



Permanent Mission of
Malaysia
to the United Nations

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**STATEMENT BY MR. KAMAL BAHARIN OMAR, REPRESENTATIVE OF
MALAYSIA ON THE AGENDA ITEM 108: MEASURES TO ELIMINATE
INTERNATIONAL TERRORISM AT THE SIXTH COMMITTEE OF THE 62ND
SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY,
11 OCTOBER 2007**

Mr. Chairman,

At the outset, my delegation would like to align our statement with the statements made by the delegations of Viet Nam on behalf of ASEAN, Pakistan on behalf of the Organisation of Islamic Conference, and Cuba on behalf of the Non-Aligned Movement.

2. Malaysia notes that significant efforts have continued to be undertaken in the past year to implement General Assembly resolution 61/40 – “Measures to Eliminate International Terrorism”. The Report of the Secretary General [A/62/160] highlights that Member States and international/regional organizations are undertaking concerted efforts to prevent and fight the threat to international peace and security as a result of terrorist activities in line with Security Council resolutions 1373 (2001), 1540 (2004), 1566 (2004) and 1624 (2005).

3. We note also the Report of the Ad Hoc Committee established by General Assembly resolution 51/210 [A/62/37] and the encouraging outcome of the 11th session convened on 5, 6 and 15 February 2007. We thank Ms. Maria Telalian, the Vice-Chairman of the Ad Hoc Committee, for her unflagging efforts to seek an early resolution of the outstanding issues in the draft Comprehensive Convention on International Terrorism both during that session as well as inter-sessionally and for the constructive proposals which merit further consideration.

Mr. Chairman,

4. Malaysia reiterates its commitment to work with the United Nations and its Member Countries in taking concerted action to combat international terrorism. Further to the United Nations Counter-Terrorism Strategy, Malaysia continues to focus its primary counter-terrorism efforts on preventive as well as prescriptive measures. This is because to succeed, the fight against terrorism must address its underlying causes.

5. Malaysia has especially since the September 11, 2001 attacks, responded positively to the international call for cooperation to combat terrorism, by strengthening its legal framework to implement the 16 international counter-terrorism conventions and protocols and by cooperating with foreign law enforcement authorities in their investigations and criminal prosecutions of alleged terrorists and their activities.

6. Malaysia is now party to 8 of the international counter-terrorism conventions and protocols. Malaysia ratified the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation on 8 September 2006 and acceded to the International Convention against the Taking of Hostages and the International Convention for the Suppression of the Financing of Terrorism on 29 May 2007. Malaysia is currently taking the necessary measures in preparation for its accession to the Convention on the Marking of Plastic Explosives.

7. Malaysia's specific provisions on terrorism in Chapter VIA of the Penal Code, Chapter VIA in the Anti-Money Laundering and Anti-Terrorism Financing Act 2001 and Chapter XIIA of the Criminal Procedure Code were brought into force on 6 March 2007. Nevertheless, Malaysia reiterates that even before these specific anti-terrorism provisions came into force, Malaysia was able to and did deal decisively with terrorist groups, in particular extremist movements that advocate violence through its existing laws and procedures. In relation to Security Council resolution 1624 (2005), Malaysia's domestic legislative framework is already in place through its laws such as the Sedition Act 1948 to deal with all forms of incitement to violence and public disorder.

Mr. Chairman,

8. Malaysia signed the ASEAN Convention on Counter-Terrorism (ACCT) on 13 January 2007 with the other 9 ASEAN Member Countries to further signify its commitment to all efforts to combat terrorism, after participating actively in its drafting and elaboration. Malaysia also takes this opportunity to record its appreciation to the UNODC for contributing its technical advice and expertise during the negotiations of the ACCT at the 2nd Meeting of the Joint Experts Working Group (JEWG) on the ACCT in Bali from 13 to 15 November 2006.

9. Efforts are also ongoing to enhance the available international cooperation mechanisms. Malaysia is the Depositary State and Secretariat for the Treaty on Mutual Legal Assistance in Criminal Matters among like-minded countries in the ASEAN region which was concluded in Kuala Lumpur on 29 November 2004. The Treaty has been ratified and is in force among Malaysia, the Republic of Singapore, the Socialist Republic of Vietnam, Brunei Darussalam and Lao PDR. It will be fully in force among the signatories once it is ratified by the five remaining States. In the interim, two Meetings of Senior Officials on the Treaty have been held, the first on 11 to 13 July 2005 in Kuala Lumpur and the second on 22 to 23 March 2007 in Singapore. The Senior Officials have adopted a Model

Request Form and the Model Checklist to facilitate the use of the Treaty. At the 2nd Meeting of Senior Officials, it was also agreed to establish a pool of experts to facilitate the dissemination of information on the Treaty to the relevant ASEAN sectoral bodies and to train the relevant law enforcement agencies of the Parties on the use of the Treaty to facilitate evidence gathering for transnational criminal cases.

10. Malaysia has responded positively to the UN reporting mechanisms such as the Counter-Terrorism Committee pursuant to Security Council resolution 1373 (2001) and the 1540 (2004) Committee. The Counter Terrorism Committee Executive Directorate (CTED) conducted a site visit to Malaysia on 10 – 14 July 2006 to evaluate Malaysia's compliance with SCR 1373. The CTED has reported that Malaysia's compliance with SCR 1373 is satisfactory and that Malaysia has generally fulfilled its 1373 obligations. Completion of the accession process to the remaining UN Counter-Terrorism Conventions and Protocols will significantly increase Malaysia's compliance level.

Mr. Chairman,

11. Malaysia has had an opportunity to peruse the proposed compromise solutions on the draft Comprehensive Convention on International Terrorism suggested by the Vice-Chairman of the Ad Hoc Committee in her Non-Paper circulated on 9 February 2007 and looks forward to further discussion on the proposals at this session.

12. Finally, Malaysia reiterates its support of the convening of a high-level conference under the auspices of the United Nations to facilitate the finding of solutions to the broad political issues which underlie the United Nations efforts to combat terrorism including identifying the root causes. A parallel discussion on related issues should not compromise the discussions on the substantive provisions in the draft Comprehensive Convention on International Terrorism and may well provide valuable insight and possible solutions.

Thank you, Mr. Chairman.