



Inter-Parliamentary Union

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Malaysia

MAL/18 - Gobind Singh Deo

***Decision adopted by the Committee on the Human Rights of Parliamentarians
at its 146th session (Geneva, 24-27 January 2015)***

The Committee,

Referring to the case of Mr. Gobind Singh Deo, a member of the Parliament of Malaysia, and to the decision it adopted at its 132nd session (January 2011),

Recalling that, on 13 March 2009, acting on a motion brought by Minister Datuk Seri Nazri Aziz, Parliament suspended Mr. Singh from its premises for 12 months without parliamentary pay and privileges for (i) having referred to the alleged involvement of the then Deputy Prime Minister, Datuk Seri Naji Razak, in the murder of a Mongolian woman, (ii) having called the Deputy Prime Minister a murderer, (iii) having disobeyed an order of the Deputy Speaker not to raise this matter and, (iv) having uttered a derogatory statement about the Deputy Speaker,

Recalling that Mr. Singh challenged his suspension in court, which on 22 October 2009 found that it was not competent to examine the issue of suspension, but ruled that Mr. Singh was entitled to payment of his salary and other allowances under Article 64 of the Constitution; Mr. Singh returned to Parliament on 16 March 2010 but, owing to the Speaker's appeal against the court decision, without the payment of his salary and allowances,

Considering that the Court of Appeal upheld the judgement entitling Mr. Gobind Singh to his parliamentary salary and allowances, and that this was subsequently challenged by the Speaker before the Federal Court; on 3 November 2014, the Federal Court ordered Parliament to pay the salary and remuneration withheld from Mr. Gobind Singh Deo during his one year suspension in 2009; the court, in upholding the decision of the High Court and the Court of Appeal, held that there was no law which allowed Parliament the power to do so,

1. *Is pleased* that the Federal Court has finally ruled on the matter and that, as a result of its ruling, the severity of Mr. Gobind Singh Deo's suspension was slightly tempered;
2. *Reaffirms its views* in this regard that, by parliamentary standards and practice in this field, the disciplinary sanction given to Mr. Gobind Singh Deo in 2009 was clearly disproportionate;
3. *Considers*, however, that with the Federal Court's recent ruling, the case has come to a close and *decides* therefore to conclude its examination of the case;
4. *Requests* the Secretary General to inform the parliamentary authorities and the complainant accordingly.

