



02 September 2025

Ms. Siobhán Mullally

Special Rapporteur on trafficking in persons, especially women and children

Mr. Matthew Gillett

Vice-Chair on Communications of the Working Group on Arbitrary Detention

Ms. Heba Hagrass

Special Rapporteur on the rights of persons with disabilities

Ms. Tlaleng Mofokeng

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Mr. Graeme Reid

Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

Ms. Laura Nyirinkindi

Chair-Rapporteur of the Working Group on discrimination against women and girls

Dear Sir/ Madam,

I refer to the joint urgent appeal dated 9 July 2025, bearing reference no. UA MYS 4/2025.

2. I wish to hereby transmit in the **ANNEX** the response of the Government of Malaysia to the afore-mentioned case.

3. In thanking the Human Rights Council's Special Procedures Mandate Holders for the understanding and cooperation, I express my sincere hope that the attached response from the Government of Malaysia will be fully taken into consideration.

Please accept the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Nadzirah Osman'.

DATO' NADZIRAH OSMAN
Ambassador/Permanent Representative

FEEDBACK REGARDING THE REPORT MADE BY THE UNITED NATIONS SPECIAL RAPPORTEUR CONCERNING THE CASE OF PRISONER WITH DETENTION NUMBER SMPP 3-13-04073, KPS THANAKORN SINSANOI

1. Concerns regarding his situation as a transgender woman placed in a male prison.

(i) The gender of prisoner [REDACTED] KPS Thanakorn Sinsanoi, was confirmed as male upon admission to the prison on 30 November 2016. According to the Medical Officer, this prisoner still possesses male genitalia and has only changed his appearance as a woman. Although the placement of transgender individuals is not specified in either the Prisons Act 1995 or the Prisons Regulations 2000, the segregation of prisoners is still based on their original gender and complies with Regulation 5(1) of the Prisons Regulations 2000, which states that male and female prisoners must be housed separately at all times and confined in different buildings.

(ii) Regulation 34(1) under Prisons Regulations 2000 regarding categorization also states:

“For the purpose of facilitating prisoner training and reducing the risk of contamination, prisoners shall be categorized taking into account of their age, gender, character, personality, previous history and other factors as determined by the Officer-in-Charge.”

(iii) Regulation 34(6) under Prisons Regulations 2000 also explains:

“The Commissioner General of Malaysia Prison Department may establish any other categories which in his opinion are necessary to improve the categorisation methods and he may permit deviations from the provisions of these regulations in certain cases or in a specific prison at his discretion.”

(iv) For transgender inmates in prison, they are classified as special attention who will have different levels of control and monitoring compared to other prisoners. Therefore, the segregation of convicted prisoner [REDACTED] [REDACTED] KPS Thanakorn Sinsanoi does not restrict his participation in rehabilitation activities with other inmates or his social interactions within the prison.

2. Concerns regarding his situations as a person with disability.

- (i) The Malaysian Prison Department has ensured that convicted prisoner [REDACTED] KPS Thanakorn Sinsanoi receives appropriate treatment and attentive care while in prison. The prisoner has been placed in the prison clinic to facilitate daily health monitoring by the medical officer.
- (ii) In addition, the Malaysian Prison Department has established guidelines on the placement of vulnerable prisoners in custody covering inmates with chronic illness, elderly prisoners, those with mental issues and prisoners categorised as persons with disabilities. Malaysian Prison Department always gives priority to provide satisfactory care and facilities for these vulnerable inmates during their sentence including close medical care and medication.
- (iii) During the hearing for the review of the death sentence and life imprisonment, which was attended by convicted prisoner [REDACTED], KPS Thanakorn Sinsanoi at the Federal Court of Malaysia on 14th February 2024, the prisoner's rights to be represented by counsel during the proceedings was respected. The Malaysian Prison Department also has allowed the appointed lawyer to meet with the client in order to explain the prisoner's rights during the proceedings and to provide appropriate legal advice before the hearing.
- (iv) The Malaysian Prison Department also submitted a petition on behalf of the prisoner under Regulation 113 of the Prisons Regulations 2000 to the Selangor State Pardons Board on 22nd November 2024 requesting leniency in his sentence period considering the prisoner's health condition which is inappropriate for him to remain in prison for a longer period.

(This document is a translation from Malay to English of the medical report attached to this Annex)

MEDICAL OFFICER'S REPORT

Initial Health Screening

■ [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Physical Examination

■ [REDACTED]
[REDACTED]
[REDACTED]

■ [REDACTED]
[REDACTED]
[REDACTED]

■ [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

■ [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]

Daily Activity Monitoring

■ [REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Health Review

1. Based on the health risk assessment conducted throughout the incarceration of prisoner (3-13-04073) at Pokok Sena Prison, I have found that there is a high likelihood that the prisoner's health will continue to deteriorate due to the following reasons:
 - A history of tuberculosis (TB) and the risk of sudden reactivation of TB bacteria if the body's immunity level declines.
 - Deterioration of internal organs caused by TB infection affecting the lungs, adrenal glands, intestines, stomach, meninges and spine.
 - Significant nutritional deficiency due to frequent bowel obstruction, possibly requiring periodic surgeries.
 - Risk of infection during the changing of the stoma bag or urinary tube.
 - Inadequate self-care due to complete dependence on others for assistance (ADL dependent) as a result of paralysis and being bedridden throughout incarceration.
 - Risk of death caused by severe infection or organ failure.
2. Based on the health problems faced by this prisoner, the chance for physical recovery in the current condition is very slim. Therefore, in my opinion the prisoner is not suitable to be kept in prison for an extended period. The prisoner would be better placed outside of prison with family to facilitate ongoing medical follow-up and close family care as the prisoner is unable to care for himself.

[REDACTED]

Other relevant history.

[REDACTED]

Medications.

[REDACTED]

Follow-up.

[REDACTED]

(DR AHMAD MUAZ BIN ZULKIFLI)
Pegawai Perubatan UD44
No Pendaftaran Penuh MMC : 80296
Klinik Penjara Pokok Sena
KEDAH.