

ADVANCE QUESTIONS TO MALAYSIA – Add.1

BELGIUM

- Does the Government of Malaysia consider ratifying the International Covenant on Civil and Political Rights and the Second Optional Protocol to the International Covenant on Civil and Political Rights?
- Does the Government of Malaysia consider ratifying the Rome Statute of the International Criminal Court?
- Is the Government of Malaysia considering issuing a standing invitation to the special procedures?
- How many individuals are currently on death row? Of those, how many are foreign nationals?
- Would the Government of Malaysia consider publishing national statistics on death penalty sentences and executions, taking into account gender, location, ethnicity and other relevant characteristics?
- How many of those on death row have children, and how many children are affected in this way? What, if any, support is provided to these children?
- How many individuals have been sentenced to death and/or executed since Malaysia's last UPR? How many of those have/had children? How many are/were foreign nationals?
- Do family members, including children, of persons on death row have the right to visit (or if unable to visit to communicate in other ways)? If so, is the visiting/communication regime the same as that for other prisoners?
- Do family members have the right under national law to be informed of an execution before it takes place? If so, how are they informed and what is the notice period?
- Do children and other family members of a person sentenced to death have the right to a final meeting before an execution is carried out?
- Is the Government of Malaysia considering withdrawing its reservations to articles 2 and 7 of the CRC to ensure children's right to birth registration, the right to a name and nationality without any form of discrimination?
- Would Malaysia consider lifting the reservation to article 37 of the CRC to ensure the protection of children from torture, degrading treatment and punishment and envisage disseminating and publishing information with regard to the role a responsibility of child protectors, police, health care officials, NGOs and others in the handling of cases of violence, abuse, neglect and exploitation of children?

CZECH REPUBLIC

- New national legal regulations with regard to freedom of assembly (Peaceful Assembly Act 2012) have introduced restrictive conditions for organizing public gatherings and protests. Could the Government elaborate on this matter and summarise how application of the new legislation affects public life, specifically activities of NGOs, opposition groups and various interest groups?
- Malaysia has not yet ratified several core human rights conventions – i.e. the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture. What is the Government's time framework for ratifications of these instruments?
- Could Malaysia elaborate on steps it has undertaken or plans to undertake in the near future to tackle various forms of ill-treatment in detention facilities and fight impunity for acts of torture and ill-treatment committed by members of state security forces?

GERMANY

- How do you intend to comply with international standards relating to pre-trial detention, in particular the right to seek and obtain a decision on the lawfulness of detention from a court without delay?
- What progress have you made in improving detention conditions and addressing reported mistreatment, torture and deaths during pre-trial detention?
- What steps have you taken to effectively implement legislation on domestic violence and how do you intend to inform vulnerable groups of the recent legislative improvements?

NORWAY

- Land expropriation and the rights of indigenous peoples are often areas of conflicting interests. What specific measures have Malaysia imposed to reassure the basic legal rights of indigenous peoples in such cases?
- What specific measures are taken by Malaysia in strengthening women's participation in the labor market, including achieving the goal of 30% women in ruling positions?

- What steps will Malaysia take to abolish the practice of mandatory death sentencing with a view of abolishing the death penalty? Is Malaysia considering, as an immediate measure, to commute all death sentences to terms of imprisonment?
- Is Malaysia planning any measures to assure foreign women married to Malaysians the right to work without the need of permission from their husband?
- What measures are being undertaken by Malaysia to ensure that all new born children are registered immediately after birth regardless of parent's legal status and/or origin? What specific measures are you planning in order to ensure the full implementation of Article 14(1)(b) Part II(1)(e) Second Schedule of the Federal Constitution to prevent children from becoming stateless and remove onerous administrative and legal requirements that can result in statelessness? In this regard, does Malaysia have plans to withdraw reservations to Articles 2 and 7 of the CRC?
- What more can be done to secure universal access to free primary education, irrespective of citizenship and immigration status? Is Malaysia preparing to withdraw reservations to Article 28(1)(a) of the CRC?