Malaysian government forced to retract ratifying Rome Statute

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The Pakatan Harapan government was forced to retract acceding to the Rome Statute - the founding treaty of the International Criminal Court (ICC), the world's war tribunal - although 90 per cent of the Cabinet was supportive of Malaysia signing the international treaty.

Reliable sources told The Star that the Cabinet decision was purely a political decision and that the Prime Minister and his ministers were upset that parties opposed to the statute whipped up racial and religious sentiments, even to the extent of involving the Malay Rulers.

"This is izin dalam paksa (forced consent) for it, it is just like forcing someone to marry. We are also retracting under protest," said one of the sources.

Malaysia had earlier signed the treaty but had yet to ratify it.

Prime Minister Tun Dr Mahathir Mohamad announced on Friday (April 5) that the government had decided to make a U-turn due to pressure from parties politicising the issue.

Its abrupt turnaround came after a backlash from the country's royals and opposition politicians who argued that the treaty threatens the sovereignty of the Malay rulers.

The ICC has jurisdiction over genocide, war crimes, crimes against humanity and crimes of aggression.

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The source told The Star that the Cabinet on Friday discussed long and hard before deciding to withdraw from ratifying the statute.

"We all understood the importance of acceding to the Rome Statute. At the meeting yesterday, we discussed it deeply and we all had a say. Ninety per cent of the Cabinet were for keeping to the Rome Statute as it does not go against the Federal Constitution. Some argued that it placed Malaysia on a high level of integrity internationally, but there were a few who felt that we had to retract so as to stay in power.

"Pakatan Harapan won the federal government through an election and not a revolution, and when there are parties such as the opposition whipping up political sentiments using the issue of Malay Rulers, religion and race, we have to concede and make the best decision for now to calm the public," said the source.

Another source said that those within the Cabinet, who were against the government acceding to the Rome Statute, were afraid that the Malay Rulers would be affected.

"It is probably fear of the distrust of the people on Pakatan Harapan government, should the people believe what the opposition are propagating," said the source.

Umno deputy president Mohamad Hasan said that he was elated that the government had retracted acceding to the Rome Statute.

"I applaud the government. Malaysia does not receive any benefit in any way by being a signatory to the international treaty," said Datuk Seri Mohamad in a text message immediately after the Prime Minister's announcement.

Umno had voiced its disagreement with the statute, citing that it usurped the immunity and sovereignty of the Malay Rulers.

Opposition leader Ismail Sabri Yaakob, who is also acting deputy president of Umno, filed a Private Member's Bill in Parliament on Thursday to debate the ratification of the Rome Statute.

Datul Seri Ismail voiced concerns that the government had rushed the signing of the treaty without consulting the Conference of Rulers and this allegedly went against the Federal Constitution.