



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

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FOR IMMEDIATE RELEASE

**SUHAKAM URGES THE AUTHORITIES RECONSIDER THE USE OF SOSMA
IN GISB DETENTIONS**

KUALA LUMPUR (25 NOVEMBER 2024) - The Human Rights Commission of Malaysia (SUHAKAM) voices its profound concern over the recent detentions of individuals associated with Global Ikhwan Sdn. Bhd. (GISB) under the Security Offences (Special Measures) Act 2012 (SOSMA). The use of SOSMA, designed to address serious national security threats, appears disproportionate in this case, which concerns alleged offences pertaining to deviant religious activities and abuses of children rather than offences pertaining to any serious criminal activities.

SUHAKAM underscores that invoking SOSMA's Draconian provisions risks eroding Malaysia's commitment to justice, the Rule of Law and fundamental human rights. This action sets a troubling precedent, as it could 'justify' the use of national security laws in instances that do not meet the situational gravity that SOSMA was intended to address. Such an approach is highly inappropriate given the efficacy of the Criminal Procedure Code to deal with the alleged offences mentioned, which require due process within an open and accountable legal system.

Whilst SUHAKAM acknowledges the government's broader efforts towards legal reform, this particular application of SOSMA in the GISB case sends an inconsistent and concerning message. It risks undermining public confidence in the justice system and could be perceived as distasteful and inconsistent with the reformist trajectory.

The Commission calls on the government to fulfil its obligations under international human rights standards, including the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), which mandate safeguards against arbitrary detention and uphold the presumption of innocence. SUHAKAM also urges authorities to utilize transparent judicial processes, charge individuals appropriately under the Criminal Procedure Code and ensure their access to fair legal representation.

To sustain public confidence and to uphold the integrity of the justice system, SUHAKAM recommends a thorough review of SOSMA, emphasizing the need for a fair transparent and just provisions and stringent legal oversight mechanisms, so as to have effective safeguard against any abuses of the law. Protecting national security must not come at the expense of undermining human rights.

SUHAKAM remains steadfast in promoting a justice system that respects human dignity, transparency and accountability, and it reiterates that the rights and welfare of all individuals must be protected within the bounds of the fundamental liberties as guaranteed by the Federal Constitution and the Rule of Law.

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The Human Rights Commission of Malaysia (SUHAKAM)

Date: 25 November 2024