



**MEDIA STATEMENT  
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)**

**EDITOR, NEWS DESK**

**FOR IMMEDIATE RELEASE**

**PRESS STATEMENT**

**KUALA LUMPUR (26 APRIL 2022)** - The Human Rights Commission of Malaysia (SUHAKAM) is deeply distressed and concerned over the recent news that the Malaysian Anti-Corruption Commission (MACC) will commence an investigation into a report of an allegation of corruption against YA Dato' Mohd Nazlan Mohd Ghazali, JCA ("YA Dato' Nazlan"), an action that is unconstitutional and unprecedented by MACC, given that there are specific provisions under the Federal Constitution, to deal with allegations of wrong doing against superior court judges.

Article 125(3A) of the Federal Constitution provides that where a superior court judge has allegedly committed a breach of any of the provisions of the Code of Ethics and the Chief Justice is of the opinion that the breach does not warrant the superior court judge to be referred to a tribunal for removal from office pursuant to Clause (4), then the Chief Justice can refer the matter to the Judges' Ethics Committee established pursuant to the Judges' Ethics Committee Act 2010 [Act 703]. SUHAKAM subscribes to and supports the principle of separation of powers to ensure the integrity and independence of the Judiciary is protected and to avoid any interference and political pressure against any member of the Judiciary at any time.

SUHAKAM questions the motive of MACC in launching the investigation and is of the view that MACC's proposed investigation will set a negative and dangerous precedent that may undermine the Judiciary as an institution and as one of the pillars of a democratic Government. This may also open the floodgate to frivolous and vexatious charges and abuse of process by enforcement agencies against the Judiciary.

SUHAKAM supports the view that all judges must have the proper space to discharge their judicial duties in a manner apparent to all, and that the judicial process and decision is independent, free of any interference, considered, reasoned and honest. Above all that, it is vital for justice not only to be seen to be done but must be done according to the law.

Accordingly, SUHAKAM calls upon the MACC to stop all investigations against YA Dato' Nazlan, immediately.

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**Human Rights Commission of Malaysia (SUHAKAM)**

**26 April 2022**

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