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STATEMENT BY
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PERMANENT REPRESENTATIVE OF MALAYSIA TO THE UNITED NATIONS

ON AGENDA ITEM 110 ENTITLED
“MEASURES TO ELIMINATE INTERNATIONAL TERRORISM”
AT THE SIXTH COMMITTEE OF THE SIXTY-EIGHTH SESSION OF
THE UNITED NATIONS GENERAL ASSEMBLY
NEW YORK, 7 OCTOBER 2013

Mr. Chairman,

As this is the first time my delegation is taking the floor in this Committee at the 68th Session of the General Assembly, allow me to congratulate you on your election as Chairman of the Sixth Committee. We are confident that you and members of the bureau would be able to steer the proceedings of the Committee in an able and efficient manner.

2. At this point, my delegation wishes to align its statement with that made by Iran on behalf of the Non-Aligned Movement (NAM), Egypt on behalf of the Organization of Islamic Cooperation (OIC) and Lao People's Democratic Republic on behalf of the Association of Southeast Asian Nations (ASEAN).

3. My delegation also wishes to record its appreciation to the Secretary General for his report A/68/180 on “Measures to Eliminate International Terrorism”, which allows all of us to be updated on various measures undertaken by Member States and international organizations in countering terrorism.

Mr. Chairman,

As with other delegations, Malaysia strongly condemns terrorism in all its forms and manifestations irrespective of where, when or whomever commits it as well as the reasons behind it. It is a concern that there is no place on earth that is truly safe from terrorism. The hideous crime has reared its ugly head far too many times. So many countries have been affected and so many people have fallen victim. From deadly attacks in Africa to those in the Middle East, Asia and elsewhere, it seems that acts of terrorism show no signs of abating.

4. Against this alarming backdrop, we must continue to fight terrorism in all its shapes and forms. This should be done in a concerted manner, through the United Nations, regional or bilateral initiatives. On this, Malaysia is truly supportive of all pillars of actions contained in the UN Global Counter-Terrorism Strategy. To this end, we look forward to the third biennial review of the UN Global Counter-Terrorism Strategy to take place next year.

5. We acknowledge the benefits of the various conferences and meetings that were held throughout the year by the relevant UN agencies and bodies dealing with counter-terrorism efforts. However, we hope the recommendations, proposals and decisions emanated from those events be put to practice. In order to accomplish this, one of the first immediate step we must take is to deal with the first pillar of the UN Global Counter-Terrorism Strategy, that is, to fully eliminate conditions conducive to the spread of terrorism. At the same time we must take all efforts to comply with the Strategy's fourth pillar, namely to ensure respect for human rights.

Mr. Chairman,

6. My delegation continues to believe on the need to conclude the Comprehensive Convention on International Terrorism (CCIT), which would assist in filling the gaps in existing treaties. While the Ad Hoc Committee was unable to bridge the differences in positions of member states in its session in April this year, it is necessary to continue to make efforts to reconcile positions and eventually conclude the draft convention at a time that is ripe for all delegations.

7. In the meantime, in finding a common ground pertaining to the outstanding issues on the draft CCIT, States should not put on hold their efforts to combat terrorism. In this respect, Malaysia is of the view that States have the sovereign right to cover the grey areas, which are not covered by existing sectoral international instruments, by means of their own domestic legal framework. Other international legal instruments particularly related to international humanitarian law and human rights law are relevant to ensure accountability of certain acts of terrorism.

8. Malaysia's position on the draft convention remains the same in that the definition of terrorism must be all encompassing in that it would need to cover terrorist acts committed by States and non-State actors alike. It is equally important to distinguish between terrorism and the legitimate struggle of people under foreign occupation for liberation and self-determination. By the same token, terrorism should not be associated with any religion, race, culture, ethnic group or nationality.

9. We reiterate the importance of convening a high-level conference under the auspices of the United Nations and are of the view that it would serve as an important way forward to address challenges to global counter terrorism efforts. The convening of the conference should not be made to hinge on the conclusion of the draft comprehensive convention.

Mr. Chairman,

10. Our commitment in combating terrorism is reflected in our actions, which includes strengthening our domestic legal framework as well as enhancing international cooperation with other countries.

11. Realizing that extradition and mutual legal assistance regime are an effective channel to address the issue of terrorism, Malaysia had entered into various treaties on extradition and

mutual legal assistance with the latest being a Treaty between the Government of Malaysia and the Government of the Republic of Korea on Extradition on 17 January 2013. Further, the extradition and mutual legal assistance requests pertaining to terrorism are also regarded highly by Malaysia.

12. At the regional level, Malaysia signed the ASEAN Convention on Counter Terrorism (ACCT) on 13 January 2007. On 11 January 2013, Malaysia had deposited its instrument of ratification with the Secretary-General of ASEAN, which entered into effect for Malaysia on the same date.

Mr. Chairman,

13. Malaysia has also been continuously working towards enhancing its domestic legal framework on countering terrorism. In this regard, we have moved on from the measure of preventive detention to more effective mechanisms. This can be seen from the application of the Security Offences (Special Measures) Act 2012 (SOSMA) which came into force on 31 July 2012. This Act provides special measures relating to security offences for the purpose of maintaining public order and security. In addition, it also provides for the procedural and evidential rule pertaining to subversive offences prescribed under Chapter VI and VIA of the Penal Code.

14. In highlighting the effectiveness of SOSMA since its date of coming into force, 31 persons had since been detained under SOSMA and charged under various offences of the Penal Code. In relation to this, a police corporal had been convicted under section 130M of the Penal Code for non-disclosure of information relating to terrorism acts and sentenced to seven years imprisonment, which is the maximum prescribed by the section.

Mr. Chairman,

15. In the recently concluded General Debate, the Prime Minister of Malaysia repeated his call for the majority of moderates, whom have been appalled by the despicable acts of extremists and terrorists, to occupy the mainstream. It is a clarion call for rational, peace loving people of all races, cultures, and beliefs, to make our voices louder and to reclaim the center stage. We sincerely believe that moderation would contribute in our effort to eradicate terrorism.

Mr. Chairman,

16. It is not impossible to see a world free from terrorism. Indeed, all Member States have come far. However, we simply have not come far enough. So long as there are still terrorist incidents that take place in the world, we must continue to plod ahead and take every effort to ensure that this heinous crime is completely eradicated. On this, you can be assured of Malaysia's unwavering commitment and continued support.

I thank you.