

Long way to go on human rights

KHOO YING HOOI

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The Universal Periodic Review (UPR) started in 2008 and is the only peer review process on the state of human rights in all United Nations member states.

Last week, Malaysia completed its second cycle of UPR in Geneva.

So, what is next for Malaysia?

In its first cycle in 2009, Putrajaya accepted 62 recommendations, rejected 22 and issued no clear position on 19 recommendations.

This time, Malaysia accepted 150 recommendations out of the 232 it received. This is a good sign but in terms of substance, Malaysia is still lacking.

Notably, Malaysia rejected all of the recommendations to accede to the remaining six of nine core international human rights treaties.

It is an embarrassment that Putrajaya has only ratified three treaties since 1995. These are 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).

On the ratification chart, Malaysia remains in the bottom 10 countries in the United Nations.

Although an Inter-Agency Standing Committee (IASC) on human rights has been set up to determine how far Putrajaya could go in ratifying these remaining treaties, the process is too slow.

One of the favourite excuses trotted out is that it is better not to sign if the country is not ready to comply with the treaties. This is just lame excuse.

There had already been two rounds of the UPR process.

The Human Rights Commission of Malaysia (Suhakam) had proposed a national human rights action plan in 2001.

After the first UPR session, Suhakam suggested the adoption of recommendations in the UPR into a national human rights action plan, since we do not have one.

Since then, Putrajaya has made promises to establish a human rights plan.

Malaysia made a commitment to develop its own human rights plan in 2009 at the UN.

But it was only three years later that a steering committee to coordinate the development of the plan was established by the Legal Affairs Division of the Prime Minister's Department.

Many countries have accepted the UPR recommendations and turned them into a human rights plan.

From there, it is easy to monitor the progress and implement, apart from reporting in the next UPR cycle.

One good example is Finland. Finland, too, had no human rights plan. However, after its first UPR review, the Finns used the first report to initiate their human rights plan.

How did they do that?

It collected ideas and views from civil society groups in online discussion forums and social media, including Facebook and Twitter. Subsequently, a draft version of the plan was produced for further comments.

Another glaring weakness in the UPR process is the failure of Putrajaya to disseminate information to the public.

There is a public "spat" between the Coalition of Malaysian NGOs in the UPR Process (Comango) and the Coalition of Muslim NGOs in the UPR Process (Murpo) but not many are aware of what constitutes the UPR here.

It is undeniable that there are still issues when it comes to universal human rights and Islamic values.

What is lacking from these two UPR cycles is engagement by both Putrajaya and non-governmental organisations (NGOs).

Putrajaya has since the first cycle of UPR adopted a defensive approach. While NGOs, having little access to government machinery, remain an “outsider” in the UPR process.

One positive thing is that the UPR mechanism has created more awareness among NGOs with more NGOs taking part in the process.

Malaysia is represented by a large delegation to Geneva both from the government and NGOs.

After two cycles of UPR, both parties should have learned that apart from the human rights peer review, UPR is also a platform for both parties to build relationship for the same goals.

Unfortunately, the Malaysian delegations at Geneva are there more for “show” than work.

Therefore, in order to utilise the UPR mechanism, there is no point in being stubborn.

Putrajaya and NGOs need to reach consensus with a more compromising approach. – March 24, 2014.

** This is the personal opinion of the writer or publication and does not necessarily represent the views of The Malaysian Insider.*
