



# MALAYSIA

## PERMANENT MISSION TO THE UNITED NATIONS

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**STATEMENT BY  
THE HONOURABLE TAN SRI DATO' SRI MOHAMED APANDI ALI  
ATTORNEY GENERAL OF MALAYSIA  
ON AGENDA ITEM 108:  
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM  
AT THE SIXTH COMMITTEE OF THE  
71<sup>ST</sup> SESSION OF THE GENERAL ASSEMBLY**

**NEW YORK, 4 OCTOBER 2016**

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Mr. Chairman,

At the outset, Malaysia aligns itself with the statements made by Lao PDR on behalf of ASEAN and the Islamic Republic of Iran on behalf of NAM.

2. Malaysia records its gratitude to the Secretariat for the Report of the Secretary-General on "Measures to Eliminate International Terrorism" as reflected in document A/71/182.

3. Malaysia noted that the General Assembly in its Resolution 70/120 had recommended the Sixth Committee to establish a working group with a view of finalizing the process on the draft comprehensive convention on international terrorism ("CCIT") and continuing to discuss the question of convening a high-level conference under the auspices of the United Nations during this seventy-first session of UN General Assembly.

4. In relation to the draft CCIT, Malaysia is convinced that continuous efforts aimed at bridging the gap across the division of views will ultimately result in success.

5. On the question of convening the high-level conference, Malaysia reiterates that the conference shall be convened immediately to serve as an important way forward to address the current challenges handicapping global counter terrorism efforts, including the most recent threat of violent extremism.

6. Malaysia reiterates its view that it is vital for the root causes of terrorism to be addressed effectively in order for us to counter terrorism comprehensively. Success in defeating violent extremism and terrorism can only be achieved if the conditions conducive to violent extremism and terrorism, including unresolved conflicts, are

effectively addressed. This was highlighted just last week by the Honourable Datuk Seri Dr. Ahmad Zahid Hamidi, the Deputy Prime Minister of Malaysia, at the General Debate of the 71st Session of the UNGA on 24 September 2016.

7. Malaysia views that deliberations on addressing the root causes of terrorism and violent extremism should be the focus at the said high-level conference. Malaysia is further of the view that the conference should be convened as soon as reasonably possible.

Mr. Chairman,

8. Malaysia further recalls its statement during the 70<sup>th</sup> UNGA Session regarding the enforcement of the two new laws in the past year namely, the Special Measures Against Terrorism in Foreign Countries Act 2015 and the Prevention of Terrorism Act 2015 to ensure that any relevant legislative gaps pertaining to the Resolution 2178 (2014) are covered. On this note, Malaysia wishes to highlight that at the law enforcement level, as of September 2016, Malaysia has arrested 239 of the Islamic State (IS) Militants out of which 98 of them were charged for various offences in relation to terrorist acts under our domestic laws namely, the Prevention of Terrorism Act 2015 and Prevention of Crimes Act 2005.

9. Malaysia has also been continuously working towards enhancing its domestic legal framework, particularly in countering terrorism. Recently, the National Security Council Act 2016 [Act 776] ("NSC Act") comes into operation on 1 August 2016 and aims to be used in actual security situations or in the event of terror incidents. The NSC Act is also enacted in order to strengthen the government's ability to address increasing threats to the nation's security, including threats of extremism. The Act, which was passed by the Malaysian Parliament in December 2015, has been the subject of controversy due to the alleged extent of the powers that it assigns to the new National Security Council, chaired by the Prime Minister, and to security forces.

10. As the Attorney General of Malaysia, please allow me to explain briefly on the scope of this Act.

11. The membership of the National Security Council consists of the Prime Minister who is the Chairman, Deputy Prime Minister as the Deputy Chairman, the Minister responsible for defense, the Minister responsible for home affairs, the Minister responsible for communication and multimedia, the Chief Secretary to the Government, the Chief of the Defence Forces, and the Inspector General of Police.

12. The Act gives the Prime Minister the power to declare an area to be a "national security area" based on the advice of the Council. Such an area is one where security is "seriously disturbed or threatened by a person, matter or thing which is likely to cause serious harm to the people, or serious harm to the territories, economy, national key infrastructure of Malaysia or any other interest of Malaysia, and requires immediate national response."

13. The declarations remain in force for six months and may be renewed for six months at a time. Such declaration shall be tabled in Parliament for debate.

14. Once a declaration is in place, the Council may issue executive orders, which could include the deployment of any security forces or relevant government entities to the area.

15. The safeguards provided in the Act are well within the legal limits. Most importantly, the ingredients that must be fulfilled for an area to be considered as a "national security area" as I had mentioned, is not, God forbid, a daily recurrence in Malaysia. Among others, this Act serves as a preventive measure to deal with the onslaught of terrorism and violent extremism in Malaysia.

16. Touching on preventive measures, the Honourable Deputy Prime Minister of Malaysia in his address before the General Assembly last week had emphasized the importance for us to consider the possibility to adopt other awareness-raising measures from the social and educational perspective, besides law and enforcement. Our Deputy Prime Minister outlined Malaysia's approach which had incorporated deradicalisation and rehabilitation programmes towards changing the mind-sets of radicalised extremist individuals with the aim of avoiding relapse. On this note, Malaysia is ready to share its experience and deradicalization module with other nations.

Mr. Chairman,

17. As to date, we have been shaken by the news of the bombings in various part of the world. Hence, Malaysia joins the international community in offering its heartfelt condolences for the victims and their families. In this regard, Malaysia wishes to highlight that Malaysia strongly believes that combating terrorism requires a joint effort as terrorism today knows no boundaries, which only seeks to bring mayhem and destruction to society and innocent lives. Hence, in fighting terrorism, it is imperative that States engage in international cooperation, be it bilateral, multilateral or regional. The cooperation will ensure that States are able to render help to one another in times of need and most importantly, keep abreast with the ever-evolving facets of terrorism through information exchanges.

18. With regard to the above, at the regional level Malaysia is pleased to report that Malaysia had deposited its instrument of ratification in relation to the ASEAN Convention on Counter Terrorism (ACCT) since 11 January 2013. In addition, Malaysia wishes to highlight our involvement in the "Inter-Sessional Meeting of Legal Experts on Violent Extremism and its Manifestations" which was organised by the Asian-African Legal Consultative Organization ("AALCO") that culminated in the drafting of the Asian-African legal principles to combat violent extremism and its manifestations. The main purposes of the draft of Asian-African legal principles is to outline the measures and principles of international law which are relevant to the fight against violent extremism. Malaysia believes that it is a fruitful contribution in achieving an effective development of

international law related to violent extremism and terrorism. We are also prepared to share our experience on this matter with other nations.

19. Finally, Mr. Chairman, Malaysia reiterates our full commitment to work within the United Nations framework in the efforts to prevent and eliminate terrorism in whatever forms and manifestations.

Thank you, Mr. Chairman.