



# MALAYSIA

*Permanent Mission to the United Nations, New York*

**STATEMENT BY  
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**ON AGENDA ITEM 81:  
EXPULSION OF ALIENS**

**AT THE SIXTH COMMITTEE OF  
THE 78<sup>TH</sup> SESSION OF THE GENERAL ASSEMBLY**

**NEW YORK, 2 NOVEMBER 2023**

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Mr. Chair,

Malaysia would like to record our appreciation to Mr. Maurice Kamto, the Special Rapporteur for this topic, and the Drafting Committee for their relentless efforts throughout the years in formulating, reformulating and later finalizing the draft articles on the expulsion of aliens based on the comments and observations of Governments including Malaysia.

2. Given that the main issue on this topic at the present session is to examine inter alia, the question of the form that might be given to the articles or any other appropriate action, Malaysia wishes to highlight that it retains its position as expressed during the seventy-fifth session of the United Nations General Assembly. Considering the proposed provisions for example in draft articles 3, 4 and 6, Malaysia believes that those provisions would limit the discretionary powers that have been conferred to a State in managing matters involving foreigners in their respective territories.

3. Further consideration should also be made to non-State Parties of the cited international treaties in particular the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol Relating to the Status of Refugees. These provisions under the draft Articles compel the non-State Parties to implement the obligations underlined in the treaties.

4. Moreover, Malaysia exercises its own laws, rules, policies and measures in handling migrants, asylum seekers and refugees. Malaysia like all other Member States, is entitled to its sovereign responsibility as recognized by the international law, and this includes protecting national security, public order (*ordre public*), morals, rights and freedom of its citizens.

5. Noting that the topic is important to be deliberated by the member states of the United Nations, my delegation is concerned that the draft articles could not ensure full respect for State's sovereignty, territorial integrity as well as protection of its national security.

6. Therefore, Malaysia views that the final form of the draft articles should be considered as 'guiding principles' between member states.

Thank you.