, *Malaysia backtracks on decision to join the ICC*, 5 April 2019, <https://www.aljazeera.com/news/2019/4/5/malaysia-backtracks-on-decision-to-join-icc>

<sup>12</sup> See for example: Free Malaysia Today, 'Controversial' appointments compromise Suhakam's neutrality, says Suaram, 3 July 2022, <https://www.freemalaysiatoday.com/category/nation/2022/07/03/controversial-appointments-compromise-suhakams-neutrality-says-suaram/>

<sup>13</sup> The Star, Dr Farah Nini appointed as Children's Commissioner, 10 March 2023, <https://www.thestar.com.my/news/nation/2023/03/10/dr-farah-nini-appointed-children039s-commissioner>

<sup>14</sup> Parliament Malaysia, 14th Parliament, 2nd Meeting, 5th Term - Question 60, 20 July 2022, <https://www.parlimen.gov.my/files/jindex/pdf/JDR20072022.pdf>

<sup>15</sup> Free Malaysia Today, *No plans to abolish Sedition Act just yet, says Ramkarpal*, 21 March 2023, <https://www.freemalaysiatoday.com/category/nation/2023/03/21/no-plans-to-abolish-sedition-act-just-yet-says-ramkarpal/>

<sup>16</sup> Free Malaysia Today, Printing Presses and Publications Act stays for now, says minister, 8 June 2023, <https://www.freemalaysiatoday.com/category/nation/2023/06/08/printing-presses-and-publications-act-stays-for-now-says-minister/>

<sup>17</sup> Malaymail, Federal Court decides Malaysiakini in contempt of court over readers' comments, but finds its editor Steven Gan not guilty, 19 February 2023, <https://www.malaymail.com/news/malaysia/2021/02/19/federal-court-decides-malaysiakini-in-contempt-of-court-over-readers-commen/1951008>

<sup>18</sup> Amnesty International Malaysia, "Fahmi Reza charged: laws must not be used to stifle peaceful dissent", 10 February 2022, <http://www.amnesty.my/2022/02/10/media-quote-fahmi-reza-charged-laws-must-not-be-used-to-stifle-peaceful-dissent-and-critique/>

<sup>19</sup> Amnesty International Malaysia, "End escalating harassment of Mentega Terbang filmmakers", 22 March 2023, <https://www.amnesty.my/2023/03/22/joint-statement-end-escalating-harassment-of-mentega-terbang-filmmakers/>

- <sup>20</sup> Amnesty International Malaysia, “1086 people deported to Myanmar in defiance of court order”, 23 February 2021, <https://www.amnesty.my/2021/02/23/1086-people-deported-to-myanmar-in-defiance-of-court-order/>
- <sup>21</sup> Amnesty International Malaysia, “Amnesty International Malaysia condemns deportation of more Myanmar nationals, including children”, 23 February 2023, <https://www.amnesty.my/2023/02/23/amnesty-international-malaysia-condemns-deportation-of-more-myanmar-nationals-including-children/>
- <sup>22</sup> Amnesty International Malaysia, “Hundreds of Rohingya seeking safety by boat at acute risk of coronavirus”, 19 April 2020, <https://www.amnesty.my/2020/04/09/hundreds-of-rohingya-seeking-safety-by-boat-at-acute-risk-from-coronavirus/>
- <sup>23</sup> Amnesty International, Malaysia: “‘Heinous’ plan to send Rohingya people back to sea”, 19 June 2020, <https://www.amnesty.org/en/latest/news/2020/06/malaysia-heinous-plan-rohingya-people-sea/>
- <sup>24</sup> Amnesty International: “Court ruling against whipping must be first step toward protecting Rohingya refugees”, 22 June 2020, <https://www.amnesty.org/en/latest/news/2020/07/malaysia-court-ruling-against-whipping-must-be-first-step-toward-protecting-rohingya-refugees/>
- <sup>25</sup> Amnesty International Malaysia, “Deaths of six detainees at Sungai Bakap”, 20 April 2022, <https://www.amnesty.my/2022/04/21/deaths-of-six-detainees-at-sungai-bakap/>
- <sup>26</sup> The Star, “Sungai Bakap Immigration depot shuts down”, 31 March 2023, <https://www.thestar.com.my/news/nation/2023/03/31/sungai-bakap-immigration-depot-shuts-down>
- <sup>27</sup> Amnesty International Malaysia, “Resentencing process must be a fair and meaningful opportunity for commutation of death sentence”, 16 June 2023 (The Acts were yet to come into force as of 22 June 2023), <https://www.amnesty.my/2023/06/19/resentencing-process-must-be-a-fair-and-meaningful-opportunity/%22>
- <sup>28</sup> Amnesty International Malaysia, “Historic change unfolding as Dewan Rakyat votes to repeal mandatory death penalty”, 2 April 2023, <https://www.amnesty.my/2023/04/03/malaysia-historic-change-unfolding-as-lawmakers-vote-to-repeal-mandatory-death-penalty/>; see also “Reforms of the mandatory death penalty in Malaysia: What do the bills say?”, 29 March 2023, <https://www.amnesty.my/wp-content/uploads/2023/03/Amnesty-International-Analysis-of-the-Bills-to-Abolish-The-Mandatory-Death-Penalty-in-Malaysia-March-2023-3.pdf>
- <sup>29</sup> Office of the Minister of Law, Media Statement on the Mandatory Death Penalty Repeal Bill 2023 and the Death Penalty Review and Imprisonment for Natural Life (Temporary Jurisdiction of the Federal Court) Bill 2023, 27 March 2023.
- <sup>30</sup> Amnesty International, “Reforms of the mandatory death penalty in Malaysia: What do the bills say?”, 29 March 2023, pp.6-7, <https://www.amnesty.my/wp-content/uploads/2023/03/Amnesty-International-Analysis-of-the-Bills-to-Abolish-The-Mandatory-Death-Penalty-in-Malaysia-March-2023-3.pdf>
- <sup>31</sup> Amnesty International, “Fatally Flawed: Why Malaysia must abolish the death penalty”, 10 October 2019 pp.19-23, Index: ACT 50/1078/2019, <https://www.amnesty.org/en/documents/act50/1078/2019/en/>
- <sup>32</sup> Amnesty International, “A Historic Opportunity: Ensuring an effective police commission in Malaysia”, Index: ASA 28/2125/2020, 6 July 2020, <https://www.amnesty.org/en/documents/asa28/2125/2020/en/>
- <sup>33</sup> The Star, [Home Affairs Ministry ready to improve lockup, detainee management](https://www.thestar.com.my/news/nation/2023/02/27/home-affairs-ministry-ready-to-improve-lockup-detainee-management), 27 February 2023, <https://www.thestar.com.my/news/nation/2023/02/27/home-affairs-ministry-ready-to-improve-lockup-detainee-management>
- <sup>34</sup> Free Malaysia Today, Home ministry in final stages of drafting IPCMC, says Muhyiddin, 27 September 2018, <https://www.freemalaysiatoday.com/category/nation/2018/09/27/home-ministry-in-final-stages-of-drafting-ipcmc-says-muhyiddin/>
- <sup>35</sup> Amnesty International Malaysia, “CSO Joint Statement: Reject the Independent Police Conduct Commission (IPCC)”, 22 March 2022, <https://www.amnesty.my/2022/03/24/cso-joint-statement-reject-the-independent-police-conduct-commission-ipcc/>
- <sup>36</sup> Amnesty International Malaysia, Media Quote: IPCC and SOSMA, 25 July 2022, <https://www.amnesty.my/2022/07/25/media-quote-ipcc-and-sosma/>
- <sup>37</sup> Malay Mail, IPCC Act to be in force June 2023, says home minister, 13 December 2022 <https://www.malaymail.com/news/malaysia/2022/12/13/ipcc-act-to-be-in-force-june-2023-says-home-minister/44985>
- <sup>38</sup> Amnesty International, *The Forest is our Heartbeat: The struggle to save indigenous land in Malaysia*, Index: ASA 28/9424/2018, 29 November 2018, <https://www.amnesty.org/en/documents/asa28/9424/2018/en/>
- <sup>39</sup> Macaranga, *Lessons learned from #Hutanpergimana*, 7 January 2022, <https://www.macaranga.org/lessons-learned-hutanpergimana-kuala-langat-forest/>