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Malaysia

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I. Introduction

1. Malaysia's membership in the Human Rights Council (HRC) (2022–2024) for the third time is a testament of its strong commitment to promote and protect human rights.
2. Malaysia underwent its third UPR on 8 November 2018 and received 268 recommendations¹. In 2021, Malaysia submitted its first voluntary UPR Mid-Term Report.²
3. During the implementation period, Malaysia experienced the ramifications of the COVID-19 pandemic. The welfare, safety and well-being of the most vulnerable were safeguarded through a human rights-based approach, in accordance with national laws, international human rights obligations and the Sustainable Development Goals (SDGs). In doing so, the Government prioritised a whole-of-society approach, based on the principles of proportionality, inclusivity, transparency, the rule of law and societal responsibility.

II. Methodology and consultation process

4. The National Report was prepared in consultation with various stakeholders, including government agencies, National Human Rights Commission (SUHAKAM), civil society, non-governmental organisations (NGOs), United Nations (UN) agencies, parliamentarians and academicians. A total of 23 consultation sessions and meetings were held and the Report was endorsed by the Malaysian Cabinet on 8 September 2023.
5. The National Report focuses on the implementation of the accepted recommendations, recent developments, and way forward to promote and protect human rights in the country.
6. Following the third UPR, the Ministry of Foreign Affairs of Malaysia in its capacity as the National Mechanism for Implementation, Reporting and Follow-Up (NMIRF), has undertaken the following:
 - (a) Institutionalised a bi-annual multi-stakeholder consultation involving the relevant Ministries and agencies, SUHAKAM and civil society organisations. This includes virtual meetings during the COVID-19 pandemic. Thus far, eight national level bi-annual consultations have been held;
 - (b) Developed a Monitoring Matrix with the support of an independent consultant appointed by the Office of the United Nations High Commissioner for Human Rights (OHCHR) to systematically follow-up on the implementation of UPR recommendations through 168 indicators;
 - (c) Developed the National Recommendation Tracking Database (NRTD), a 'one stop' institutional memory, to track progress on the UPR, Treaty Bodies and Special Procedure Mandate Holders (SPMH) recommendations. A total of six workshops were held jointly with OHCHR. Malaysia is the first country to use the upgraded version of NRTD 2.0.; and
 - (d) Held regional consultations with State agencies in particular Sabah and Sarawak, in collaboration with SUHAKAM, to ensure an inclusive consultation in the UPR process.
7. In 2020, Malaysia was one of the six model countries selected to be part of a "Study on Good Practices Emerging from the UPR", a recognition to Government's unwavering commitment to the UPR.

III. Implementation of accepted recommendations

A. Domestic human rights frameworks

8. Human rights are protected and advanced through various domestic frameworks. Malaysia's National Human Rights Action Plan (NHRAP) launched in 2018, outlines 294 action plans in 83 priority areas categorised under five pillars namely, civil and political

rights; economic, social and cultural rights; rights of the vulnerable people; rights of indigenous peoples and Malaysia's international human rights responsibilities³. The Government is currently updating the NHRAP to further strengthen inter-ministerial collaboration on human rights issues.

9. The Government established ten⁴ Parliamentary Special Select Committees (SSCs) in 2023 to ensure effective checks and balances on institutional integrity, democratic principles and advancement of the human rights agenda. The SSCs cover wide range of topics including human rights, women, children as well as health and nation building.

10. SUHAKAM's "A" status is a recognition of its full compliance with the Paris Principles⁵. The Government has been actively collaborating with SUHAKAM to foster greater understanding and cooperation on human rights including in the implementation of the UPR recommendations.

11. The Malaysian Parliament debated SUHAKAM's annual reports in December 2019 and June 2023. The debates encouraged lawmakers to discuss, review and explore the way forward to advance human rights in the country.

12. In line with SDG Goal 16⁶, the Government continues to pursue efforts to strengthen the effectiveness of SUHAKAM.

13. Since 2018, the Government has been pursuing a whole-of-society approach to advance human rights by strengthening legal framework. A total of 26⁷ laws and regulations were repealed, amended and developed as reflected in Annex A.

B. International obligations

Ratification of the core international human rights instruments

14. The Government is always guided by the letter and spirit of the Federal Constitution (FC) in considering accession to any international instruments. Malaysia is a State Party to three human rights instruments⁸. Taking into account national priorities and international obligations, the Government continues to review policies accordingly in order to improve compliance with these instruments.

15. An Interagency Standing Committee has been established to study the feasibility of Malaysia acceding to the remaining six core human rights instruments.

16. In 2019, the Government, with the support of the OHCHR, translated the nine core human rights instruments, the Refugee Convention, and the Rome Statute into the national language (*Bahasa Melayu*). These translated documents were disseminated to the Federal and State agencies, parliamentarians and civil society with the view to increasing their understanding of human rights.

17. The Government in collaboration with the UN, convened and participated in the following dialogues, meetings and workshops to analyse the compatibility of Malaysian laws and policies with international human rights law, standards and practices:

(a) Workshops by the Ministry of Home Affairs (MOHA) on 14 November 2018 and 5 December 2019 to discuss Malaysia's readiness to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT);

(b) Technical Committee Meetings by the Ministry of Human Resources (MOHR) on 27 August and 24 October 2018 to discuss requirements and challenges in acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW);

(c) An interagency workshop by MOHA from 31 October to 2 November 2021 to further study the requirements in ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED);

(d) A review conducted by the National Security Council (MKN) to study the accession to the Refugee Convention;

(e) A Webinar to increase understanding and awareness on the International Covenant on Economic, Social and Cultural Rights (ICESCR) on 17 August 2021; and

(f) Regional Online Seminars for Asia-Pacific Region in 2019 and 2022 by the Convention against Torture Initiative (CTI).

Cooperation with regional and international mechanisms

18. Malaysia has an excellent record of cooperation with regional and international human rights mechanisms. To date, Malaysia has hosted 13 visits of the SPMH⁹. In 2019, the Government issued a standing invitation to SPMH.

19. Malaysia received the first working visit by a UN High Commissioner for Human Rights in 2019. Subsequently, the Government welcomed the appointment of a UN Human Rights Advisor for Malaysia who among others, facilitated the development of the NRTD.

20. Malaysia has submitted national reports to the CRC Committee in 2021 and CEDAW Committee in 2022. The Government is also undertaking extensive measures to better adhere to its reporting obligations including by participating in the following workshops and trainings:

(a) Workshop on Treaty Body reporting to the CRC Committee organised by OHCHR, August 2019;

(b) Workshop on Treaty Body reporting to the CEDAW organised by OHCHR, February 2020;

(c) Meeting with OHCHR on the preparation of Malaysia's 6th Periodic Report to the CEDAW Committee, November 2021;

(d) Training on the preparation of periodic reports submitted to the CEDAW Committee organised by the Women Development Organisation (WDO) and the Organisation of Islamic Cooperation (OIC), January 2022; and

(e) Workshop held in collaboration with OHCHR on Treaty Body reporting to the CRPD Committee, November 2022.

21. Malaysia also organised the following workshops and seminar:

(a) A member of the CEDAW Committee was a panellist in the International Women's Day Webinar – Women in Leadership Achieving an Equal Future in a COVID-19 World, March 2021;

(b) UN Secretary-General's Envoy on Youth delivered a keynote address in the Virtual Forum - Youth Empowerment in times of COVID-19, August 2021;

(c) 8th OIC-Independent Permanent Human Rights Commission (IPHRC) International Seminar: Islamic Perspectives on the Protection of Refugees – Rights and Access to Education, October 2022; and

(d) Special Rapporteur (SR) on the promotion and protection of human rights in the context of climate change was a panellist in the regional consultation organised by the ASEAN Intergovernmental Commission on Human Rights (AICHR) Malaysia, to deliberate interlinkages between climate change, environment and human rights, May 2023.

22. The Government also engages with SPMH to increase awareness on human rights issues during the latter's academic visits to Malaysia:

(a) SR on Minority Issues met Minister and senior officials in 2019;

(b) SR on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance met senior officials in March 2023; and

(c) Chair of the Working Group on Arbitrary Detention met senior officials in August 2023.

23. Malaysia continues to promote human rights through regional mechanisms including the AICHR. The Government, AICHR and the Council of ASEAN Chief Justices co-hosted the High-Level ASEAN Human Rights Dialogue: Rights of Accused Persons in Criminal

Cases, in December 2018. In May 2023, the Government hosted AICHR Regional Consultation on business and human rights, environment and climate change.

C. Civil and political rights

24. The Government reaffirms its continuous adherence to the underlying principles and norms laid out in the UDHR, so long it is consistent with the FC which is the supreme law of Malaysia. The exercise of such rights, nevertheless, are not absolute and subjected to, among others, morality and security of the country.

Death penalty

25. The Abolition of Mandatory Death Penalty Act 2023 [*Act 846*] was enacted and came into force on 4 July 2023. The Act entails amendments to Penal Code, Firearms (Increased Penalties) Act 1971, Arms Act 1960, Kidnapping Act 1961, Dangerous Drugs Act 1952, Strategic Trade Act 2010 and Criminal Procedure Code. The objectives of this Act are among others, to abolish the mandatory death penalty and vary the sentence relating to imprisonment for natural life.

Freedom of Opinion and Expression (FOOE)

26. FOOE is protected under Article 10(1)(a) of the FC. In a multi-religious and multi-ethnic society like Malaysia, FOOE is wide-ranging and diverse. In this regard, the Government always prioritises an enabling environment where the exercise of freedom of opinion is done responsibly.

27. The Communications and Multimedia Act 1998 [*Act 588*] provides for and regulates the communications and multimedia industries in Malaysia. Concurrently, the Printing Presses and Publications Act 1984 [*Act 301*] governs media freedom and complements the need to safeguard public order, harmony and security.

28. Moreover, the Government has set up a task force to study the proposed Malaysian Media Council draft bill. The Council will be made up of independent media practitioners.

29. The Government continues to work closely with the media industry to curb fake news and ensure media independence as well as welfare of media practitioners. For this purpose, an updated Content Code, containing regulated standards and practices for content dissemination was launched in May 2022.

30. In 2023, Malaysia ranked 73rd out of 180 countries in the World Press Freedom Index, a huge leap upwards from 113 in the previous year.

31. The Government continues its commitment to create a conducive landscape for FOOE by undertaking the following:

(a) Engagements with stakeholders to identify challenges and review the application of certain laws such as the Sedition Act 1948 [*Act 15*], Communications and Multimedia 1998 [*Act 588*], Official Secrets Act 1972 [*Act 88*], Printing Presses and Publications Act 1984 [*Act 301*] and the Copyright Act 1987 [*Act 332*];

(b) Presentation of a policy paper on the Freedom of Information Act to the Special Cabinet Committee Meeting on Anti-Corruption in 2023; and

(c) 13 different engagements with strategic partners, industry players and NGOs were held to assess the effectiveness of the Act 301. A study was also conducted by the Institute of Public Security of Malaysia as part of the review process.

32. The Government respects and protects the rights of Malaysians to peaceful assembly. In 2019, the Government amended the Peaceful Assembly Act 2012 [*Act 736*] to give more freedom and leniency to conduct peaceful assemblies including allowing street protests. The amendments shortened the timeframe for notification of such assembly to authorities, to only five days. Since 2019, 22,968 assemblies or street protests had taken place.

33. Malaysia recognises and values the important role of civil society in facilitating Government's efforts to advance human rights agenda. The Government will continue to engage and involve them in the deliberation of national policies and programmes. Currently, there are 80,146 civil society and 10,265 non-profit organisations registered with MOHA.

Initiatives to prevent torture

34. In ensuring compliance with international human rights standards such as the Nelson Mandela Rules, the Government continues to promote reforms of the prison in five areas namely, (i) conducive environment, (ii) rehabilitation, (iii) staff competency, (iv) strategic collaboration, and (v) community corrections. These reforms are pursued through the following programmes:

- (a) Development of a Code of Conduct for law enforcement officials;
- (b) Periodic inspections by internal and external bodies, including SUHAKAM, International Committee of the Red Cross (ICRC) and UN representatives;
- (c) Permitting Visiting Justices to visit or inspect any prison at any time in any part or section of the prison, as provided for in the Prison Act [Act 537];
- (d) Swift investigation on any complaints or abuse, in compliance with the Act 537, Prison Rules and the Commissioner-General's Standing Orders; and
- (e) Establishment of the Criminal Investigation Unit on Deaths in Custody (USJKT) in 2021, to investigate deaths in police custody.

35. Malaysia has also translated the Nelson Mandela Rules e-learning programme into Bahasa Melayu to inculcate knowledge on human rights including humane treatment among prison officers. The Prison Officers Training Module has been incorporated with human rights elements, and is being conducted in collaboration with ICRC and SUHAKAM.

36. The Government is also actively addressing overcrowding and recidivism by intensifying community-based correctional programmes. This includes conversion of short-term prison sentences into alternative punishments. The Offenders Compulsory Attendance Act 1954 [Act 481] empowers custody initiatives outside prison walls through rehabilitation-in-community programmes.

37. In September 2022, the Government enacted an Amendment to Act 481 providing for an alternative sentence to offenders sentenced to imprisonment of less than three years. Under this sentence, the offender is required to carry out compulsory work for the benefit of society/community outside prison walls.

38. Offenders serving their sentences are also allowed to live with their families and continue their original jobs. However, they must be present to carry out mandatory work such as cleaning and landscaping works in local councils, orphanages, elderly homes, houses of worship, cemeteries and others. This approach also gives the offenders opportunity to contribute to the community as well as facilitate their reintegration into the society.

39. Moreover, the Government is utilising satellite prisons to address overcrowding whereby new convicts involved in minor offences will be housed in 13 satellite prisons.

40. For training and capacity building of enforcement agencies, the Government and SUHAKAM are collaborating on the following:

- (a) Human Rights Module for the Royal Malaysia Police (RMP) which includes prohibition of torture; and
- (b) Training Manual titled 'Human Rights and Detention' for trainers in prison.

Security law

41. The application of the Prevention of Crime Act 1959 [Act 297], Security Offences (Special Measures) Act 2012 [Act 747] and Prevention of Terrorism Act 2015 [Act 769], is still relevant in Malaysia. These Acts are applied only to offences, relating to terrorism, organised crime and smuggling of migrants.

D. Economic, social and cultural rights

Sustainable development and efforts to realise the right to development

42. Malaysia always prioritises development, sustainability, and inclusivity in its national policies to safeguard and promote the well-being of its people. Accordingly, efforts to mainstream SDGs in national development plans are undertaken via the following:

- (a) Aligning/integrating the SDGs with the five-year national development plans;
- (b) Developing a database on SDGs; and
- (c) Establishing a multi-stakeholder institutional framework.

43. Following the activation of the National SDG Council in 2016, all SDGs are aligned with the 11th and 12th Malaysia Plans. The SDG Roadmap Phase 1 (2016–2020) and Phase 2 (2021–2025) were developed to set the national SDG agenda in meeting the SDG targets and indicators.

44. The National SDG Centre was established in September 2022 to monitor progress and implementation of all SDG-related programmes including quality of healthcare; affordable housing for poor and low-income households; and access to education. Malaysia's progress in SDGs was presented through its Second Voluntary National Review Report at the 2021 High-level Political Forum.

45. Malaysia believes that the integration of international human rights norms and standards as well as SDGs into the development agenda would ensure that no one is left behind.

46. Cognisant of the interlinkages between human rights and the SDGs, the Government has incorporated SDGs into the NRTD. The NRTD contains 168 indicators which facilitate the implementation of Malaysia's obligations under the UPR, SPMH, Treaty Bodies and the SDGs.

Poverty eradication

47. In 2019, the Government revised the Poverty Line Income (PLI) to increase the effectiveness of poverty eradication initiatives. The revision paved the way for more targeted policy formulation and effective implementation of programmes.

48. The 12th Malaysia Plan (12MP) contains various programmes and initiatives to eradicate poverty, aimed at increasing the income of the poor, improving access to essential services, and strengthening the quality of education and skills training.

49. The Government, through the 12MP Monitoring Committee implements various projects to eradicate poverty, which among others, include: People's Income Initiative (IPR); Hardcore Poverty Eradication Programme; Urban Economic Empowerment Programme; Funding Programme for Chinese New Villages; Cost of Living Assistance Programme (RAHMAH); Rural Growth Centre; Rural ICT and Human Capital Training; Special Programme for Sarawak Natives, Human Capital Development Programme; and Economic Stimulus Package (PRIHATIN).

50. From 2012–2023, the Government has spent RM¹⁰ 89.7 billion on direct cash aid programmes. In 2023, 15.2 percent of the total national budget is allocated for cash aid assistance. For the purpose of coordination and timely distribution of funds to targeted group, the Government established a national poverty database system, known as *eKasih*. The *eKasih* system serves as a centralised database that provides information on poor and hardcore poor.

51. In 2023, the first phase of the Hardcore Poverty Eradication programme involving 2,000 households in 80 localities nationwide was successfully implemented. The IPR programme increases income of the target groups and addresses structural issues including the rising cost of living as well as overdependence on food imports and foreign labours. This initiative involves Federal, State, local governments and strategic partners.

52. In Sarawak, a total of RM38 million has been allocated under the State's 12MP to implement Poverty Alleviation Programmes (PAP) for the vulnerable groups. PAP is aligned with the United Nations on Environmental, Social and Corporate Governance (ESG). In addition, under the State 12MP Mid-Term Review, a total of RM3.2 billion has also been approved to implement 523 programmes and projects for rural development. These include infrastructure projects, capacity building and income generating programmes.

Affordable housing

53. The National Housing Policy and the National Affordable Housing Policy (2018–2025) provides all Malaysians particularly the low-income groups the access to adequate and affordable shelter and related facilities. From 2021 to March 2023, a total of 98,455 affordable houses were built particularly for those from low-income households.

54. The Government provides protection to tenants and leases by undertaking the necessary legislations formulation such as the Residential Tenancy Act and Development of Waqf Land Act.

55. In ensuring adequate shelter for vulnerable communities, the Government has streamlined various initiatives, which among others, include the establishment of the National Affordable Housing Council, chaired by the Prime Minister. The Council oversees the implementation of the affordable housing agenda and proposes measures to address issues related to housing.

56. During the pandemic, the *Rumah IKRAM*¹¹ initiative provided shelter for vulnerable groups by allowing free rental for a 6-month period.

Social protection

57. In May 2022, the Government issued the Minimum Wages Order 2022, increasing the minimum wage by 25 percent.

58. Malaysia Social Protection Council (MySPC) was established to coordinate social protection policies and programs. The MySPC comprises the following working committees:

- (a) Social Assistance;
- (b) Social Insurance;
- (c) Labour Market Intervention; and
- (d) Data Management.

59. As of December 2022, a total of 533,167 recipients have benefitted from 12 social welfare assistance schemes, amounting to RM2,468,033,997, while a total of 1,055 recipients received Aid for Assistive Devices amounting to RM2,760,724.

60. In 2022, the Government established the Social Protection Database to consolidate various social protection programmes. Currently, the Government is undertaking a research to develop an instrument to assess the well-being of social assistance recipients.

61. The Government also incentivises welfare organisations and civil society in the form of grants or financial assistance. From 2020 to 2022, 745 organisations were accorded with grants which benefitted 24,332 individuals. Additionally, 6,604 organisations received financial assistance and conducted 1,808 programmes benefitting 85,324 participants nationwide.

62. Other programmes include the Sabah Social Time Bank (SSTB), an online system that records activities carried out by volunteers and rewards them with remuneration based on the volunteer work done and involvement in blood donation drives. While this innovative programme promotes volunteerism, it also aims to cultivate a society that is less dependent on subsidies.

63. In Sarawak, numerous advocacy programmes are being implemented to promote social development and well-being of the indigenous communities namely, the Social Development and Community Solidarity Dialogues.

64. The Government is collaborating with the United Nations Development Programme (UNDP) on “Strengthening Social Protection Policy for Inclusive Development and Growth” project to improve effectiveness and efficiency of the social protection system. The project which is scheduled to complete by April 2024, is expected to contribute towards the development of Malaysia’s first national social protection policy.

65. The Government necessitates employers to obtain insurance coverage for foreign workers effective 1 January 2019 through SOCSO’s¹² Employment Injury Scheme under the Employees’ Social Security Act 1969 [Act 4].

Health care services

66. In Malaysia, everyone has access to healthcare irrespective of citizenship. The Government remains committed in ensuring everyone has the right to enjoy the highest standard of physical and mental health. In line with this commitment, the national budget for healthcare services increased from RM26.58 billion in 2018 to RM 36.33 billion in 2023. The allocation for the Ministry of Health’s healthcare services from 2019 to 2023 amounts to RM159.96 billion.

67. The Government collaborates with partners including the World Health Organisation (WHO) and other UN agencies to strengthen healthcare services for all, especially the vulnerable groups. This includes providing mobile services across the country including in rural and remote areas to ensure broad access to healthcare services. Among the key policies aimed at promoting universal healthcare include:

(a) National Policy for Quality in Healthcare (NPQH) for Malaysia – to provide integrated people-centred services, strengthen governance, as well as building effective capacity and capability;

(b) National Nutrition Policy of Malaysia 2.0 - to improve nutritional status of the population, reduce diet-related non-communicable diseases (NCDs) and strengthen food and nutrition security; and

(c) National Agenda for a Healthy Malaysia (ANMS) 2021-2030 – to promote a culture of healthy living with environmental sustainability.

68. Comprehensive healthcare services for all age groups and gender, including sexual and reproductive health services are integrated in all primary healthcare facilities nationwide. As of March 2023, there are 1,076 health clinics, 220 community clinics, 83 maternal and child health clinics, 1,727 rural health clinics and 243 mobile health teams. Additionally, there are 49 Nur Sejahtera clinics and 15 family mobile buses that specifically provide reproductive health services.

69. Malaysia currently has 77,755 medical doctors in the public and private sectors, equivalent to one doctor for every 420 people, a ratio which surpasses the goal set by WHO. In addition, there are 12,574 dentists and 18,575 pharmacists in the public and private sectors.¹³

70. According to the National Health and Morbidity Survey 2022, Malaysia achieved great progress for maternal healthcare, where antenatal care coverage has increased to 98 percent across nation.

71. The Government is developing the 2023-2030 National Strategic Plan to Combat Double Burden of Malnutrition among Children in Malaysia. The Plan comprises five core strategies and 31 initiatives to effectively address malnutrition.

72. Malaysia undertakes various initiatives to ensure universal health coverage for mental health through prevention of mental health conditions and management of mental disorders. These initiatives include decentralisation of treatment from custodial institutions to hospitals, enactment of the Mental Health Act and policy, as well as the establishment of an interagency Mental Health Promotion Advisory Council.

73. The Government developed the 2020-2025 National Strategic Plan for Mental Health, which among others, ensures the availability and accessibility of comprehensive and quality mental health services for all including during emergencies and disasters.

74. The Penal Code¹⁴ was amended in May 2023, to decriminalise attempted suicides. This signals a significant shift in Malaysia's approach to mental health. The legislation aims to address the issue with compassion and prioritise support and intervention rather than punitive measures.

75. To minimise gaps and further strengthen service delivery to the community, the Government established the National Centre of Excellence for Mental Health (NCEMH). To ensure a more holistic approach, the Government is working closely with the relevant stakeholders to increase the capacity of psychosocial support.

76. Malaysia places great emphasis on community-based, people-centred services to prevent and control the spread of HIV. The Government continues to work closely with all partners to implement the National Strategic Plan on Ending AIDS by 2030. Malaysia is the first country in the Western Pacific region to successfully eliminate mother-to-child transmission of HIV and syphilis in 2018 and has maintained this commendable track record. This success reflects Malaysia's strong commitment to ensuring access to quality and affordable health services for women, children and families.

77. *Skim Perlindungan Insurans Kesihatan Pekerja Asing (SPIKPA)* or Foreign Workers Hospitalisation and Surgical Insurance Scheme is a mandatory annually renewable health insurance scheme for non-professional legal foreign workers. Coverage includes accidents and illness requiring hospital inpatient services. The annual premium per worker is RM120 with a maximum coverage of RM20,000 per year.

78. Refugees and asylum seekers registered with UNHCR¹⁵ received treatment at a reduced cost in public health facilities. Health care services are also provided for those in the detention centres and prisons.

79. Multi-stakeholder meetings were held with various ministries and UN agencies including to update the current Reproductive and Social Health Education (PEERS) syllabus. PEERS is aligned with the International Technical Guidance on Sexuality Education of the United Nations Educational, Scientific and Cultural Organisation (UNESCO).

80. The National Reproductive Health and Social Education Policy and Plan of Action (PEKERTI) programme was implemented through close collaboration with 270 school teachers throughout Malaysia. This programme prioritises awareness and community empowerment on reproductive health. A workshop on Social Empowerment of Reproductive Health Initiatives (SERI) involving 475 school teachers was held in 2022.

81. The Government developed a Health White Paper (HWP) which aims at reforming Malaysia's health system towards realising better health and well-being for the people. The HWP outlines a holistic proposal for systemic and structural reforms of Malaysia's health system over a 15-year period in order to respond to the nation's health challenges and to ensure greater equitability, sustainability, and resilience of the health system. The HWP contains 15 reform strategies which are categorised into 4 pillars.¹⁶ The Government is currently developing implementation plan for the HWP.

Education

82. Malaysia's Education Act 1996 [*Act 550*] ensures that all citizens receive education, regardless of social status, ethnicity or background.

83. Malaysia's education system aspires to ensure universal access and full enrolment of all citizens from preschool to the upper secondary level, whether through the academic or vocational and technical (TVET) pathways.

84. The Government is currently implementing the Zero Student Dropout Programme. In 2022, a total of 5,121 primary and 1,711 secondary school students have re-enrolled in schools.

85. Additionally, the Government has developed a database to accurately capture data on dropouts. The database facilitates relevant authorities to undertake a comprehensive analysis of root causes and develop appropriate interventions.

86. The Government's Special Education Needs (SEN) programmes facilitates the underprivileged and disadvantaged groups' access to education. Currently, a total of 1,443 teachers have been deployed to three types of schools dedicated to SEN namely, Special Education Schools (SPK), Special Education Program for Integration (PPKI), and Inclusive Education Programme (PPI).

87. In improving access to education, the Government has undertaken the following:

(a) Implementation of the Comprehensive Special Model Schools Year 9 (K9) to facilitate students especially in rural areas to pursue seamless education from primary to secondary level. The Government thus far has implemented K9 in nine schools throughout the country;

(b) Implementation of the K11 pilot programme¹⁷ in targeted rural areas, in Kuala Lipis, Pahang and in Baram, Sarawak; and

(c) Implementation of the Hybrid Learning in collaboration with NGOs and private companies, by providing grants for teaching and learning equipment.

88. The Government provides high-speed, stable and secure internet access in 10,214 schools. Of these, 2,350 schools including three rural schools have access to the internet through fibre optic technology. Through the National Digital Interconnection Initiative (JENDELA) more schools will be upgraded with internet facilities. This would facilitate teaching and learning activities that require modern and sophisticated devices be implemented effectively especially in rural areas.

89. During COVID-19, the Tabung CERDIK programme, a corporate social responsibility (CSR) initiative was implemented to provide digital devices complete with data plans to 150,000 students from poor families including those in rural areas.

90. The Government implements Supplementary Food Program (RMT) and School Milk Programme (PSS) for underprivileged students.

91. The blueprint on Enculturation of Lifelong Learning (LLL) for Malaysia, 2011-2020 which was issued in 2011 is currently under review and Malaysia is planning to launch the National Lifelong Learning Enculturation Master and Action Plan 2023-2030 to ensure the delivery of the LLL and Adult Learning and Education (ALE) agenda in Malaysia.

92. During the tabling of Malaysia's Budget 2023, the Government allocated RM2.59 billion to cover the expenditure for physical upgrading and infrastructure building, procurement of ICT equipment and Private Finance Initiatives (PFI) projects for the public universities.

93. In Sarawak, Digital Community Centres are established under the Sarawak State Library to provide digital access to rural areas and build digital skills among the rural communities.

94. Since 2017, the Sarawak Government has provided an allocation of RM2,699 million for the development of educational infrastructure, programmes and activities. Out of which, RM2,017 million was allocated for educational infrastructure, including utilities such as electricity and water supply while RM682 million was allocated for programmes such as Continuous Professional Development (CPD) for teachers, provision of additional learning materials, teaching of Mathematics and Science in English, as well as other educational assistance.

95. As part of its efforts to enhance access to education, increase understanding and uptake of Science, Technology, Engineering and Mathematics (STEM) subjects, as well as complementing the existing education syllabus, the Sarawak Government has provided additional STEM materials to all primary schools in Sarawak in 2021 and 2022. The Sarawak Government also allocated 9,463 computers to 1,265 primary schools to support the teaching of STEM and provide school students with early exposure to computer programming and coding.

96. The Sarawak Government had funded SeDIDIK for early childhood care and education facilities with an annual budget of RM20 million. Currently, there are 100 SeDIDIK centres of which 20 are playschools and 80 are preschools.

E. Rights of specific groups

Children

97. The Government is currently developing a comprehensive National Policy and Plan of Action on Children to cover cross-sectoral issues including juvenile justice, bullying, mental health, child exploitation, child marriage, climate change and child online protection.

98. As part of the Government's efforts in enhancing the protection and promotion of the rights of children in Malaysia, a Children's Commissioner was appointed under SUHAKAM on 8 March 2023.

99. The Malaysian Parliament passed the Sexual Offences against Children (Amendment) Act 2023 in April 2023, to provide clear and comprehensive protection for children. Through the Act, all parties involved could be prosecuted, not only those who watch and participate in sexual performances involving children. These include the organisers or hosts, middlemen or any syndicate involved in committing the offence of child sexual performances.

100. The Government established a multi-stakeholder Committee¹⁸ on 15 June 2021, to address cyberbullying and sexual crimes perpetrated against children on social media.

101. The Government in partnership with international organisations¹⁹ conducted a study on "Disrupting Harm: Evidence to Understand Online Child Sexual Exploitation and Abuse" to develop targeted action plans and strategies to protect children and adolescents, while ensuring justice for victims. In 2022, the Government undertook a follow-up study on "Technology and the Sexual Exploitation of Children".

102. In line with SDG Target 8.7: the elimination of forced labour, modern slavery, human trafficking and child labour in all its forms, the Government is implementing the Advancing Workers' Rights in the Palm Oil Sector and the Global Accelerator Lab (GALAB) project under the Decent Work Country Programmes (DWCP). This project focuses on strengthening the capacity of trade unions, improving the legal and policy framework as well as enforcement mechanisms and empowering communities at risk of forced labour and child labour.

103. The Malaysian Parliament passed the amendment to the Children and Young Persons (Employment) Act 1966 [Act 350] in 2019 to fulfil its obligation under the International Labour Organisation (ILO) Minimum Age Convention of 1973, which Malaysia ratified in 1997.

104. The Government has prioritised a child's right-based approach in the country's legal system by amending the Evidence of Child Witness Act 2007 [Act 676] in July 2023. This includes raising age limit for child witness from 16 to 18 years.

Persons with Disabilities (PWDs)

105. The National Council for Persons with Disabilities formed in 2008 under section 3(1) of the Persons with Disabilities Act 2008 [Act 685] provides the platform for the elected representatives of relevant agencies, NGOs and experts to make recommendations to promote the rights and well-being of PWDs.

106. Among the services that cater to the needs of PWDs are:

- (a) Legal assistance for PWDs who are victims of sexual harassment;
- (b) Exemption of the business registration and licence renewal fees for PWDs; and
- (c) Targeted programme for PWDs who are unable or not ready to compete in an open labour market through sheltered employment.

107. Employment opportunities for the PWDs are facilitated through the following:

- (a) Under the 2 Years Exit Programme (2YEP) a total of RM5.08 million have been allocated to help 1,882 PWDs venture into entrepreneurship;
- (b) 435 PWDs have been trained with skills for job placement under the OKU Talent Enhancement Programme (OTEP);

(c) Sheltered workshops were held to provide employment opportunities for PWDs in retail and restaurant, bakery, laundry, sewing and embroidery. As of 2022, a total of 75 PWDs have secured jobs through this programme; and

(d) In December 2022, a total of 3,724 PWDs were hired in the public sector.

108. As of December 2022, social assistance rendered to PWDs were:

(a) RM160.2 million were disbursed to 26,904 caregivers of PWDs;

(b) RM321.7 million were provided to PWDs who are not able to seek employment; and

(c) RM516.5 million were allocated to assist PWDs workers.

109. From 2020 to 2022, there is a 14.05 percent increase of recipients among women with disabilities.

110. PWDs including children with severe disabilities are trained at Community-Based Rehabilitation (CBR) centres. As of 2022, 568 CBR centres have been established benefiting 18,788 PWDs.

111. The Government raised the limit of tax relief for medical treatments relating to children with autism, down syndrome and specific learning disabilities.

112. The Government also implemented the Digital Education Learning Initiative Malaysia (DELIMa) to help SEN students access online applications during the pandemic. In addition, the Government collaborates with NGOs to implement the Parent Support Groups Programme in CBR to support families with disabled children.

113. In Sarawak, One-Stop Early Intervention Centres (OSEIC) have been established in Kuching (urban area) and Dalat (rural area) to provide early diagnosis intervention, referrals and specific therapeutic interventions for children with disabilities aged below seven years old.

Indigenous community

114. The Government is in the process of developing the Orang Asli Development Policy²⁰ (DPOA) which is expected to be tabled to the Malaysian Cabinet end of 2024. The DPOA would include the following:

(a) The principle of Free, Prior and Informed Consent (FPIC) and its mechanisms; and

(b) Measures to protect and safeguard the indigenous communities' cultural identity.

115. The DPOA would facilitate the indigenous community to exercise their rights in areas such as customary land, education, health, economic opportunities, leadership, infrastructure and culture. The DPOA is guided by the UN Declaration on the Rights of Indigenous Peoples 2007 and the 2030 Agenda.

116. The Government has been implementing numerous initiatives to elevate the livelihood of indigenous communities through infrastructure development, poverty eradication and income generating activities, as well as human capital development programmes.

117. Currently, 40,401 students from these communities are pursuing education in secondary and primary schools in Peninsular Malaysia.

118. The Government also supports capacity-building programmes for the indigenous communities in the following areas:

(a) Student Excellence Programme;

(b) Indigenous Functional Literacy Programme (PLFOA);

(c) Community Class;

(d) Leadership Institutions Programme; and

(e) Career Outreach Programme.

119. These programmes resulted in the increase of employment for indigenous communities. In 2023, employment in the private sector rose by 57.47 percent from 2019.

120. The Government allocated RM1.48 billion under 10MP-12MP to improve the overall well-being of the indigenous communities. This includes implementation of social assistance, integrated development and increased infrastructures such as roads and educational facilities in rural areas.

121. The Government also allocated RM5 million for land survey work for demarcation of borders in 21 villages and RM41 million for Native Customary Rights programme in Sabah and Sarawak.

122. Under the Special Programme for Natives of Sarawak, RM426,000 was utilised to convene a total 61 dialogue sessions to promote awareness of native customary rights.

123. Under this programme, from 2020-2023, Sarawak has received RM875,000 for conducting seminars and workshops to increase the understanding of indigenous law, under the Sarawak Council for Native Customs and Traditions.

124. An allocation of RM26.5 million has also been approved for the purchase of office space for the Council for Native Customs and Traditions Sarawak in Kuching.

Women

125. The Government continues to undertake various initiatives on the advancement of women's rights through the following:

(a) Anti-Sexual Harassment Act of 2022 [*Act 840*] came into force on 28 March 2023;

(b) Amendment to the Penal Code (insertion of Section 507A) on Anti-Stalking crimes came into force on 31 May 2023;

(c) Establishment of the Cabinet Committee for the Amendments of the Federal Constitution Regarding Citizenship Matters to address the citizenship issue; and

(d) Appointment of Gender Focal Points and Gender Focal Team at each of the ministries and agencies, as well as encouraging implementation of Gender Responsive Budgeting at all levels of the budgetary process to promote gender equality.

126. A Special Select Committee on Women, Children and Community Development has been established to provide members of the Parliament platform to partake in the discussion and decision-making process on issues relating to women and family.

127. The Government continued its efforts to integrate women in all sectors of national development. This includes efforts to increase their participation in the workforce. In 2019, RM10 million was allocated for the development of childcare facilities in government premises to facilitate working mothers. The Government also reaffirmed its pledge to ensure at least 30 percent women's participation in leadership and decision-making especially as Board of Directors in 100 public-listed companies.

128. To strengthen the social support to women in unpaid care work, the Government has undertaken the following initiatives:

(a) *Skim Caruman Sukarela Insentif Suri* (iSuri) under the Employees Provident Fund to provide social protection to the most vulnerable women;

(b) Single Mothers Special Assistance (BKIT) programmes for single mothers who live below the poverty line during the COVID-19 pandemic; and

(c) The Housewives Social Security Scheme was implemented on 1 December 2022, to provide social security protection to housewives against domestic injury and invalidity while managing the household.

129. The Government continues to support women's participation in the job market, through the following:

- (a) The creation of job opportunities via the Women@Work initiative;
- (b) Micro credit financing for women entrepreneurs via the Micro Entrepreneurs Business Development Programmes (BizMe), Special Business Financing Scheme for Women (DanaNITA), TEKUNNita and 'MyKasih Kapital'; and
- (c) Cooperation with private agencies to provide training on entrepreneurship where 35,371 women were successfully trained with knowledge in financial management.

Youth

130. Two landmark decisions to further empower youth are:

- (a) Undi18 – lowering the voting age from 21 to 18 years old; and
- (b) Amendment to the Youth Societies and Youth Development Act [Act 668] which changed the definition of youth by lowering the age from 40 to 30 years old.

131. In 2020, the Government launched the Malaysians@Work initiative, a career training programme, aimed at creating better employment opportunities for youth.

132. The Government also implements technology-based systems to promote an active labour market through the employment service system such as the MyFutureJobs. In addition, the Skill for Youth (S4Y) Programme is being implemented to provide youth with basic skills for job placement.

Older persons

133. The Government has developed the e-Warga Emas (e-WEN) pilot project in 2021, a consolidated database on older persons.

134. In line with the Kuala Lumpur Declaration on Ageing: Empowering Older Persons in ASEAN, the Government is undertaking the following initiatives:

- (a) Promoting rights and needs based to eliminate all forms of maltreatment against older persons;
 - (b) Mainstreaming ageing into public policies & national development plans;
 - (c) Increasing elderly-friendly communities/cities;
 - (d) Increasing support for caregivers;
 - (e) Strengthening capacity to improve service delivery at all levels;
 - (f) Encouraging establishment of associations or networking for older persons;
- and
- (g) Developing reliable, evidence-based, gender-disaggregated data on ageing.

135. The Malaysian Research Institute on Ageing (MyAgeing) conducts research in gerontology and geriatrics among others, to facilitate the Government to mitigate the challenges of an ageing society. MyAgeing also forges networks with stakeholders at national and international levels.

136. The Government continues the review of its National Action Plan for Older Persons (2011-2020) to better promote their well-being. In 2022, the Government collaborated with UNFPA²¹ to discuss a new plan of action for older persons for the term 2023–2030.

137. In 2020, Sarawak launched the Senior Citizen Gold Card Programme. This programme which includes RM 3,000 compassionate aid, has benefitted 255,962 elderly people and their families.

138. The Government is currently working on a draft Bill on Older Persons which is expected to be tabled in the Parliament by 2024.

Foreign workers, refugees, asylum seekers and trafficking in person (TIPS)

Forced Labour

139. On 21 March 2022, the Government deposited the instrument of ratification of the Protocol of 2014 to the Forced Labour Convention 1930, becoming the 58th country in the world and the second ASEAN Member State to ratify it. The ratification of this protocol is a testament to the Government's commitment in addressing forced labour, in line with international labour standards.

140. A National Action Plan on Forced Labour (NAPFL) was launched on 26 November 2021. The NAPFL is aligned with the National Action Plan on Anti-Trafficking in Persons 2021-2025 (NAPTIP 3.0). The NAPFL is an action-oriented approach to eliminate forced labour in any and all forms in Malaysia. The intervention in this NAPFL falls under the '4Ps' Strategy' namely Prevention, Protection for Victims, Prosecution and Partnership.

141. Malaysia collaborated with the ILO to strengthen its enforcement strategies through the ILO Social Compliance Planning. This aimed at improving labour standards by ensuring compliance by employers and business entities.

142. The Government has also been actively addressing forced labour practices. This includes 108,281 statutory inspections conducted from 2019 to 2022 and 54,550 labour disputes resolved under the labour and industrial courts, whose orders amount to RM140,476,896.00.

143. In Sabah, throughout 2021-2022, various awareness raising programmes have been held including 89 webinars, 978 talks and 133 dialogues between government, employers and employees. In addition, 434 Client Meeting Programmes and 837 contact visits were undertaken. These programmes were instrumental not only to create awareness but also to address the gap in implementation of policies, laws and regulations.

Trafficking in Persons (TIPS)

144. Malaysia has a comprehensive legislative framework that criminalises human trafficking, slavery and slavery-like practices. In addressing TIPS, Malaysia amended the Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007 [Act 670] in 2022, aimed at:

- (a) Expanding the classification of persons or victims, in which, any person who traffics a person with mental or physical disabilities can be prosecuted;
- (b) Providing clarity by outlining means not limited to coercion that constitute trafficking; and
- (c) Imposing heavier sentences to the perpetrators as a form of deterrence.

145. In addition, the NAPTIP further reinforces measures to combat human trafficking in the country. NAPTIP 3.0 aimed at:

- (a) Enhancing the Government's mandate to implement the action plan;
- (b) Developing capacity building between ministries and civil society to streamline data and knowledge; and
- (c) Creating a centralised and victim-centric approach.

146. Through NAPTIP, the Victim Assistance Specialist (VAS) programme was established to strengthen enforcement and improve the National Guidelines on Human Trafficking Indicators (NGHTI). The NGHTI 2.0 was launched on 22 Mac 2023 and has been included as part of the reference in the Standard Operating Procedure (SOP) for enforcement agencies.

147. The Government, through the MAPO Council²² provides wide range of services for victims including shelter, food, medical assistance and psycho-social support and Technical and Vocational Education Training (TVET).

148. The Government established the Victim Care and Protection Committee under the Council for MAPO (Anti-Trafficking in Persons and Anti-Smuggling of Migrants) to implement victim-centred and trauma-informed programmes. Malaysia successfully developed training manuals on TIPS victim care and protection, for Protection Officers, shelter personnel and other parties related to protection services. Further, the Training Manuals on TIPS based on a victim-centred and trauma-informed approach (TIA) was developed with the goal of preventing victim re-traumatisation and strengthening the effectiveness of interactions with victims.

149. The Government institutionalised the TIA and victim-centred approach (VCA) in its training curriculum for shelter personnel, Protection Officers, VAS, and other service providers. The Government has taken steps to include TIA and VCA in the training workshops and knowledge-sharing sessions with enforcement agencies, prosecution, and the judiciary to raise awareness and educate the government and judicial officials on trauma and its impact on victims.

150. To strengthen technical expertise of frontline officers on screening and identification of victims, investigation and prosecution techniques, a Training for Trainers (ToT) on NGHTI was held in March 2023.

151. The Government intensified its awareness and prevention programmes to educate the public on the legal ramifications of human trafficking.

152. Malaysia continues to actively advocate measures to address TIPS at the regional level through ASEAN and the Bali Process mechanisms.

Migrant workers

153. In enhancing employees' protection, the Government amended several laws to complement the NAPFL 2021-2025, namely the Employment Act 1955 [Act 265]; Industrial Relations Act 1967 [Act 177]; Occupational Safety and Health Act 1994 [Act 514]; and Employees' Minimum Standards of Housing, Accommodations and Amenities Act 1990 [Act 446].

154. The Government is in the midst of amending the Trade Unions Act 1959 [Act 262] to allow any person who is a workman or an employer (including any workman who had been dismissed, discharged, retrenched, or retired) to be a member of any trade union, provided that the rules of the particular trade union allow for it, regardless of the establishment, trade, occupation or industry in respect of which the trade union is registered.

155. Since 2006, Malaysia developed a series of five-year master plan called Occupational Safety and Health Master Plan (OSHMP) to improve OSH standard. The OSHMP 2025 outlines seven Strategic Thrusts comprising 28 programmes and 73 activities to encourage employers, employees and OSH professionals to improve OSH standard at the workplace.

156. The Government provides avenue for migrant workers to have access to justice and legal remedies. A Guide titled 'Judges, Prosecutors and Legal Aid Practitioners' Training on Forced Labour Facilitators' was jointly published by the Government and ILO to empower legal practitioners to address forced labour in the course of their duties in Malaysia.

157. The Government collaborates with ILO on law reforms initiatives. Currently, the Labour Law Industrial Relations Reform project is being implemented to review the relevant laws and improve industrial relations.

158. The Government established the Working for Workers (WFW) mobile application in May 2021, as an online platform for all workers to file complaints and grievances without fear of punishment or retribution.

159. The Government implemented the Foreign Workers Centralised Management System (FWCMS), a holistic and integrated solution to streamline the overall process of recruiting migrant workers. The system addresses leakages or corruptions in the existing system via an open and transparent online process.

Refugees and asylum seekers

160. Malaysia has been rendering assistance to refugees and asylum seekers registered with the UNHCR office in Malaysia on humanitarian grounds. Malaysia also continues to cooperate with the UNHCR and other international organisations dealing with refugees and asylum seekers on a case-by-case basis.

161. The Government is working closely with UNHCR through the Joint Task Force (JTF) particularly in the area of capacity sharing related to registration and resettlement process of refugees.

162. The Government also facilitates access to education for refugees and asylum seekers through alternative learning centres (ALC). Currently, there are 18 registered ALCs with the Ministry of Education in Malaysia.

F. Nation-building and national unity

163. Malaysia values and appreciates the differences among its people, and strives to maintain a united nation with a unique identity.

164. In 2020, the Government established the Ministry of National Unity to undertake a comprehensive approach to foster national unity and integration.

165. To facilitate the Government efforts, three guiding documents were developed namely:

(a) The National Unity Policy is the umbrella policy that outlines continuous efforts to foster, strengthen and preserve unity among the people;

(b) The role of the National Unity Advisory Council (NUAC) is to advise the Government on matters pertaining to national unity and national reconciliation efforts. NUAC comprises community leaders including representatives from NGOs, private sector and experienced individuals and experts. This Council will be supported by the National Unity Working Committee (MexUnity) chaired by the Minister of National Unity, while the State Unity Action Committee (PADU Negeri) is chaired by state executive council members in their respective States;

(c) The National Unity Blueprint 2021-2030, titled *Unity in Diversity*, was developed to guide the implementation of the National Unity Policy through 12 strategies, including ways to build a patriotic and democratic society towards strengthening Malaysia's solidarity; and

(d) National Unity Action Plan (NUAP) 2021-2030 has been successfully launched to strengthen the implementation of the Blueprint in education, economy, welfare, socio-cultural, science and innovation sectors.

166. A dedicated programme titled the *Kembara Perpaduan MADANI* Government was introduced under the Malaysia MADANI Unity Framework to provide full and complete understanding of national unity to all Malaysians. In 2018, the Government launched the National Unity Index (IPNas) to measure social cohesion biennially.

167. In Sarawak, the Unit for Other Religions (UNIFOR) is an official channel to promote unity among communities of different faith and religion. From 2018 to 2022, UNIFOR provided financial assistance amounting RM200 million to develop places of worship.

G. Cross-cutting issues**Public service**

168. Malaysia is committed to improve the delivery of its public services through good governance by placing importance on transparency, accountability and integrity.

169. The Government is currently developing a legislation to establish Ombudsman Malaysia which will function as an independent body that receives, investigates and resolves

complaints against maladministration of public services. Extensive multi-stakeholder engagements to refine the Bill for Cabinet's approval are currently underway.

170. The Government is undertaking necessary initiatives to improve Malaysia's ranking in the United Nations E-Government Development Index (UN-EGDI). In November 2019, the Malaysian Government Performance Index (MyGPI) was established. The MyGPI evaluates the performance of agencies in the context of organisational management, digitisation of services, good governance and public sector performance.

Protection of cultural diversity

171. In 2021, the Government launched the National Cultural Policy 2021 (DAKEN) to promote and protect the country's arts, culture, and heritage.

172. DAKEN 2021 underscores a culture of high values to achieve harmony in the society; promotes the preservation and conservation of cultural heritage, development, expansion and empowerment; cultivate a generation of cultural economy leading towards cultural excellence. The policy will also apply to non-formal education as an effort to produce successors to existing arts, culture and heritage activists.

173. The 1993 Sarawak Cultural Heritage Ordinance provides incentives to the communities who are involved in the preservation and promotion of traditional arts and culture.

Judicial ethics

174. The Government is committed to facilitate and support independent investigations in cases of violation of code of ethics. Any complaints received against Judges of the High Court, Judges of the Court of Appeal and the Judges of the Federal Court will be referred to the Chief Justice. When the Chief Justice is of the opinion that the complaint should be referred to the Judicial Ethics Committee, the procedures provided under the Judges' Ethics Committee Act 2010 [Act 703] and the Judges' Code of Ethics 2009 must be complied with. Whereas for the Magistrate and Sessions Court Judges, they will be referred to the Judicial and Legal Service Commission.

175. The Government continues to address challenges and gaps in domestic laws. The Judicial Ethics Committee and the Judges' Code of Ethics are in line with the Bangalore Principles of Judicial Conduct. The Malaysian Judiciary always ensures that the Judicial Ethics Committee conducts independent investigations on matters referred to them.

Human rights education

176. In 2022, human rights components were incorporated in the curriculum for secondary schools. Among the subjects include children's fundamental rights, safeguarding the rights of various groups, and the fundamental ideas and regulations of humanitarian law.

177. The Government and SUHAKAM jointly developed a Human Rights Module for schools and conducted a series of ToT on human rights principles.

178. From 2019 to 2022, the Government and SUHAKAM have deliberated human rights issues through 500²³ talks, meetings, workshops and conferences.

Statelessness

179. Malaysian law stipulates that all children born in Malaysia, regardless of the nationality or the legal status of their parents, have access to formal birth registration procedures and birth certificates.

180. The Government is proactively providing advisory services and implementing awareness-raising programmes related to national documentation especially in rural areas. This is done through continuous initiatives such as the *Menyemai Kasih Rakyat* (MEKAR) Programme which includes Mobile Registration services. The programme receives the support of the local state agencies to ensure those in remote or rural areas are able to understand and utilise these services. From 2018 to 2022, a total of 6,237 MEKAR programmes were conducted.

181. In 2023, the Government has agreed to review Part III of the FC in relation to citizenship matters. A Cabinet Committee and a Technical Committee were established to this end.

Countering terrorism and violent extremism

182. Malaysia has established the Counter-Terrorism Strategy to coordinate all counter-terrorism initiatives. The National Counter-Terrorism Committee prioritises the following:

- (a) Enhancing the intelligence and international cooperation;
- (b) Enhancing legislative, law enforcement and border security;
- (c) Protecting national key infrastructures;
- (d) Conducting outreach and de-radicalisation programmes; and
- (e) Enhancing crisis management.

183. The Southeast Asia Regional Centre on Counter-Terrorism (SEARCCT) continues to engage the youth through counter-messaging initiatives such as the “Building Effective Stories Through Narratives by Youth to Enhance Resilience” (BESTNYER).

184. Malaysia has also launched a one-stop portal to facilitate responsible reporting on violent extremism and terrorism.

185. The Government is finalising an action plan to prevent and counter violent extremism (PCVE), which is a comprehensive plan that outlines strategies and initiatives that need to be implemented by relevant stakeholders under the PCVE national agenda.

IV. Challenges and way forward

186. Significant progress has been made by the Government since the previous three review cycles. The domestic human rights mechanisms continue to work towards advancing Malaysia’s human rights agenda.

187. However, challenges in implementing human rights obligations are inevitable. The Government recognises that human rights do not exist in a vacuum. They are impacted by various and complex interconnected and interdependent factors, including availability of resources, capacity and expertise. Therefore, Malaysia looks forward to having more exchanges on strengthening technical cooperation and capacity building especially in the following areas:

- (a) Awareness-raising and education;
- (b) Drafting reports to Treaty Bodies;
- (c) Alternative to detention for children;
- (d) Refugees and migrants; and
- (e) Judiciary and legal services.

188. Malaysia regards the UPR as an important and inclusive process to take stock of progress, to identify challenges and to advance the human rights agenda. To this end, Malaysia will continue undertaking multi-stakeholders, inclusive and constructive engagement in its efforts to realise its commitments under the UPR.

Notes

¹ A total of 268 recommendations were addressed to Malaysia, out of which 148 recommendations were accepted outright; 35 recommendations were accepted in part; and 85 recommendations were accepted in principle. The full list of recommendations is available at *G1904193.pdf (un.org)*.

² Malaysia’s mid-term report is available at *Malaysia-Mid-Term-Review-Report-Third-cycle.pdf (ohchr.org)*.

- ³ The Federal Constitution of Malaysia, the Universal Declaration of Human Rights (UDHR), the Cairo Declaration on Human Rights in Islam (CDHRI) and other international instruments provides a framework of reference for NHRAP.
- ⁴ SSC on Human Rights, Election and Institutional Reform, SSC on Women, Children and Community Development, SSC on Finance and Economy, SSC on Health, SSC on International Relations and International Trade, SSC on Domestic Trade, Entrepreneurship, Cost of Living and Agriculture, SSC on Infrastructure, Transportation and Communication, SSC on Nation Building, Education and Human Resources Development, SSC on Environment, Science and Plantation and SSC on Security.
- ⁵ Principles relating to the Status of National Institutions (The Paris Principles) | OHCHR.
- ⁶ Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.
- ⁷ Laws and regulations that have been repealed, revised, developed since 2018.

Repealed/Revoked

1. Anti-Fake News (Repeal) Act 2020 [Act 825] repealed the Anti-Fake News Act 2018;
2. Emergency (Essential Powers) (No. 2) Ordinance 2021 that allows the government to prosecute anyone who spreads misinformation about COVID-19 or the Emergency was revoked through the resolution in *Dewan Rakyat* (House of Representatives) on 25 October 2021 and in *Dewan Negara* (Senate) on 8 December 2021;
3. Printing Presses and Publications (Control of Undesirable Publications) (Revocation) Order 2018 – a subsidiary legislation issued in the form of orders by the Minister of Home Affairs to revoke the prohibition of printing, importation, production, reproduction, publishing, sale, issue, circulation, distribution or possession of publications specified in the order;
4. Printing Presses and Publications (Control of Undesirable Publications) (Revocation) Order 2019 – a subsidiary legislation issued in the form of orders by the Minister of Home Affairs to revoke the prohibition of printing, importation, production, reproduction, publishing, sale, issue, circulation, distribution or possession of publications specified in the order;
5. Printing Presses and Publications Act (Control of Undesirable Publications) (Revocation) (No. 2) Order 2019 – a subsidiary legislation issued in the form of orders by the Minister of Home Affairs to revoke the prohibition of printing, importation, production, reproduction, publishing, sale, issue, circulation, distribution or possession of publications specified in the order; and
6. Printing Presses and Publications (Control of Undesirable Publications) (Revocation) (No. 3) Order 2019 – a subsidiary legislation issued in the form of orders by the Minister of Home Affairs to revoke the prohibition of printing, importation, production, reproduction, publishing, sale, issue, circulation, distribution or possession of publications specified in the order.

Revised / Amended

1. Constitution (Amendment) Act 2019 which reduces the voting age in national and state elections from the current 21 years to 18 years;
2. Film Censorship (Prohibition) Order 2019 to introduce new film classifications that would reduce the need for censorship;
3. Universities and University Colleges (Amendment) Act, Private Higher Educational Institutions (Amendment) Act and Educational Institutions (Discipline) (Amendment) Act of 2019, to further increase the space and freedom of students to manage their own associations and its finances;
4. Peaceful Assembly (Amendment) Act 2012, reducing the notification period from 10 days to 5 days;
5. Industrial Relation (Amendment) Act 2020 to grant more benefits for workers including minimum wage, entitlement to overtime, recognition of unions and other matters;
6. Societies Act 1966 (Revised 2021) in 2021 to ensure the Act is relevant in current times;
7. Constitution (Amendment) (No.2) Act 2022 regarding exemption from voting for election;
8. Constitution (Amendment) (No.3) Act 2022 to prevent individuals elected under the ticket of a political party from crossing over;
9. Penal Code (Amendment) Act 2023 to make stalking an offence;
10. Sarawak Interpretation Ordinance 2005 to legally recognise more ethnicities and sub-group as indigenous people in the State;
11. Sarawak Land Code (new Section 6A) provides for the creating of native territorial domain among the Indigenous people, including territorial domain and communal forest reserve;
12. Sexual Offences against Children (Amendment) Act 2023 provides a provision for any person who participates in child sexual performances to be prosecuted;
13. Evidence of Child Witness (Amendment) Act 2023 provides provisions to increase the age limit of children from 16 to 18 years and to include provisions related to special hearings for child witnesses to give evidence, as well as to prohibit improper questions to child witnesses;
14. Penal Code (Amendment) (No.2) Act 2023 amends the Penal Code to decriminalise suicide attempts in Malaysia;

15. Mental Health (Amendment) Act 2023 to allow crisis intervention officers to arrest any person attempting to commit suicide; and
16. Insolvency (Amendment) Act 2023 to provide for a more effective administration of bankrupts' in view of the country's development.
- Developed
1. Temporary Measures for Reducing the Impact of Coronavirus Disease 2019 (COVID-19) Act 2020 [Act 829] to provide temporary relief to parties who are unable to perform their contractual obligations in the context of debt recovery;
 2. Independent Police Conduct Commission Act 2022 [Act 839] is an act to provide for the establishment of the Independent Police Conduct Commission as an independent oversight body and to provide for its functions and powers, including powers on matters relating to complaints of misconduct and its investigation, and for related matters;
 3. Abolition of Mandatory Death Penalty Act 2023 [Act 846];
 4. Revision of Sentence of Death and Imprisonment for Natural Life (Temporary Jurisdiction of the Federal Court) Act 2023 [Act 847] is an act to provide for the temporary revisionary jurisdiction of the Federal Court to review the sentence of death and imprisonment for natural life imposed on a convicted person following the abolition of the mandatory death penalty.
- ⁸ Convention on the Elimination of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC) and the Convention on the Rights of Persons with Disabilities (CRPD).
- ⁹ List of SPMH Visits is as follow:
1. Special Rapporteur (SR) on the Promotion and Protection of the Right to Freedom of Opinion and Expression (1998);
 2. Independent Expert on the Right to Development (2001);
 3. SR on the Right to Education (2007);
 4. Working Group on Arbitrary Detention (2010);
 5. SR on the Right to Food (2013);
 6. SR on the Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health (2014);
 7. SR on Trafficking in Persons (TIP), especially Women and Children (2015);
 8. SR in the Field of Cultural Rights (2017);
 9. SR on Sale and Sexual Exploitation of Children (2018);
 10. SR on Human Rights to Water and Sanitation (2018);
 11. SR on the Situation of Human Rights in Myanmar (2019);
 12. SR on Human Rights and Extreme Poverty (2019); and
 13. SR on the Situation of Human Rights in Myanmar (2022).
- ¹⁰ Malaysian Ringgit.
- ¹¹ *Rumah IKRAM* is also known as Malaysian Family Home.
- ¹² Social Security Organisation.
- ¹³ Statistics based on Health Facts 2022.
- ¹⁴ Penal Code (Amendment) (No 2) Act 2023, which deleted Section 309 of the Penal Code. Section 309 punished attempted suicide with up to one year in jail, or a fine, or both. The Act has been gazetted on 11 August 2023.
- ¹⁵ UN Refugee Agency.
- ¹⁶ Pillar 1 – Transforming health service delivery; Pillar 2 – Advancing health promotion and disease prevention; Pillar 3 – Ensuring sustainable and equitable health financing; and Pillar 4 – Strengthening the Health System's Foundations and Governance.
- ¹⁷ K11 provides education to children from Year 1 to Form 5 in the same school.
- ¹⁸ Action Committee on the Management of Children Issues Online.
- ¹⁹ INTERPOL, UNICEF and ECPAT International.
- ²⁰ Dasar Pembangunan Orang Asli.
- ²¹ United Nations Population Fund (UNFPA).
- ²² Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants.
- ²³ List of activities can be obtained at *Annual Reports – SUHAKAM*.