

**40<sup>th</sup> Session of the Human Rights Council**  
**Agenda Item 6: UPR Adoption – Malaysia**  
**Joint Oral Statement**  
**Delivered by: Ms. Ruth Marcus**

**14 March 2018**

Thank you Mr President,

Franciscans International and VIVAT International welcome the adoption of the outcomes of the UPR of Malaysia. We appreciate the Government of Malaysia's acceptance of several recommendations on the human rights of migrant workers, trafficking in person and freedom of religion. However, we deeply regret the rejection of four important recommendations on guaranteeing the right of freedom of religion and belief, including the right to freely choose and practise their faith.<sup>1</sup>

Mr. President,

As a lawyer from Sabah, Malaysia, I have been working on cases of human rights violations faced by Indigenous People. Firstly, I would like to refer Article II (1) of the Federal Constitution of Malaysia that guarantees the right to freedom of religion. A person's choice of a particular religion is a private and personal one. I have personally attended to numerous cases where the freedom to choose one's religion or belief has been denied. This is a clear violation of the said Article II (1) of the Federal Constitution.

Secondly, complaints have been received from indigenous people that there are attempts to influence indigenous people into embracing the national religion by offering more development projects if they do so. This is an unacceptable and undue pressure and is a violation of the right to freedom of religion and belief.

On the issue of migrant workers and trafficking in person, we welcome the commitment of the current government to accept most of the recommendations on migrant workers and trafficking. However, we are very much concerned about the high number of victims of trafficking from Indonesia, many of them working as domestic workers. Among them, it is alarming and shocking to see the number of deaths. In 2018 only, more than 100 Indonesian workers from East Nusa Tenggara Province died in Malaysia, while in the first two months of 2019, around 20 workers already died. Therefore, we urge the Malaysian and Indonesian governments to work together to address this issue.

Thank you.

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<sup>1</sup> Recommendations 151.127; 151.129; 151.131; 151.133 were noted, not accepted.