



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

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FOR IMMEDIATE RELEASE

SUHAKAM CALLS FOR THE ABOLITION OF CORPORAL PUNISHMENT

KUALA LUMPUR (22 OCTOBER 2024) - The Human Rights Commission of Malaysia (SUHAKAM) expresses its deepest concern over the recent death of an inmate at Pokok Sena Prison, reportedly after corporal punishment by whipping. We extend our heartfelt condolences to the family of the deceased and reaffirm our unwavering commitment to the protection of human rights.

SUHAKAM unequivocally opposes all forms of corporal punishment, including whipping, as they violate fundamental human rights and human dignity. The severe physical and psychological harm caused by corporal punishment is a direct contradiction to international human rights standards as prescribed by article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading punishment. Further, article 1 of the United Nations Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT) defines torture to include "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted." Corporal punishment clearly falls under this definition and should be regarded as inhumane and degrading.

The CAT, adopted in 1984 by the General Assembly Resolution of 1984 and now ratified or acceded to by 117 states, represents a global commitment to abolish torture and inhumane treatment. Unfortunately, Malaysia remains amongst the minority nations that have yet to be a party to CAT, despite the moral obligation to uphold the dignity and rights of all individuals in the penal system. Even within ASEAN, countries such as Indonesia, the Philippines, Thailand, Cambodia, and Vietnam have already acceded to the CAT, setting an example for the region. SUHAKAM urges Malaysia to join these nations in taking a firm stance against torture, including corporal punishment by acceding to CAT.

In light of the recent tragedy at Pokok Sena Prison, we call on the government to immediately abolish all forms of corporal punishment, including those codified in the Penal Code, the Criminal Procedure Code, the Prisons Act, and related legislation. Furthermore, corporal punishment in schools, which normalizes violence against children, must also be outlawed to safeguard the mental and physical well-being of future generations.

This incident underscores the urgency of comprehensive reform. We call on authorities to conduct a full, independent, and transparent investigation into the circumstances surrounding the death, ensuring that those responsible are held accountable. However, addressing this incident in isolation is insufficient. Malaysia must reform its criminal justice system and abandon harmful, outdated practices like corporal punishment in favour of rehabilitative approaches that respect human dignity.

SUHAKAM advocates for a justice system based on deterrence, rehabilitation and the inherent dignity of every person. Measures that emphasize justice, accountability and public safety, without resorting to violence, are essential to creating a just society. These measures must be aligned with Malaysia's international human rights obligations and a commitment to justice, fairness, and humanity.



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SUHAKAM will continue to monitor this case closely and engage with the relevant authorities to push for reforms that align with international standards. Abolishing corporal punishment is not merely a legal obligation but a moral necessity to uphold justice, human rights, and the dignity of all.

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The Human Rights Commission of Malaysia (SUHAKAM)

Date: 22 October 2024