

MANIFESTO

RAKYAT

"Peoples' Voices, Peoples' Manifesto"



manifestorakyat2021.org

gbm
Gabungan Bertindak
Malaysia

CSO
PLATFORM FOR REFORM

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Published in Malaysia by

PUSAT KOMAS

A-2-10, Jalan Sungai Jernih 8/1

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Perpustakaan Negara Malaysia / Cataloguing-in-Publication Data
Manifesto Rakyat

ISBN 978-967-18080-5-4



9 7 8 9 6 7 1 8 0 8 0 5 4

Printed By:
Fussian Advertising & Printing Sdn. Bhd.
(Office)
No. 26 & 28, Jalan Vivekananda,
Brickfields, 50470 Kuala Lumpur.
(Factory)
No. 57, Jalan PBS 14/3,
Taman Perindustrian Bukit Serdang
43300 Seri Kembangan, Selangor.
Tel : 603.2260.5511
Fax : 603.2273.1190
Web : www.fussianadvertising.com.my

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List of Abbreviations

BIM	Bahasa Isyarat Malaysia
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CMA	Communications and Multimedia Act 1998
CRPD	Convention on the Rights of Persons with Disabilities
CSO	Civil society organization
DOSM	Department of Statistics Malaysia
ECCE	Early childhood childcare education
EC	Election Commission
EPF	Employees Provident Fund
GBM	Gabungan Bertindak Malaysia
GDP	Gross domestic product
GLC	Government-linked companies
ILO	International Labour Organization
IPCMC	Independent Police Complaints of Misconduct Commission
IRA	Industrial Relations Act 1967
JAC	Judicial Appointments Commission
JKOASM	Jaringan Kampung Orang Asli Semenanjung Malaysia
KPI	Key Performance Indicator
LGBTIQ+	Lesbian, gay, bisexual, transgender, intersex, queer and others
MACC	Malaysian Anti-Corruption Commission
MAFI	Ministry of Agriculture and Food Industries
MCCHR	Malaysian Centre for Constitutionalism and Human Rights (MCCHR)
MEB	Malaysian Education Blueprint
MOE	Ministry of Education
MOF	Ministry of Finance
MOH	Ministry of Health
MOHA	Ministry of Home Affairs
MP	Member of Parliament
MPIC	Ministry of Plantation Industries and Commodities
MWFC	Ministry of Women, Family and Community Development
NGO	Non-governmental organisation
NUAP	National Unity Action Plan
NUB	National Unity Blueprint
OSA	Official Secrets Act 1972
OSCC	One-stop crisis centre
PERAIS	Persatuan Anak Istimewa Sarawak
PPA	Printing Presses and Publications Act 1984
PWD	Persons with Disabilities
ROL	Rule of law
SJKC	National-type Chinese school
SME	Small and medium enterprises
SOC	Social Security Organisation
SRHR	Sexual and reproductive health and rights
SUHAKAM	Suruhanjaya Hak Asasi Manusia (Human Rights Commission of Malaysia)

UBI	Universal basic income
UNCRC	United Nations Convention on the Rights of the Child
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UUCA	Universities and University Colleges Act 1971
WAO	Women's Aid Organisation

Foreword by Gabungan Bertindak Malaysia

Gabungan Bertindak Malaysia (GBM) is a coalition of twenty-seven (27) member organisations (MOs) comprising multi ethnic and multi religious non-governmental groups. The MOs are bound by a Charter that states their commitment to unity in diversity, economic justice, social inclusion and education for all, among other ideals. The spirit of GBM is to work together for the common good based on common ground, objectives and values. Any controversial issue is to be resolved amicably through dialogue and engagement. In a nutshell, the primary objective of GBM is to create a better Malaysia.

Manifesto Rakyat was conceived to document the ordinary people's yearning for reforms towards a better Malaysia. It aims to be, in Abraham Lincoln's much-paraphrased words, a manifesto of the Rakyat, by the Rakyat and for the Rakyat. It is a bottom-up approach of a manifesto instead of the usual top-down proposition of political parties.

GBM was put in charge of Pillar 3: "Towards a just, equitable and democratic society". This theme reflects the people's desire for a society that upholds the values of justice, equality and democracy—a society wherein separation of powers among the three branches of government is preserved; a society free of corruption; a society where justice prevails, regardless of ethnicity, class and position; and a society that is equitable and encourages participatory democracy.

We received good submissions from the public on their vision for Malaysia and what needs to be done to achieve it. Several proposals were exceptional, attesting to the fact that some of the best brains in the country reside in the Rakyat, and further justifying the idea of this manifesto.

We would like to applaud all who had been involved and who had worked tirelessly to frame the policies and reforms contained in all the Pillars.

We would also like to thank our co-organisers, the CSO Platform for Reforms, for taking on this journey with us.

We hope that this endeavour will build a momentum towards a just, equitable and democratic society.

We thank the Rakyat for making Manifesto Rakyat possible.

BADLISHAH SHAM BIN BAHARIN

Chairman

Gabungan Bertindak Malaysia

Foreword by the CSO Platform for Reform

After the fall of the longest ruling regime in Malaysia—Barisan Nasional—the CSO Platform for Reform produced two analysis reports for each of the short-lived governments that ensued—Pakatan Harapan (which lasted 22 months), and Perikatan Nasional (17 months). A key takeaway from this tumultuous period is that fragmented political coalitions result in fragile governments. Indeed, the political tide since then has been so volatile that, within the brief span of slightly over three years, Malaysia has experienced three different governments at the federal level! It is as unprecedented in our nation's history as the COVID-19 pandemic.

Twice in the past three years, governments have come to power without having to go through an election. It is in this context that the members of the CSO Platform for Reform decided to initiate Manifesto Rakyat, or the Peoples' Manifesto. Unlike most political manifestos, which are typically used as campaigning tools by political parties, a people-drafted manifesto is a document that captures the voices and wishes of citizens, and may serve as a way of holding the government of the day accountable to the public interest. In this way, the Peoples' Manifesto goes beyond a mere propaganda document whereby political parties are rarely held to account for their campaign promises.

Since the Rakyat are the ones determining who should be in power, it is only right that they should continue to scrutinise the actions and performance record of politicians who intend to contest in elections—and even those who did not contest in elections but came to power anyway.

The CSO Platform for Reform thus decided that the Rakyat should participate actively in drafting an election manifesto for the politicians instead of leaving it to them and their parties. Together with Gabungan Bertindak Malaysia, the CSO Platform for Reform collated resources from civil society organisations and the public at large and coordinated the effort to develop the Peoples' Manifesto, or Manifesto Rakyat.

In essence, Manifesto Rakyat captures the voices and aspirations of those from the ground, of a people longing to see a more inclusive society; one that is free from corruption; an equitable, fair and green Nation.

The CSO Platform for Reform and its members will actively use this document as an advocacy tool to engage with politicians across the political divide, and seek their commitment towards institutional reforms that the government had started in May 2018.

We, the Co-secretariat of the CSO Platform for Reform, would like to thank the writers, contributors and editors for their commendable commitment to developing this manifesto.

We would also like to convey our appreciation to members of the CSO Platform for Reform for their continued solidarity, support and cooperation. We hope the Manifesto Rakyat will be of benefit to both the Rakyat and the policymakers, for a nation that practises democracy, transparency, equality and good governance.

Thank you.

Co-Secretariat

CSO Platform for Reform

JERALD JOSEPH

Advisor

Pusat KOMAS

SEVAN DORAISAMY

Executive Director

SUARAM

About the Manifesto Rakyat

The Peoples' Manifesto (or Manifesto Rakyat in Malay) is a collaborative project between Gabungan Bertindak Malaysia (GBM) and CSO Platform for Reform (CSO Platform). Initiated in 2021, the project aims to collect the diverse voices in society and reflect what the people want, demand and care about in the various policy areas. The Manifesto is intended to serve as a contemporary reference for political parties and an advocacy platform for civil society as a whole.

A distinguishing feature of the Manifesto is that it mentions specific ideas contributed by civil society and the general public in their own individual or organisational names. The Manifesto is also open for public endorsement by chapter and in its entirety. A dedicated website (manifestorakyat2021.org) allows for future updates and amendments to the Manifesto so that it is adaptive to sociopolitical changes—hence, the Peoples' Manifesto strives to be relevant as a 'living document'.

The project concept was conceived by the GBM political cluster in February 2021 and accepted by the GBM Executive Committee the following month, and the collaboration with the CSO Platform was confirmed soon after. A [dedicated core team](#) was formed to coordinate the project. The [first press conference](#) on 11 May 2021 invited proposals¹ from the public under 27 identified policy areas that were categorised into 3 pillars. The public submission process went on for three months and by the end of it, more than 280 proposals were received. Upon review by a team of internal experts guided by the [terms and conditions](#), the proposals were then published on the website.

¹ Each proposal submission was supposed to adhere to the 400-word-limit guideline and a framework structure: Title, Issue/Problem statement, Value(s)/Belief, Solution(s)/Call for action. Most submissions were made online through Google Form; some through email by filling up the official submission form.

POLICY TOWN HALL
SATURDAY, 2ND OCTOBER

POLICY AREA

GBM	SARAWAK BERTENDAK MALAYSIA (SBM)	CSO	CSO PLATFORM FOR REFORM (CSPR)
9 - 11AM	BANGSA MSIA + RELIGIOUS HARMONY		HUMAN RIGHTS
11 - 12PM	EAST MSIA (SABAH + SARAWAK)		FREEDOM OF EXPRESSION
12 - 1PM	PERSON WITH DISABILITIES		GENDER
1 - 1.45PM	LUNCH BREAK		LUNCH BREAK
1.45 - 3.15PM	MIGRANT		WOMEN
3.15 - 4.30PM	REFUGEE + UNDOCUMENTED		CHILD
4.30 - 5.30PM	INDIGENOUS PEOPLE		YOUTH

POLICY TOWN HALL

SUNDAY, 3RD OCTOBER

PEOPLES' MANIFESTO

CSO

POLICY AREA

FACEBOOK LIVE
(GBM / CSO) /
ZOOM

GBM	SABUNGAN BERTINDAK MALAYSIA (SBB)	CSO	CSO PLATFORM FOR REFORM (CSO)
9 - 11AM	ECONOMIC JUSTICE	9 - 10.45AM	ELECTORAL REFORM
11 - 1PM	HEALTH	10.45 - 11.30AM	LEGISLATIVE REFORM
1 - 1.45PM	LUNCH BREAK	11.30 - 1PM	JUDICIARY REFORM
1.45 - 3.15PM	ANTI-CORRUPTION	1 - 1.45PM	EDUCATION (PART 1)
3.15 - 4.45PM	LOCAL DEMOCRACY	1 - 1.45PM	LUNCH BREAK
4.15 - 5.15PM	TRANSPORT	1.45 - 2.15PM	EDUCATION (PART 2)
		2.15 - 3.15PM	LABOUR
		3.15 - 4.45PM	ENVIRONMENT
		4.45 - 5.30PM	AGRICULTURE

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POLICY TOWN HALL

ECONOMIC JUSTICE

Topics that will be discussed:

- Social Inclusion
- COVID-19 Impact
- Public Housing
- Economics and Rights

3 OCTOBER (SUNDAY)
9AM - 11AM

CABANGEN BERTINDAK
MALAYSIA (CBM)
FACEBOOK LIVE / ZOOM



JAYARANATH APPUDURAI
Moderator/Presenter



DR LIM CHEE HAN
Moderator

Presenters:

DR LEE HWOK AUN
CS LOH
MADHAVI SAHATUAN
LIM SU LIN

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POLICY TOWN HALL

EDUCATION

PEOPLES' MANIFESTO
CSO

Topics that will be discussed:

- Education without political interference
- De-centralisation and Restructuring of MOE
- A reigned curriculum
- Inclusive policies

3 OCTOBER (SUNDAY)

Part 1: 11.30am - 1pm
Part 2: 1.45pm - 2.15pm

CSO PLATFORM FOR REFORM

FACEBOOK LIVE / ZOOM

Presenters:

C-25 [Tan Si Jui Mohd Sheriff]
Tata-Guru [CK, Fresh Bread]
WRAM [Dr Nur Aslan Ahmed Zanzali]
Aqee Agency [Mr Chan Yui Feng]
Doong Zeng [Mr Kong Wei Cheng]
Education Cluster [Ms Suguna Papachan]
S Dr Tan Ai Hui]

Childline Foundation [Datin Wong Pui Hong]
Family Frontiers [Ms Bina Samadani]
etc.

Moderators:




Dr. Tan Ai Hui Mr. A. Arumugam

Ms. Asha Singh

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Manifesto Rakyat Pillar 1: Unity in Diversity/Bangsa Malaysia

1: Cultural Identity & Religious Harmony

Preamble

This policy area covers the aspirations of the Rakyat to promote national unity and social cohesion. Some of the proposals below took inspiration from selected recommendations in the 2015 National Unity Consultative Council report. All have in common a vision of unity in diversity, affirming, in particular, cultural and linguistic diversity as an asset of the nation.

I: Inclusive National Identity & Constitutional Supremacy

Malaysians generally take pride in maintaining cordial interethnic and interreligious relations and appreciate the nation's multicultural and multireligious makeup. Nonetheless, intergroup tension has surfaced in the public sphere from time to time, often exacerbated by right-wing groups who propagate religious or racial supremacist discourses against minorities. The situation is compounded by the low level of constitutional literacy in society and the Malay-centric perspective in the history curriculum which neglects the historical contribution of non-Malays. It is imperative that this situation is rectified to encourage a shared sense of mutual acceptance and belonging among citizens based on an inclusive articulation of a national identity and respect for rule of law.

1. Integrate constitutional literacy and respect for the rights of others into the school curriculum.

Teach in secondary school the key features of the Federal Constitution, including the historical context and spirit in which important provisions were introduced. Impart appreciation of the guaranteed fundamental liberties in tandem with the

concept of rule of law. This is a crucial part of civic education, which should be introduced in school in view of the lowering of the voting age.

(GBM; Harmony Cluster, CSO Platform for Reform)

2. Revamp the history curriculum and textbooks to promote a shared sense of national belonging.

Current textbook narratives propagate an overly Malay-centred interpretation of history and contain minimal information on the presence and role of non-Malays in the development of the nation. This imbalance impedes a greater appreciation of the origins of the social and religious pluralism in Malaysia, and the contribution of all ethnic and social groups to the transformation of the country. It also does not foster mutual acceptance of all ethnic groups and a balanced historical understanding among them. The history of immigration itself should be presented in a positive light, as Malaysia came to be what it is today through continual settlement of peoples and selective incorporation of external cultures.

(GBM, Harmony Cluster, CSO Platform for Reform)

3. Hold educational campaigns through official government channels to increase constitutional literacy and popularise a more inclusive historical narrative.

The government should also use its official channels—such as programmes for training civil servants, Rukun Tetangga or the new youth leadership—to educate the public on the correct interpretation of the Federal Constitution and a more inclusive history of the nation.

(GBM, Harmony Cluster, CSO Platform for Reform)

4. Review Syariah legislation to accord it with the Federal Constitution and relevant human rights tenets.

Several recent court judgments have found specific state legislation to be *ultra vires* and unconstitutional. There is hence an urgent need to conduct the review in order to identify clauses that are in conflict with the Federal Constitution, and make the necessary amendments of state Syariah legislation in respect of not just the principle of constitutional supremacy but also human rights. It is particularly urgent to review the state Syariah Criminal Offences enactments. The

government should assert leadership and appoint respectable leaders who will engage stakeholders and champion open and coherent discourse on the administration of Islamic laws based on justice, tolerance and moderation.

(G25, Proposal 1B-1)

5. Review the effectiveness of the National Unity Action Plan and the National Unity Blueprint, and refine them periodically to focus on promoting national unity instead of symbolism.

Review the National Unity Action Plan (NUAP) (2021–2030) and the National Unity Blueprint (NUB) (2021–2030) periodically and concretise the contents of these documents to address the issues that contribute to the erosion of national unity and social cohesion (e.g. racial and religious discrimination).

(Dato’ Stanley Isaacs, Proposal 1A-1; Harmony Cluster, CSO Platform for Reform, Proposal 1A-2)

6. Re-orient/Rectify the functions of the Ministry of Unity back to its original focus.

The Ministry of Unity is publicly perceived as being chiefly concerned with managing non-Muslim matters. The roles and responsibilities of the ministry must be revamped to focus on promoting national unity and social cohesion among all citizens.

(Harmony Cluster, CSO Platform for Reform, Proposal 1A-3)

II: Respect for Human Dignity & Fairness

A specific policy or legislation that addresses the issues of racial discrimination and racism in Malaysia is essential to preserve a harmonious society, where peoples of different ethnicities are treated and respected equally and are able to practise their own culture and religion freely. At present, there is no such policy or law. Instead, the propagation of racial and religiously-based policies over time has led to our once multicultural society becoming increasingly insular and narrow-minded, a society in which minority groups are largely side-lined from the mainstream cultural, political and social directions of the country.

7. Set up a National Harmony and Reconciliation Commission.

To address complaints regarding racial and religious discrimination or vilification, establish an independent statutory body, a National Harmony and Reconciliation Commission, via a specific legislation (e.g., an Enabling Act or a Comprehensive Anti-Discrimination Act). The commission shall have the power to investigate and conduct national inquiries into such issues. Among its tasks is to set minimum standards against racial and religious discrimination, and educate the public about their right to fairness, dignity and respect. It shall be an essential point of contact for policymakers, public bodies and business.

(Harmony Cluster, CSO Platform for Reform, Proposal 1A-4; Badlishah Sham Baharin, GBM/IKRAM, Proposal 1B-2; Goh You Ping, Proposal, 1A-5; Dave, Proposal 1A-6)

8. Review and revamp existing race-based affirmative action measures.

Decades of race-based affirmative action since the implementation of the New Economic Policy have successfully transformed the socio-economic conditions of the Malay community and, to a lesser extent, those of the natives in Sabah and Sarawak as well as the Orang Asli. Nonetheless, there have been leakages and abuses in practice. Hence the government should:

- i. appraise existing policies in terms of their effectiveness and continued relevance;
- ii. shift progressively from a race-based approach to a needs-based approach so as to channel the limited resources to those who need them most;
- iii. premise new policies of affirmative action on an inclusive, non-discriminatory justification and appeal to a sense of justice and solidarity among citizens. Emphasis should be placed on programmes that aim at building resilience of target groups rather than creating dependency or reinforcing a sense of entitlement; and
- iv. promote a historically informed and accurate understanding of Article 153—the constitutional provision that provides the legal basis of the policy—in tandem with other provisions such as Article 8 on equal treatment of all citizens.

(Fanks, Proposal 1A-7; Harmony Cluster, CSO Platform for Reform, Proposal 1A-8; Sharmacheng, Proposal 1A-9; L., Proposal 1A-10)

9. Implement policies promoting diverse representation within decision-making bodies at all levels of government, paying particular attention to minority groups.

This should be done especially in local councils, in the transition from communal to non-communal politics.

(Anusha Arumugam, Tamil Foundation/The Educational, Welfare & Research Foundation Malaysia, Proposal 1A-11)

III: Minority Cultures & Languages

Indigenous peoples residing in rural areas have not enjoyed as much the fruits of socio-economic and human development from affirmative action policies for the uplift of the Bumiputera. Instead, they have experienced not only rapid erosion of their languages and cultures, but also conflicts over the preservation of their customary land, due to logging and other developmental activities. Their next generation, the youth, are also far behind their urban peers in educational achievement.

10. Provide indigenous minorities with institutional support to preserve their language and culture and improve their academic performance.

Language and culture are part of a child's holistic development, and indigenous languages and cultures should be regarded as educational resources in developing the initial literacy, self-esteem, identity and creativity in pre-school education. This will eventually help close the achievement gap among indigenous minorities, arrest the rapid erosion of their language and culture, and contribute to their mastering of Malay and English.

- i. Develop a national policy on mother-tongue-based multilingual education where the mother tongue is the preferred language of instruction in preschool education, and promote, where appropriate, a policy of mother-tongue-first literacy which uses the mother tongue as the language of instruction for initial literacy in both preschool and primary schools, while ensuring successful transition to Malay and English.

- ii. Fund, equip, monitor and evaluate mother-tongue-based pilot primary schools in rural and indigenous areas through collaboration with indigenous communities, language associations, NGOs and universities.
- iii. Strengthen, promote and research every language of Malaysia through collaborations with indigenous communities, language associations, NGOs and universities.

(PACOS Trust & Kadazandusun Language Foundation)

11. Allocate sufficient resources for the holistic development of indigenous peoples.

Implement policies to safeguard the right of the indigenous peoples to their customary land, as their ancestral land is an integral part of their culture and way of life. Prepare and implement community development programmes in genuine consultation with the community.

(Harmony Cluster, CSO Platform for Reform, Proposal 1A-8; Sabah Reform Initiative, Proposal 1A-12)

IV: Inclusive & Democratic Citizenship

Apart from an inclusive and non-discriminatory framework for nation-building, citizen cooperation and civility are important determinants of social cohesion in a culturally and religiously diverse society. Citizenship education is thus crucial to foster a responsible civic identity committed to promoting the common good and holding political authorities accountable through the democratic process.

12. Reinforce democratic citizenship education in schools.

The following measures are all the more important in view of the lowering of voting age and the drastic increase of younger voters:

- i. Enhance political literacy and maturity of the younger generation for democratic participation based on the rights and responsibilities of a citizen.
- ii. Impart holistic and balanced knowledge of the Federal Constitution and Malaysian history.

- iii. Train teachers to eliminate racial prejudices, and inculcate the same in students in every aspect of school life.
- iv. Inculcate a culture and practice of dialogue and negotiation, as well as a capacity for critical and inclusive engagement.

(GBM; Dato' Stanley Isaacs, Proposal 1A-1)

Concluding Remarks

These 12 key action plans, while not exhaustive, capture the need for a higher standard of regard for all ethnic groups in Malaysia, including far-sighted and substantive state actions in preserving and protecting the rights of minorities and bridging divisive social cleaves. They require long-term state commitment for the policies to render national unity more sustainable and social cohesion more resilient. The ruling government must be held to the agenda of unity and inclusive nationhood.

Manifesto Rakyat Pillar 2: Promote, Improve & Defend Civil Rights & Liberties

2a: Freedom of Expression

Preamble

The Federal Constitution guarantees the right to freedom of expression in Malaysia but also allows limits set by Parliament, largely relating to public order and national security. Over the years, the ruling party since Independence has kept adding to this legal arsenal, ostensibly in the interest of maintaining ethnic and religious harmony, but really to increase its grip on political power.

The small window of freedom opened by the reformist Pakatan Harapan government that was elected to power in May 2018 was soon shut after an internal coup in February 2020. As the volatile political situation heats up with more jostling for power through new political alliances in the state and federal governments, there has been a slew of renewed threats against freedom of expression, including the increased weaponising of repressive laws to harass, intimidate and silence dissenting voices. The ensuing government under Perikatan Nasional's Tan Sri Mahiaddin Yasin declared a national emergency and suspended Parliament in January 2021, then enacted a draconian law ostensibly to combat fake news—both actions were purportedly necessary to curb the COVID-19 pandemic. Parliament was only reconvened seven months later following pressure from all levels of society, right up to the Yang di-Pertuan Agong. Ordinary citizens have been at the receiving end of the state's arbitrary tactics to restrict freedom of expression, as evidenced by the multiple investigation papers opened to investigate netizens over social media posts that are critical of the government, royalty or politicians. The authorities have repeatedly cited the pandemic as a pretext for curbing peaceful assemblies, despite organisers taking pains to enforce mask-wearing, social distancing and other preventive health measures. This regressive trend continues under the current government led by Barisan Nasional's Dato' Sri Ismail Sabri Yaakob, who

was appointed prime minister following Tan Sri Mahiaddin Yasin's resignation over losing majority support in Parliament.

I: Legal Framework on Freedom of Expression

For a country that aspires to be a developed nation by 2025, Malaysia should be confident enough to commit to democratic principles based on respect for universal human rights and freedom of expression, assembly and speech. It is high time the government initiate a programme of legislative reform to harmonise the legal framework with Malaysia's international human rights obligations by doing the following:

1. Immediately end the intimidation, harassment and sanctioning of journalists, human rights defenders and other civil society actors in Malaysia who exercise their right to speak out, dissent and demand accountability from the state.

2. Implement an immediate moratorium on the use, and move towards the repeal, of laws that suppress freedom of expression.

Examples are the Sedition Act 1948, the Official Secrets Act (OSA) 1972, the Printing Presses and Publications Act (PPPA) 1984...

(Lew Guan Xi, Proposal 2A-1)

...as well as Section 233 of the Communications and Multimedia Act (CMA) 1998, which penalises comments that cause any person's annoyance, and Section 114A of the Evidence Act (Amendment) (No. 2) 2012.

(Bilqis Hijjas, ReformARTsi, Proposal 2A-2)

3. Reform or amend the Section 504 and 505(b) of the Penal Code, which have overly broad provisions criminalising speech that leads to a breach of "public peace" and "public tranquillity".

(Bilqis Hijjas, ReformARTsi, Proposal 2A-2)

4. Reform the Universities and University Colleges Act (UUCA) 1971 in regards to students' freedom of expression.

Public universities in Malaysia should aspire to cultivate the highest levels of intellectual discourse by nurturing critical thinking and encouraging open debate, unfettered by narrow moralistic values and religious or political doctrines. Societies and faculties of public universities in Malaysia should be allowed to organise talks, debates, and other campus events without arbitrary oversight or risk of cancellation. There should be clear guidelines pertaining to the chain of command in universities, and a transparent system that determines who is authorised to cancel an event and on what grounds.

(Bilqis Hijjas, ReformARTsi, Proposal 2A-3)

5. Develop a concrete timeline and plan of action towards immediate ratification of international human rights treaties.

In particular, the International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR).

6. Only restrict freedoms of speech and assembly if there is a legal basis for it and it is absolutely necessary and in compliance with human rights norms.

As we continue to navigate COVID-19 responses and other crisis, any restrictions to our constitutional freedoms of speech and assembly must:

- i. have a legal basis;
- ii. comply with human rights norms and international human rights standards;
- iii. be based on absolute necessity and not be arbitrary in nature; and
- iv. be reviewed constantly to ensure that all actions taken are proportionate to the sole objective of stalling the spread of COVID-19 or other crises.

(Wathshlah Naidu & Nalini Elumalai, Policy Town Hall Meeting, 2 October 2021)

7. Focus on education and dissemination of public information countering fake news.

Follow the example set by the Ministry of Communications and Multimedia, instead of focusing on criminalisation and persecution. Make fact-checking websites easily accessible.

(Lew Guan Xi, Policy Town Hall Meeting, 2 October 2021)

II: Progressive Information Regime

The right to information reflects the fundamental premise that all information held by the state and related governmental institutions is, in principle, public and may only be withheld or restricted if there are legitimate reasons, such as for the purposes of state security or privacy.

There must be a basic guarantee of open and transparent access to information held by public authorities. Any measures to restrict access to information must be legal, necessary, proportionate and timebound. Before restricting access to information and criminalising its disclosure, a substantial harm test should always be administered to prove that the disclosure of the information would cause substantial harm to a legitimate aim which may justify non-disclosure.

(Wathshlah Naidu, Policy Town Hall Meeting, 2 October 2021)

8. Enact a right to information law without further delay and abolish secrecy laws that suppress expression.

9. Review and amend the Whistleblower Protection Act 2010 to broaden the scope of immunity.

(Arief Hamizan, Policy Town Hall Meeting, 2 October 2021)

III: Enabling Environment to Promote Media Freedom

The media must be able to function independently and without fear of negative repercussions for publishing or disseminating information and ideas, including those critical of the government, as part of their duty.

10. Drop all investigations into and pledge to stop all acts of intimidation against the media and journalists.

11. Move ahead with the establishment of the proposed Malaysian Media Council.

The Council will act as a transparent and independent self-regulatory body for the industry.

(Lew Guan Xi, Proposal 2A-1)

12. Repeal the PPPA and Section 233 of the CMA.

(Lew Guan Xi, Proposal 2A-1)

The PPPA gives sweeping discretion to the Minister of Home Affairs to ban publications without due regard for legitimacy and has created a chilling environment for print media. Section 233 of the CMA criminalises “improper use of network facilities or services”.

13. Adopt and implement the UN Plan of Action on the Safety of Journalists and the Issue of Impunity and other related UN Human Rights Council resolutions.

Do this in consultation with key stakeholders.

(Nalini Elumalai, Policy Town Hall Meeting, 2 October 2021)

IV: Censorship

Review, reform and align the regulatory framework on censorship which often conflicts with artistic creative expression and creates a stifling environment for arts practitioners.

14. Do not censor publicly accessible artistic content; instead, regulate them with content ratings.

The content ratings should be classified according to age, and be based upon a single set of clear and explicit guidelines consistent with international standards. The ratings should be self-applied and made public by the artists involved, rather

than requiring onerous and time-consuming licensing. Penalties should be imposed only upon defaulters. This will allow local audiences to opt in voluntarily with informed consent about the material that they choose to consume.

(Bilqis Hijjas, ReformARTsi, Proposal 2A-4)

15. Review and amend all licensing systems and legal frameworks to reduce the burden on artistes.

Remove all undue burden upon local artistes, including restrictions on their creative capacity and requirements that pose additional financial burdens and severely limit freedom of expression, such as the Entertainment (Federal Territory of Kuala Lumpur) Act 1992 and Film Censorship Act 2002.

(Bilqis Hijjas, ReformARTsi, Proposal 2a-5; Arief Hamizan, Policy Town Hall Meeting, 2 October 2021)

16. Form an independent, professional, transparent and accountable body of qualified industry members, artistes and civil society to regulate films.

The decisions of this independent regulatory body can also be challenged in court.

V: Potential of Arts in Human Development

The arts should be prioritised in the national agenda and recognised as an important element of personal, community and national development rather than viewed as merely an economic tool.

17. Recognise the rights of artists and protect their freedom of expression.

18. Develop a contemporary arts and culture policy.

Start with developing a roadmap based on inclusive, diverse consultation with a broad range of stakeholders, and implement the policy via effective programmes and incentives.

19. Give funding support to institutions involved in the development of the arts and culture.

This includes both public and private institutions, as well as community projects.

20. Set up formal channels for funding support and a mechanism to provide for the social security of freelance artists.

This includes establishing a national registry of artists.

21. Allocate resources to expand arts education in the national education system, from primary up to tertiary levels.

(June Tan, ReformARTsi, Proposal 2A-6)

2b: Human Rights

Preamble

Respect for human rights and the Rule of Law is regarded as the core objective in this policy area. The proposals in this section relate to concerns such as deaths in custody, torture, the death penalty and oppressive laws—all symptoms of human rights abuses within a broader institutional framework that fails to recognise the inherent dignity and the equal and inalienable rights of the People. Reforming the prison system, drug policies and legal aid, as delineated below, are some structural attempts towards creating a more just society. To safeguard human rights, and to establish accountability of government leaders wielding public power, Malaysia must function within a system of certain and foreseeable law, where everyone is treated by all decision-makers with dignity, equality and rationality in accordance with human rights standards and principles, and to have the opportunity to challenge decisions before independent and impartial courts through fair procedures.

I: Legal Aid

The current legal aid system is limited and must be reformed to create a fairer and more just system for all.

1. Expand the capacity of the Legal Aid Bureau to represent all aspects of social and natural justice.

The current legal aid system is limited in scope and beneficiaries. Many working-class people cannot afford lawyers. The system must be reformed to achieve social and natural justice for all. Genuine, qualified professional lawyers must be employed and deployed for the Legal Aid Bureau.

(Uli Jon Rock, Proposal 2B-1)

II: Custodial Torture & Deaths, Police Shooting Deaths

The current Section 30(3)(a) of Malaysian Anti-Corruption Commission Act 2009 is an example of the current legislation providing a window for potential abuse, as it allows for interrogations to last “from day to day”. This is mental torture and in violation of human rights, as in the case of the late Teoh Beng Hock, a political aide who died under mysterious circumstances at the Selangor Malaysian Anti-Corruption Commission (MACC) headquarters after such an interrogation. The unending cases of custodial deaths, regardless of the victims’ nationality, are a violation of the right to life (Article 5 of the Federal Constitution). From 2013 till April 2016, a reported 721 individuals had died in police custody. Failure to provide the necessary medical attention to detainees is also a concern that must be addressed.

2. Censure and punish all police personnel found guilty of directly or indirectly causing the death of a detainee.

The Attorney General must also act upon any findings and recommendations from relevant bodies.

(Kenneth Cheng, SUARAM, Proposal 2B-2)

3. Enact an anti-torture law to penalise enforcement officers who physically or mentally torture detainees.

(Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, Proposal 2B-3)

4. Set up an Independent Police Complaints and Misconduct Commission (IPCMC).

(Ng Yap Hwa, Teoh Beng Hock Trust for Democracy Proposal 2B-4; Kenneth Cheng, SUARAM, Proposal 2B-2; Rule of Law (ROL) Cluster, CSO Platform for Reform & The Tamil Foundation/EWRF, Proposal 2B-5)

5. Ratify the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT).

(Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, Proposal 2B-6)

6. Reform the Lockup Rules Act 1953 to ensure detainees' right to health.

This includes access to medical treatment and medicine, and the presence of medical personnel in all lock-ups and places of detention.

(Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, Proposal 2B-7; Kenneth Cheng, SUARAM, Proposal 2B-2)

7. Introduce a Coroners' Court Act to strengthen the role of coroners.

(Kenneth Cheng, SUARAM, Proposal 2B-2)

8. Amend the Malaysia Anti-Corruption Commission Act to limit the period of interrogation.

(Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, Proposal 2B-8)

III: Human-rights-compliant Development Planning

Development planning, especially involving megaprojects, should take into account the rights and interests of affected communities, such as the indigenous peoples, urban settlers, farmers and fisherfolk. There should not be any evictions, and enforcement officers involved in development planning must respect, protect and fulfil human rights in their approach. Public, private and government-linked corporations must adhere to human rights standards.

9. Enforcement agencies and officers involved in development planning must go through human rights training.

(Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, Proposal 2B-9)

10. Alongside the environmental impact assessment, to include a human rights impact assessment in all development planning projects.

(Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, Proposal 2B-10)

IV: Transitional Justice

The government must be accountable and committed to address human rights violations of the people by providing redress to all victims who have suffered the

repercussions of arrests under the now defunct Internal Security Act, emergency laws, May 13 incidents, Sedition Act 1948, including death in custody victims.

11. Enact a transitional justice law as an apology from the government to all victims of human rights violations.

The law will also provide compensation for victims and survivors of human rights violations committed by the government.

(Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, Proposal 2B-11)

12. Establish a human rights museum.

This is to remember the sacrifices made by those who were involved in and had contributed to the struggle for human rights in Malaysia.

(Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, Proposal 2B-11)

V: Accountable, Just & Transparent Government

There is deep-seated racism intersecting with human rights issues of indigenous land-ownership, deaths in custody, and abuse of refugees and migrants; there is hatred and violence against the LGBTIQ+ community; and the latest challenge is the pandemic, which has intensified economic inequality in the country and fuelled the divisiveness.

13. Elected representatives who profess the Christian faith must promote the core values of love, mercy and grace, especially as espoused in scripture.

They should be accountable not only as tax-paying citizens but also as fellow brethren.

(Progressive Malaysian Christians, Proposal 2B-12)

VI: Death Penalty

The death penalty was introduced to Malaya by the British colonialists as the punishment for murder and later made a discretionary penalty for drug

trafficking. Under the Tun Dr. Mahathir Mohamad administration, the Malaysian government launched an offensive against drug abuse and imposed a mandatory death sentence for drug trafficking in 1983. The reformist government that was elected to power in 2018 amended the Dangerous Drugs Act (1952) to allow judicial discretion for life imprisonment and whipping instead of the death penalty. The government also placed a moratorium on the death penalty towards fully abolishing it. Currently, 33 offences carry this punishment, including 12 for which it is the mandatory sentence.

14. Immediately repeal current laws with a mandatory death penalty by hanging.

15. Abolish the death penalty in its entirety in the long term.

(ROL Cluster (Amnesty International Malaysia), CSO Platform for Reform, Proposal 2B-13)

VII: Oppressive laws

Laws that permit arbitrary detention and the abject denial of the right to fair trial have no place in a society. These include the Security Offences (Special Measures) Act 2012 (SOSMA), the Prevention of Crime Act 1959 (POCA), the Prevention of Terrorism Act 2015 (POTA), and the Dangerous Drugs (Special Preventive Measures) Act 1985.

16. Repeal all detention-without-trial laws.

17. Enact alternative security laws or measures that comply with international human rights standards.

(ROL Cluster (SUARAM), CSO Platform for Reform, Proposal 2B-14)

VIII: National Drug Policy Reform

As of December 2021, there were 52,078 inmates in the 39 prisons, an overcapacity of 18.4%, according to the Prisons Department. When drug users are jailed, they lose access to employment and education. When their addiction is

not fully addressed, which is difficult to do during their short prison sentences, there is a much higher chance of recidivism, further offences and being jailed again.

18. Set up a multi-sectoral task force to review related laws and policies such as the Drug Dependants (Treatment & Rehabilitation) Act 1983.

The task force must include health and legal professionals, academia, the relevant agencies and NGOs.

19. Distinguish the harms caused by different types of illicit drugs, and between drug use and trafficking.

20. Approach drug use as a health and social issue, and improve access to treatment, counselling, social and welfare support.

21. Remove punitive drug policies that pose a barrier for evidence-based drug policy.

(ROL Cluster (Malaysian CARE), CSO Platform for Reform, Proposal 2B-15)

IX: Prison Policy Reform

Almost 63% of inmates are in prison for drug offences, according to the Prisons Department in December 2021. The approach to drug users must be focused on rehabilitation. This would reduce the problem of overcrowding in prisons and, in turn, improve the living condition of the prisoners.

22. Introduce alternatives to imprisonment for drug offences.

For example, suspended sentences, home detention for remand with electronic monitoring tools, probation, restorative justice.

23. Implement pre- and post-release programmes for each prison.

This includes more government halfway homes and subsidised private and faith-based halfway homes.

24. Ensure adequate mental health programmes for staff and inmates.

This includes screening, counselling and peer-support groups.

25. Provide equal access for prisoners living with HIV to classes, programmes, jobs, parole, and ensure there are no access gaps in medication or treatment.

26. Make available access to low-risk civil service jobs for former inmates.

27. Remove the ban on National Higher Education Fund Corporation loans for former inmates.

28. Ensure all prisoners who are Malaysian citizens have their MyKad upon release.

29. Upgrade the prison facilities.

As of 2020, 14 out of 39 facilities were over 50 years old, according to the Prisons Department. Several of these prisons are still using the bucket system today, including those in Muar, Taiping and Penang. According to prison officials, nothing can be done to upgrade the bucket system in these “heritage” and old prisons unless they move to a new building.

(ROL Cluster (Malaysian CARE), CSO Platform for Reform, Proposal 2B-16)

X. Freedom of Assembly

The Peaceful Assembly Act 2012 impedes the exercise of fundamental freedoms that are guaranteed in the Federal Constitution and protected by international human rights law. The law imposes overly burdensome requirements on assembly organisers that make effective freedom of assembly nearly impossible.

30. Amend the Peaceful Assembly Act 2012 to only impose reasonable restrictions consistent with the international human rights standard governing assemblies.

- i. Ensure restrictions are legal, reasonable, proportionate and necessary or expedient relating to such democratic rights in the interest of the security of the Federation or any part thereof or public order/health, including the protection of the rights and freedoms of other persons.
- ii. Decriminalise children and non-citizens who participate in peaceful assembly.
- iii. Shorten the notification period to submit prior notice to authorities regarding the organisation of any peaceful assembly.
- iv. Introduce and legally recognise the concept of spontaneous assembly.

(Firdaus Husni, Malaysian Centre for Constitutionalism and Human Rights (MCCHR), Proposal 2B-17)

2c: Women

Preamble

This proposal addresses the challenges that are faced by women in Malaysia regardless of whether their allegiance to the country is by birth or by marriage. Opportunities for women empowerment are inadequate in terms of legislation and constitutional reform to address gender equality in the public and private spheres.

The biggest challenge that women face in Malaysia is the patriarchal cultural narrative that limits opportunities for girls and women in the workplace, and political participation, as well as sidelines the needs of women and girls in healthcare and safety against gender-based violence. As most policies are made by men of the same age group, i.e. above 50 years old, we see the disparity of regulations that protect women and the lack of discourse in making decisions to empower women.

The proposal addresses the main corners where women are below the Malaysia Gender Gap Index, in areas concerning economic participation and opportunity, health and survival and political empowerment. The proposal will address these areas under the following themes: domestic violence, sexual and gender-based violence; systemic and comprehensive healthcare for women; women's participation in politics and public life, including national machinery and policies for advancement of women; and child/underage marriage.

When the population of women in Malaysia is almost at 50%, according to 2020 official statistics, it is in the duty and interest of the decision makers to be gender inclusive to increase women in decision-making levels to address the other gaps for women and eliminate the current culture of associating and upholding traditional gender roles.

I: Constitutional & Legislative Reform

Malaysia is a signatory to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Apart from some remaining

reservations, the government has pledged commitment to acknowledge and adhere to the Convention's Articles, in order to safeguard women's rights. However, as CEDAW has yet to be fully incorporated into the national legal system, its provisions are not enforceable in national courts. There is concern that there is no legal definition of "respect for human rights", and the rule of law is regarded as the core objective in this policy area. Proposals relating to deaths in custody, torture, the death penalty and oppressive laws are symptoms within a broader institutional framework which fails to recognise the inherent dignity and the equal and inalienable rights of the People. Reforming the prison system, drug policies and legal aid, as delineated below, are some structural attempts towards creating a more just society. To safeguard human rights, and to establish accountability of government leaders wielding public power, Malaysia must function within a system of certain and foreseeable law, where everyone has the right to be treated by all decision-makers with dignity, equality and rationality and in accordance with the laws, and to have the opportunity to challenge decisions before independent and impartial courts through fair procedures. Although the basic concept of equality before the law and equal protection of the law is provided for in the Federal Constitution, there is no practical obligation on the government to ensure that this principle is realised. Article 1 of CEDAW addresses discrimination, yet the courts give a narrow interpretation of the prohibition of gender-based discrimination under Article 8 (2) of the Federal Constitution, restricting it to acts committed by the authorities and not protecting women against discrimination by private actors, such as private employers. The provisions of CEDAW thus need to be incorporated into the domestic legal system and a CEDAW-compliant gender equality law needs to be enacted.

1. Introduce anti-stalking laws.

(Rusni Tajari, Women's Aid Organisation (WAO), Proposal 2C-1)

A 2020 study by WAO and market researcher Vase.ai found that over a third of Malaysians have experienced stalking that caused them to feel fear. In Malaysia, stalking is not yet recognised as a crime, and there is no legal provision for stalking survivors to get protection and restraining orders. There is an existing comprehensive push to make stalking a crime in Malaysia, and work on amending the Penal Code and Criminal Procedure Code started in 2020, but more needs to be done to expedite the process.

- i. Enact anti-stalking offence in the Penal Code to define and criminalise stalking.
- ii. Introduce a restraining order on stalkers in the Criminal Procedure Code and make protection available to survivors

2. Amend the Employment Act 1955 to comply with the ILO and CEDAW Concluding Observations

The Employment Act 1955 must be in compliance with the International Labour Organization (ILO) Convention 100 and the CEDAW Concluding Observations of Malaysia in 2018 to reduce the gender gap. Efforts must be made to foster a more gender equal workplace and encourage fathers and mothers to equally share in care and domestic responsibilities.

- i. Introduce at least seven work days paternity leave in the private sector.
 - ii. Extend paid maternity leave in the private sector from 60 days to 90.
 - iii. Introduce prohibitions against discrimination based on gender, religion, race and disability status for employees and job seekers.
 - iv. Introduce the right to request for flexible working hours and be protected from discrimination that may arise as a consequence of doing so.
 - v. Strengthen protection against sexual harassment in the Employment Act, in addition to passing an independent sexual harassment act.
 - vi. Officially define discrimination to cover direct and indirect forms.
 - vii. Include positive duties for employers, including but not limited to: awareness-raising efforts and preventive measures to eliminate gender stereotyping and gender ideologies at the workplace; provision of day care facilities; transportation for night work; programmes for re-entry after childbirth; access to facilities and reasonable accommodations for persons with disabilities; and temporary special measures to give an advantage to workers on the basis of gender, disability, or minority or other disadvantaged status.
 - viii. Introduce the principles of equal pay for work of equal value and equal opportunity for promotion as provided for in the ILO Convention 100.
- (Rusni Tajari, WAO, Proposal 2C-2)
- ix. Give parents an option to extend paternity leave up to six months.

(Badlishah Sham Baharin, GBM/IKRAM, Proposal 2C-3)

- x. Streamline the Labour Ordinance of Sabah (Sabah Cap. 67) and the Labour Ordinance of Sarawak to have the same provisions as the Employment Act and the suggested amendments as per above.

3. Immediately table and enact the Sexual Harassment Bill.

Existing laws or prohibitions regarding sexual harassment in the Employment Act and the Code of Practice do not sufficiently address sexual harassment in all contexts. A new law is needed to do the following:

- i. Comprehensively define sexual harassment (direct and indirect).
- ii. Expand protections against sexual harassment, and create standards for all organisations and settings.
- iii. Create an oversight mechanism and tribunal to offer redress that is less expensive and burdensome than going through the civil court.

(Rusni Tajari, WAO, Proposal 2C-4)

- iv. Make it a requirement for all public and private institutions to set up an internal special committee to handle reported cases within the organisation.

(Roohaida Othman, IKRAM, Proposal 2C-5)

To promote understanding and gain support for the law, a public awareness campaign on sexual harassment must be conducted at all levels. In schools, it should be done in all languages used in Malaysia, including Bahasa Isyarat Malaysia (BIM).

(Roohaida Othman, IKRAM, Proposal 2C-5)

4. Set a timeline to finalise and table the Gender Equality Bill.

(Rusni Tajari, WAO, Proposal 2C-6)

A Gender Equality law has not been enacted despite the recommendation by the Committee on the Elimination of Discrimination Against Women in its Concluding Observations in 2006. Work on drafting the law began in 2019 but has since stalled.

II: Domestic Violence & Sexual Gender-based Violence

Domestic and sexual violence against women and children, already a grave concern in Malaysia, has been exacerbated by the COVID-19 pandemic and movement restrictions. The number of cases reported is merely the tip of the iceberg due to underreporting. The situation is made worse for women who experience discrimination on the grounds of their disability, age, citizenship status and sexual orientation, among others. The marginalisation of women and girls with disabilities is compounded by disability-related factors, such as the need for physical care and support, and limitations in communication with possible sources of help in the case of those who are deaf, blind, have learning or physical disabilities, or both.

Beyond the private sphere of the home, these problems also transpire in the workplace, hence the Employment Act should provide for adequate safeguard measures to protect vulnerable groups.

Victims of domestic and sexual violence face various barriers accessing justice. Despite the existence of legislation that protects them, they are often unaware of their rights and poorly informed of the procedures to accessing justice. Even where the crimes are reported, the cases are poorly handled by the government agencies involved, which tend to work in silos and lack sensitivity when handling victims.

5. Amend the Domestic Violence Act 1994 to include non-married intimate partners.

6. Criminalise marital rape.

7. Amend Section 375 on the Penal Code to be gender neutral and to provide comprehensive protection against all form of sexual violence.

8. Ensure more governmental consultation and dialogues with women and children non-governmental organisations (NGOs) working on sexual and gender-based violence.

(Rusni Tajari, WAO, Proposal 2C-7)

- i. Create diverse and meaningful public engagement and consultation to ensure full participation of all persons, including persons with disabilities.
- ii. Create accessible pathways for government stakeholders to improve communication and collaboration with all CSO groups, including the disabled community.

9. Adopt evidence- and rights-based policy and legislation.

10. Allocate annual grants for CSOs that are providing critical services on the ground for women and children.

Be more proactive in meeting the needs of women and children with disabilities by way of providing encouragement and incentives to these CSOs.

11. Ensure that women and girls with disabilities have equitable access to protection from all forms of violence on a par with non-disabled women and girls.

12. Train government agencies to be more sensitive and professional when interacting with victim-survivors.

Collaborate with women's rights CSOs who work with victim-survivors, with attention given to women and girls with disabilities.

13. Collaborate with women's rights CSOs to raise awareness.

Include awareness of diverse groups, including women and girls with disabilities.

14. Government agencies should work in an integrated manner to ensure the seamless provision of support for victim-survivors to access their rights.

Include SOPs for provision of BIM interpreting throughout the support process and for supporting blind victims, victims with learning disabilities, victims with physical disabilities and victims with multiple disabilities.

15. Develop a public, comprehensive data collection system which includes CSO data.

(Karen Lai, Women's Centre for Change (WCC), Proposal 2C-8)

16. Increase the number of permanent officers within the Social Welfare Department to manage cases.

17. Increase the number of shelter homes nationwide.

18. Organise a campaign to stop domestic violence in all settings.

(Badlishah Sham Baharin, GBM/IKRAM, Proposal 2C-9)

19. Increase the training budget to improve police services pertaining to the management and treatment of women who come forward to report crime and those who are placed in custody.

Address the treatment of women in police custody in the proposed IPCMC, the formation of which has been long demanded by civil society.

20. Uphold and protect the rights of women and girls with disabilities.

Tackle discrimination and/or any form of exclusion, oppression or injustice that undermines, in any way, the health, well-being and advancement of women and girls with disabilities.

III: Systematic & Comprehensive Healthcare for Women

Currently, there is no systematic response mechanism to address domestic violence at the primary healthcare level. Consequently, many survivors who seek care at primary healthcare centres do not receive adequate support.

21. Institute a systematic healthcare response to domestic violence or gender-based violence.

- i. Make information on domestic violence easily accessible and available in multiple languages and formats, including audio format, in the waiting rooms and washrooms of Klinik Kesihatan venues and hospitals.

- ii. Require healthcare providers to inquire about the possibility of having experienced domestic violence, when patients present with identifiable symptoms or clinical conditions associated with domestic violence.
- iii. Train healthcare providers to recognise, respond to and refer cases of domestic violence in an appropriate and sensitive manner, including cases involving women and girls with disabilities who might have specific communication needs.
- iv. Establish a referral system for domestic violence at the primary healthcare level.

(Rusni Tajari, WAO, Proposal 2C-10)

22. Empower and expand the services of the One Stop Crisis Centre (OSCC) model in hospitals to local health clinics.

Ensure a victim-survivor-centred response, such as making available BIM interpretation if needed and information in diverse formats, including Braille and audio for blind persons, and translation services.

23. Ensure that women and girls with disabilities have access to sexual and reproductive health knowledge and services, on an equitable basis with their peers.

The information must be available in formats and languages that they can understand.

24. Address period poverty by recognising and supporting the bodily autonomy and integrity of women and girls.

- i. Provide women and girls with access to information and services on sexual reproductive health and rights (SRHR), including information on female hygiene.
- ii. Improve the infrastructure for female hygiene management in public areas including schools to create a safe and clean environment for women and girls.
- iii. Make feminine hygiene products economically accessible.
- iv. To enable effective action, gather gender-disaggregated data to identify groups of women and girls who suffer from period poverty by location, demographics, community groups etc.

- v. Ensure that women and girls can make informed decisions about their bodies, and prohibit non-consensual medical intervention or procedures on bodies of women and girls.

IV: Women's Political Participation in Political & Public Life

Women make up almost half the population but only hold 14.9% representation in the Dewan Rakyat. Too few women are in leadership and law-making roles, compared with men. It is important to institutionalise women participation in political and public life.

25. Develop a strategy to implement and institutionalise a 30% minimum quota for diverse women representation in state- and federal-level decision-making bodies, including the legislature and in the private sector.

26. Parliament and state legislature rules should implement a zero-tolerance policy on gender-based violence and discrimination.

(Rusni Tajari, WAO, Proposal 2C-11)

27. Actively enable and support marginalised women, namely women and girls with disabilities, in participating in political and public life.

- i. Empower women to hold positions of responsibility, with influence or decision-making authority, in women's organisations and in the entities of any sector (e.g., as local councillors, senators, ministers, board members, senior executives, managers and advisers). and facilitate the active participation of women and girls with diverse disabilities in decision-making bodies in all sectors.
- ii. Adopt the principle of reasonable accommodation to ensure that they have equitable access to mainstream development opportunities in general.
- iii. Support and facilitate their participation in, and completion, of programmes on literacy, economic empowerment, social progress, culture and sports, and leadership development. This includes

programmes and projects under the auspices of the United Nations Country Team.

- iv. Actively enable and support them to participate in, and fully complete, any internship, apprenticeship, coaching, mentoring and job coach programmes over the course of each calendar year.
- v. Initiate and carry through the implementation of policy and programme measures that specifically foster capability development (including any type of language, literacy, leadership, facilitation, negotiation, strategic advocacy, public speaking and self-empowerment skills development), whose target beneficiaries include women and girls with disabilities.

V: National Machinery & Policies for Advancement of Women

In the 26 years since Malaysia has ratified CEDAW, the government has produced only two periodic reports and reviews; for the UN Convention on the Rights of the Child (UNCRC), there has been only one report and review over the same period; and for the Convention on the Rights of Persons With Disabilities (CRPD), there has been no report or review in the 11 years since it was ratified. Without any monitoring mechanisms, Malaysia will not be able to identify and address the needs that are mandated in the Convention. This will affect Malaysia's progress in instilling policies that promote advancement of women into the national machinery.

28. Incorporate gender equality mainstreaming and gender-responsive budgeting at all levels of government.

- i. Institute gender mainstreaming and gender-responsive budgeting into the Twelfth Malaysia Plan and national fiscal policies.
- ii. Incorporate gender responsive-budgeting in economic recovery packages to identify the gendered impacts of the pandemic for targeted and impactful interventions.

29. Roll out the National Women's Policy and Women Development Action Plan for 2021–2030.

(Rusni Tajari, WAO, Proposal 2C-12)

The policy, which will provide a structure and directive for all stakeholders of the women's rights movement to play their role in working together with the government to empower women in Malaysia by providing a safe, lucrative life with equitable and substantive opportunities. The action plan should have an intersectional approach that includes the following actions:

- i. Ensure systematic collection and dissemination of gender-disaggregated and disability status data to implement effective and evidence-based policies.
- ii. Undertake regular gender training across government ministries, with attention to gender-disability intersectionality.
- iii. Set up a multi-ministerial committee and build their capacity to understand their obligations under the ratified treaties.
- iv. Through the same multi-sectoral committee, develop plans to implement the concluding observations of the treaty bodies.
- v. Incorporate international obligations and set up a one-stop centre to compile human rights data into Malaysia's five-year development plans that should take into account the principles laid down in the Sustainable Development Goals pertaining to promoting gender equality and empowerment of women and children.
- vi. Eliminate all gender discrimination in law.
- vii. Lift all reservations to CEDAW.
- viii. Ensure that women's rights are represented in the discussion and implementation of the national agenda on climate change.
- ix. Recognise the multiple discriminations faced by women and girls with disabilities due to gender-disability intersectionality, which are compounded by poverty in many cases.
- x. Facilitate the inclusion of women and girls with disabilities, including via reasonable accommodation and active support for their leadership in policies, programmes and projects, on an equal basis with non-disabled women and girls.

VI: Women (& Men) In Malaysian Binational Marriages

As a result of gender-discriminatory citizenship laws, Malaysian women did not have equal rights to confer citizenship on their overseas-born children by

“operation of law”; instead, they had to go through a process fraught with delays, repeated rejections without reasons and no guarantee of approval. It took the persistence of several women’s rights activists to pursue the issue in the courts before the breakthrough came on 9 September 2021, when the High Court granted Malaysian women equal rights to confer automatic citizenship on their overseas-born children. Although the government is appealing the decision, its motion to stay the application was dismissed on 22 December, which means affected children can now obtain citizenship-related documents. At the time of writing, it is understood that the Court of Appeal would still hear the Government’s appeal on March 23, 2022.

Foreign spouses of Malaysian men also face compromised autonomy in the private and public spheres, and are affected economically due to restrictions on their right to work, lack of access to permanent residence and heightened uncertainty of legal status in case of divorce or demise of the Malaysian spouse. There is an increased risk of domestic violence while they are made to be wholly dependent on the Malaysian spouse for their legal and economic status in the country.

30. Review citizenship laws, immigration policies and practices that obstruct or impede gender equality and equal rights for women.

(Melinda Anne Sharlini & Bina Ramanand, *Family Frontiers*, Proposals 2C-13 & 2C-14)

- i. Withdraw the appeal against the 9 September 2021 High Court decision.
- ii. As announced by the Minister of Home Affairs in Parliament on 8 November 2021, and the Law Minister on 15 November, the Government should amend Article 14(1)(b) read with Section 1(b), Part II of the Second Schedule of the Federal Constitution (in accordance with Article 8(2)) to ensure Malaysian mothers can confer their citizenship by operation of law on an equal basis as Malaysian fathers on their children born overseas.
- iii. Amend the Federal Constitution (in accordance with Article 8(2)) to ensure that non-citizen spouses of Malaysian women are entitled to citizenship by registration, similar to non-citizen spouses of Malaysian men.
- iv. Amend the Federal Constitution (in accordance with Article 161A(6)(b)) to ensure that a person will be considered a native of Sabah if they were

- born in Sabah or born to a parent domiciled in Sabah at the time of the birth, not just the father, in the spirit of Article 8(2) on gender equality.
- v. Withdraw reservations to Article 9(2) of CEDAW.
 - vi. Remove the statement of prohibition of employment attached to the Long-Term Social Visit Pass of non-citizen spouses, and the requirement to obtain approval to work from the Immigration department.
 - vii. Allow non-citizen spouses of Malaysians:
 - a) to renew their visa without the presence of their spouse;
 - b) equal rights to work—ensure mandatory employers' EPF contributions are available to working non-citizen spouses, and ensure they have full benefits under SOCSO; and
 - c) equal rights to economic and social services such as opening individual bank accounts, purchasing affordable housing without being subjected to foreign investment directives, and contributing to national funds.
 - viii. Allow separated, divorced and widowed spouses to:
 - a) access permanent residence if they have Malaysian children, and allow them to renew their legal status without the presence of the Malaysian spouse; and
 - b) reside and work permanently and independently of the Malaysian spouse, taking into account the best interest of the children and the family unit.

VII: Child/Underage Marriage

31. Set a firm minimum age limit for marriage across all laws (civil, syariah, native) with no exceptions.

32. Revisit the Women Development Action Plan to address child marriage.

2d: Youth

Preamble

This policy area is rooted in a firm belief and hope for the young hearts of the nation as the leaders of tomorrow. It is focused on creating an enabling environment for Malaysian youth to achieve greater political representation, after many decades of being under-represented in political institutions. At the same time, this policy area also advocates for educational reforms to help increase political awareness among the youth and encourage them to think critically and independently about cultures, ideologies and political issues, by equipping them with an understanding of politics and the political process through formal education.

As the country's future heirs, young people are directly affected by the political decisions and actions taken in Parliament, both in terms of the allocation and distribution of national resources, and how well these resources are developed sustainably. It may be argued that the youth, more so than older politicians, have a greater stake in policymaking, since they have more time and will be present to see the absolute effects of these policies take root in their future years. It is therefore imperative for young people to have a stronger presence in government and be involved in social and economic policymaking, in order to ensure that the present generation's needs are met without compromising the well-being of future generations.

I: Youth Political Participation

In Malaysia, youth political engagement is severely curtailed by the UUCA. Section 15 of UUCA, which was enforced at the height of youth activism in 1975, prohibits students from becoming members of political groups and taking part in political party activities on-campus. These prohibitions are reinforced by Section 16, which grants power to the vice-chancellor to take internal disciplinary action against students found to be involved in political activities. Those who dare to challenge the law and express critical perspectives are commonly faced

with harsh penalties, including suspension or expulsion by the university authorities.

UUCA's restrictive provisions prevent the youth from acting and engaging in the political process. Indirectly, this has led to age discrimination in the political environment. In 2019, Malaysia's youth representation in parliament stood at a mere 12% from a pool of 222 members of Parliament (MPs), whereas the rest of the world averaged a youth representation of 14.2%. This share has barely risen since then, which is a cause of concern. The low participation rate of youth in politics may be a significant reason as to why most older politicians have continued to dominate the political landscape despite having served for long periods, some up to decades. As of 2018, the median age of Malaysian MPs was 55.5 years, reflecting a disproportionate share in age representation skewed towards middle-aged to senior political actors. The political landscape will grow increasingly stagnant if the same voices linger on instead of making way for younger cohorts of political actors.

1. Repeal UUCA and replace it with a more comprehensive law to restore academic freedoms.

The new law should enshrine the institutional and legal grounds for youth to fully express their political rights.

(Liau Pin Chun, University of Malaya New Youth (UMANY), Proposal 2D-1 & Policy Town Hall Meeting)

2. Amend laws such as the Election Offences Act 1954 to lower candidate age requirements and impose age-related quotas to increase the share of younger candidates.

Such provisions will help increase the presence of younger politicians in parliament, and reduce the dominant presence of middle-aged to elderly politicians, thus shifting the political landscape towards a more balanced composition.

(Lew Guan Xi, Proposal 2D-2)

II: Political Literacy

In order to prepare young people to fulfil their role as adult citizens in a democracy, it is crucial to equip them from an early stage with knowledge and understanding of politics and how to participate in the political process. Schools are an important platform for them to access resources needed to be politically literate.

Unfortunately, political literacy is an aspect that has been glaringly overlooked in our formal education system for several decades. The current syllabus, which focuses more on political history than the fundamental aspects of a democratic society, does little to cultivate political awareness, nor does it train students to think critically and independently about political and social issues. It is almost as if politics is a taboo topic and something that should not be discussed within the realm of education.

3. Incorporate political literacy into the national education curriculum.

(Lew Guan Xi, Proposal 2D-2)

At the time of writing, “Undi 18”, i.e., the proposal for automatic voter registration and lowering of eligible age to contest in elections, has been gazetted by Parliament and come into force, paving the way for an estimated five million youths to be registered as first-time voters on the electoral list by the next general election. To prepare these youth to begin their engagement with the political process, the national public school syllabus should be revamped to increase greater political awareness among the youth.

- i. In the short term, the Education Ministry could expand and improve the existing history and civic studies syllabuses to become more hands-on, practical resources for political literacy. Education providers should focus on creating more avenues for students to freely debate and engage with political issues and narratives.
- ii. Longer-term reforms should involve developing a comprehensive “citizenship” syllabus that is taught to students in a critical and balanced manner that allows youth to form their own opinions, including critiquing, questioning and challenging the leadership of the day.

Concluding Remarks

In a country where nearly 30% of the population comprises youth (15–30 years old), representation from young politicians is crucial in order to galvanise policies that respond to the specific needs of the younger generation. Moreover, the youth are the future leaders and a beacon of hope in a conflicting and fractured political landscape. Their voices must be heard and adequately represented in elected assemblies, to refute old and tired ideologies and to keep a staid or faulty leadership on its toes.

This policy reform proposal calls for the strengthening of youth political participation and parliamentary presence towards an effective government. It supports the empowerment of youth's political rights through the attainment of systematic reforms such as the repeal of suppressive laws and a well-planned civic education that empowers, educates and prepares students to emerge as open-minded, progressive young adults, capable of lending their voices and perspectives to political issues that bear direct meaning and relevance for their own lives.

2e: Child

I: Child Participation

Despite Malaysia's ratification of the UNCRC and relevant laws for child participation, children's voices are still unheard, if not silenced in Malaysia. The culture of perceiving children as incapable of understanding or knowing about matters that concern them is the root cause of the lack of empowerment for children to participate in family, schools, community and child-related policy-making decisions. Child participation in Malaysia today is limited to manipulation, decoration and tokenism, the first three 'rungs' of Hart's ladder of child participation, which outlines increasing levels of power and control over decision-making that adults can give to children. Children's opinions are not included in decisions on laws, policies and programmes that affect them. Children's freedom to express their views are not nurtured or institutionalised, and safe spaces for them to speak out are lacking.

1. Empower children as child rights advocates and rights holders.

(Child Cluster, CSO Platform for Reform, Proposal 2E-1)

Uphold Articles 12-17 of the UNCRC, amplify and institutionalise child participation in law and policy-making decisions, programme design, planning and implementation.

2. Create awareness of children on child rights.

Include children from diverse and marginalised groups, in keeping with the UN Children's Fund (UNICEF) principle of leaving no child behind.

3. Establish the Rukun Tetangga, residential associations and educational institutions as safe spaces to nurture, educate and empower children to express their views.

4. Increase adult-initiated shared decision-making processes with children and child-initiated and directed participation within the next five years.

5. Promote inclusivity and holistic participation in schools.

- i. Allow children to choose the arts or science stream, sports and other extracurricular activities.
- ii. Enable all children from marginalised and diverse communities to access national primary and secondary schools.

6. Encourage teachers to act as guides instead of instructors.

II: The Right to be Safe

From 2011 to 2018, there were 13,846 reported cases of child neglect, 10,046 of physical abuse and 8,112 of sexual abuse, according to the Ministry of Women, Family and Community Development (MWFCD) in 2019.

The existing laws, policies, guidelines and procedures to protect children are not aligned with the UNCRC. For example, the Syariah law permits child marriage; national security is cited as an excuse to arrest, detain and deport child refugees; the Education Regulations Act 2006 allows corporal punishment; and child rights and protection are poorly reflected in the Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2017.

Although a child protection system exists, and services include an integrated system to respond to child abuse and neglect at major government hospitals nation-wide, there are still gaps in accessing and receiving quality services in the OSCC and Suspected Child Abuse and Neglect (SCAN) teams in major government hospitals, planning, implementation and inter-agency coordination between authorities, NGOs and private sectors on child protection prevention and response mechanisms. With only 208 child protectors to manage child abuse, neglect and exploitation cases nationwide, the ratio of child protectors to children

is 1:45,142. Existing services and helplines are not coordinated, insufficient and inaccessible to marginalised communities, and absent in many states and districts. Due to delayed and fragmented services, child survivors experience revictimisation—they recount their horrific experiences repeatedly during reporting and investigation; the trauma prevents them from reporting and seeking further help, despite mandatory reporting.

Cases of child abuse are also underreported due to discrimination and stigmatisation, gender stereotyping, social, cultural and religious barriers, and poor awareness. Adding to this, the data on child abuse, neglect and exploitation is collected on an ad hoc and siloed basis, lacking inter-agency coordination.

Specialised and competent judicial officers, prosecutors, enforcement officers, social workers and service providers lack the knowledge and skills to support child abuse, neglect and exploitation survivors with safe placements, case management, medical, psychosocial, SRHR, alternative care, judicial and legal support, and rehabilitation in a timely manner. Police are reluctant to investigate child marriages, domestic violence and online crimes against children if a police report has not been lodged, so early interventions and rescue efforts are hindered. Specialised rehabilitation programmes for sex offenders are lacking, thus increasing the risk of repeated offences.

Vulnerable, marginalised children who lack status and documentation—essentially rendered invisible in society—lack access to the child protection system and services, and are thus more susceptible to all forms of violence. They have been trafficked into debt bondage situations, subjected to worst forms of child labour, sexually exploited and sold into child marriages—little wonder that Malaysia is in the bottom, Tier 3 Watch List of the 2021 Trafficking in Persons Report of the US Department of State.

A top-down approach in mitigating the problem has not helped. Policies, programmes, services, and educational communication materials are not developed with participation from children and families, including marginalised communities, and therefore not age, gender, culturally and linguistically appropriate, or disabled-friendly.

7. Synergise relevant national laws and policies to align with the UNCRC, CEDAW, and other international legal instruments and frameworks.

Include online child protection in the National Child Policy and Action Plan.

8. Accept and implement UN Resolution 71/175 to end child marriage.

(Child Cluster, CSO Platform for Reform, Proposal 2E-2)

- i. Raise and standardise the age of sexual consent and marriage to 18 years.
- ii. Expand the National Strategy Plan in Handling the Causes of Child Marriage to include comprehensive prevention and response programmes, and make this accessible to all marginalised children, i.e. refugees, stateless, undocumented.

9. Mainstream child safeguarding and prevention of sexual exploitation and abuse into all organisations.

Institutionalise and capacitate these actions in all levels and fields, i.e. government, health, education, community- and faith-based organisations, NGOs, the private sector and all other stakeholders.

10. Establish an Independent Children's Commissioner to report directly to Parliament.

(Sallawahu Mohd Salleh, IKRAM, Proposal 2E-3)

The Commissioner should have the powers to oversee, regulate and address all forms of violence affecting children.

11. Institutionalise community-based and child-friendly curriculum on child rights, child development, child protection, including mandatory reporting and comprehensive sexuality education in the national and private educational systems.

This includes learning centres, madrasahs, and faith- and community-based organisations.

(Child Cluster, CSO Platform for Reform, Proposal 2E-2)

12. Increase funds and resources for the national inter-agency child protection case and information system and services.

13. Establish an inter-agency child protection information and case management system including a referral pathway for child protection service providers and alternative care providers.

(Child Cluster, CSO Platform for Reform, Proposals 2E-4 & 2E-5)

- i. Institutionalise a dedicated, confidential and non-discriminatory hotline with adequate and trained responders.
- ii. Institutionalise and amplify competent and specialised teams providing rescue, legal, psychosocial, medical, rehabilitation and case management services.
- iii. Institutionalise child-centred processes, procedures and child-friendly consultations and interview techniques in programmes, systems and services across all fields, i.e. welfare, enforcement, legal, judiciary, healthcare including mental health, SRHR, education, labour and national security.

14. Map, enhance and make accessible child-friendly services for all children and families.

15. Establish and monitor specialised alternative care arrangements for orphans, unaccompanied and separated and at-risk children, focusing on kinship care, foster care and community-based care.

16. Establish and monitor rehabilitation programmes for underage sex offenders and children who manifest inappropriate risky sexual behaviours.

17. Meaningfully engage children, families and communities, including marginalised groups, to participate in decisions affecting them.

- i. To promote girls to stay in school and complete their tertiary education, and prevent child labour and trafficking, incentivise parents or caregivers through financial aid or employment.

- ii. Empower children, families and communities to keep themselves safe from all forms of violence by institutionalising dialogue, awareness raising and empowerment programmes nationwide.
- iii. Ensure education communication, development and advocacy materials are age, gender, culturally and linguistically appropriate, and disabled friendly.
- iv. Ensure children and families participate in decision-making processes on law and policy development and reforms, planning, operations, resource mobilisation, budget, designing, implementing and monitoring multi-sectoral child protection prevention and response programmes and services.

18. Amplify action-oriented research on violence against children and use evidence-based data as a basis to advocate for law and policy reforms, programmes on prevention and response.

19. Replicate Petaling Jaya's Child Council initiative.

Amplify child councils in all states and districts, ensuring child representatives from all diverse and marginalised groups.

20. Stop the arrest, detention and deportation of undocumented, refugee and asylum-seeking and stateless children.

(Child Cluster, CSO Platform for Reform, Proposal 2E-5)

III: Barriers to Education

Non-citizen children of Malaysians, migrant, undocumented, stateless and refugee children are not enrolled in national schools as they face severe restrictions for admission to national schools due to their status. Parents are forced to seek costlier alternatives and/or place their children in madrasahs or learning centres where the quality of education and safety of children are not monitored or regulated by the state authorities. The bureaucracy that surrounds the admission of these children into the national school system often results in children being admitted much later in the academic year and/or non-admittance. Even after being admitted, the status of their enrolment is not permanent as

there is no system of automatic renewal; instead, they must repeat the admissions process annually. These group of children in the national school system, learning centres and madrasahs are ineligible for many schemes and aid, incurring additional costs of education. In some cases, children are prohibited from sitting for examinations and representing their schools in state and national-level competitions.

School and learning centre closures and online education in the past two years had resulted in children dropping out of schools and learning centres, failing to catch up with their peers and increasing their risk to online child abuse, bullying, exploitation and addiction. These children with little or no access to education will be placed in higher grades without any assessment against their current literacy levels. The current online education solution instructs teachers to conduct their lessons virtually, without much thought or research given to the methodology of online teaching which necessitates due consideration be given to the attention span of children, screen time and continuous engagement of all children including those from poor socio-economic backgrounds, disabled and marginalised communities.

21. Amend the Education Act 1996 to allow all children in Malaysia equal access to primary, secondary and tertiary education.

This is regardless of citizenship, documentation and social background status.

(Child Cluster, CSO Platform for Reform, Proposal 2E-6)

22. Extend welfare assistance programmes to all students regardless of citizenship status.

Examples of such programmes are the Textbook Loan Scheme and Supplementary Food Programme.

23. Standardise student enrolment.

24. Maintain and increase attendance and enrolment in schools.

- i. The MOE must trace every child registered in school in 2020 and 2021, and identify absentees and dropouts in all schools, learning centres and madrasahs.

- ii. Institutionalise a monitoring system across all schools, learning centres and madrasahs to mitigate the risk of children dropping out of school and ensure all children are enrolled in the school system in 2022.
- iii. Every child registered in schools and learning centres and madrasahs must have the means or capacity to access online schooling.

25. Enforce effective learning assessments.

Schools must enforce and conduct systematic and effective assessments on children to identify their knowledge levels in each of the core subjects regardless of the grades they are in. For early primary years, these assessments must include reading, arithmetic, comprehension and motor skills. Based on the assessments, vulnerable children should be allowed to drop down a grade or a standard by extending the relevant support so that they can catch up. Schools must be empowered to put these placements in effect regardless of whether parents, after advisement, consent or not.

26. Strengthen the education syllabus and teaching methodology.

- i. Include online and hybrid learning, consider the learning needs of children with shorter attention spans, and children from disabled and marginalised communities.
- ii. Make available hybrid methods of teaching which allow for more classroom participation, inter-class bonding and encourage or foster student interactions.

27. Provide specialised support to vulnerable children.

- i. Offer tutoring sessions three-to-five times a week for up to three months, in groups of about three, either during regular school hours or before or after school to enable vulnerable students to catch up
- ii. Offer targeted teaching, literacy and numeracy programmes, especially for vulnerable students and those from marginalised and disabled communities.
- iii. Make available access to financial aid, technological devices and the internet for children from marginalised and vulnerable backgrounds to access hybrid ways of learning.
- iv. Reduce the student-teacher ratio.

28. Increase children's protection and well-being.

- i. Make available and amplify personal skills development, social skills and physical education lessons in all schools, learning centres and madrassahs.
- ii. Promote and enable children to engage in more social interaction activities in schools, learning centres and madrassahs.
- iii. Make available trained child-friendly counsellors and teachers in all schools, learning centres and madrassahs to institutionalise prevention and response programmes and services to address children's protection and mental health issues, including mitigating the risk of online crimes against children and internet addiction.
- iv. Institutionalise child-safeguarding policies and procedures with confidential mechanisms aligned with the national mandatory reporting for children to safely report on abuse, neglect and exploitation in schools, learning centres and madrassahs.

29. Institutionalise capacity building for all teachers on online, child-friendly and inclusive education and teaching methodology.

(Srividhya Ganapathy, CRIB (Child Rights Innovation & Betterment) Foundation, Proposal 2E-7)

30. Institutionalise duty of care for all school workforce to prevent burnout and inefficiencies.

(Child Cluster, CSO Platform for Reform, Proposal 2E-6)

IV: Barriers to Health

Non-citizen children of a Malaysian parent are designated as foreigners in public medical facilities, which carry additional fees compared with citizens. These children are made vulnerable when their guardian is unable to afford these higher rates—only those born in Malaysia under the age of 12, holding a Malaysian birth certificate and with at least one parent who is a citizen or permanent residence holder, and those under the age of 18 adopted by Malaysian parents and with certified adoption papers are able to enjoy the same rate as citizens. The unaffordable cost of healthcare makes it difficult for parents and children to

access essential health services. COVID-19 has underscored the crucial need for good access to healthcare; a child's life can all too easily become endangered if the cost of treatment is too expensive.

31. The health sector must provide for comprehensive and holistic care of children and address all aspects of UNCRC, i.e. child survival, protection, development and participation.

32. Amplify and institutionalise inter-agency coordination and collaboration efforts to enable multi-sectoral responses to overcome cross-cutting health issues.

For example, the impact of COVID-19 on the mental health of children.

33. Improve knowledge gaps and research to address emerging health issues of children.

34. Increase budgetary allocations for health programmes, services and recruitment of more trained staff on children and maternal health in all government hospitals and clinics.

35. Facilitate and maximise resource mobilisation between the private and public health sectors.

36. Establish an inter-agency disaggregated data on children and maternal health issues and make this information accessible to all stakeholders for advocacy and programmatic interventions.

37. Facilitate systematic and regular open and confidential consultations with key government agencies, NGOs, civil society and children, families and communities to improve the quality of health services and care for child survivors.

38. Amplify Suspected Child Abuse and Neglect teams under the One Stop Crisis Centres across all government hospitals and clinic in all states

39. Institutionalise child-safeguarding policies, child-centred processes and child-friendly consultation techniques in all national and private hospitals and clinics through triage to prevent revictimisation.

40. Make available adolescent-friendly healthcare services and programmes to all adolescents from diverse and marginalised communities.

41. Capacitate all hospital and clinic staff on child rights, child development, child protection and mandatory reporting.

42. Make available comprehensive sexuality education, sexual and reproductive health and mental health programmes and services to all children, families and communities from diverse and marginalised backgrounds.

43. Allow all children with a Malaysian parent and children born overseas to Malaysians who may not hold a Malaysian birth certificate to access public healthcare at the same rate as Malaysians.

(Child Cluster, CSO Platform for Reform, Proposal 2E-8)

44. Allow undocumented, migrant, stateless and LGBTIQ+ children non-discriminatory access to healthcare and education at no cost.

45. Grant maternal care, vaccination and immunisation services free of charge to non-citizen children and parents.

46. Remove the two-year limit on filing documentation for citizenship with the National Registration Department.

47. Include all children regardless of status and documentation in the regular prevention, and response programmes and services of the Ministry of Health (MOH).

(Datuk Dr Raj Abdul Karim, Malaysian Council of Child Welfare; Child Cluster, CSO Platform for Reform, Proposal 2E-8)

V: Barriers to Acquiring Malaysian Citizenship

Children born overseas to a Malaysian mother and foreign father and children born to Malaysian fathers and foreign mothers outside of a legally recognised marriage face challenges in acquiring Malaysian citizenship.

48. Grant Malaysian citizenship to children if either the parent or adopted parent is Malaysian, notwithstanding the marital status of the parent and regardless of the place of birth of the child.

(Child Cluster, CSO Platform for Reform, Proposal 2E-9)

49. Uphold the rights of all Malaysian citizens to confer their nationality onto their children regardless of gender, marital status, as well as the child’s place of birth and adopted status.

The right to confer citizenship must respect Article 8(2) of the Federal Constitution which prohibits discrimination against citizens on the basis of gender.

(Bina Ramanand, Family Frontiers, Proposal 2E-10)

50. Withdraw reservations to Article 9(2) of CEDAW and Article 7 of the UNCRC.

VI: Divorced Foreign Parents’ Rights

The immigration authority denies visas to divorced foreign parents, even those with joint custody of their children. These parents are asked to return to their home countries, which denies them visitations and co-parenting of their Malaysian children.

51. Grant foreign, divorced parents Long-Term Visas or Residence Pass, or both, with the right to employment to enable financial support, visitation and co-parenting of the Malaysian child.

This is to minimise the psychological and emotional impact of the divorce on the children.

(Bina Ramanand, Family Frontiers, Proposal 2E-10; Child Cluster, CSO Platform for Reform, Proposal 2E-11)

VII: Refugee Children

Despite Malaysia’s ratification of the UNCRC and CEDAW, and the existence of national laws to protect all children, refugee children continue to be discriminated against in accessing national child protection systems and services, including documentation, enforcement, legal and justice, welfare, education and healthcare systems. Some common threats they face are arrest, detention, deportation, abuse, neglect, exploitation—including child marriage, begging, trafficking—rape,

online crimes, poverty, mental health issues and risky care arrangements. Poor community structures, harmful traditional practices and limited awareness amongst all stakeholders on refugee children, child development, rights and protection exacerbate the vulnerabilities of refugee children. During the COVID-19 crisis, refugee children experienced xenophobia, unsafe care arrangements, and constraints with livelihood, food aid and accessing helplines due to their illegal status, language barrier and poor awareness among the general Malaysian public on refugees' plight.

52. Include refugee children and families in national action plans, programmes and services on child protection prevention and response.

Allow refugee children non-discriminatory access to child protectors, Bukit Aman Sexual, Women and Children's Investigations Division (D11), special courts for children, SCAN team, SRHR, income-generating activities and awareness programmes.

53. Ratify the 1951 Refugee Convention and the related 1967 Protocol, withdraw all reservations to the UNCRC (Articles 2 and 37) and harmonise the Immigration Act with national laws and policies to protect children, in accordance with UNCRC (Article 22) and CEDAW.

(Child Cluster, CSO Platform for Reform, Proposal 2E-12)

54. Amplify evidence-based and action-oriented research on issues affecting refugee children.

55. Provide alternatives to detention, particularly non-institutionalised care, for all unaccompanied and separated children.

56. Institutionalise dialogue, regular awareness raising and capacity building on refugee issues, relevant laws and policies with all stakeholders.

This includes best-interest procedures and determination, as well as confidential reporting mechanisms towards maximising resources, enabling fair access, strengthening services and ensuring that perpetrators of child abuse, neglect and exploitation are convicted.

57. Avail refugee children and families to interpretation services and child-friendly, gender-sensitive, culturally appropriate education and communication materials in refugee languages on child rights, protection and support services.

58. Establish an inter-agency case and information management system on refugee children.

59. Include refugee children in child parliament or child participation groups, to nurture their participation in programming and policymaking processes and decisions.

VIII: Children Living in Remote Areas

Lack of or no access to basic services reduces opportunities for children in remote areas, exacerbates their experience of poverty and widens the inequality gap. School attendance can involve long, costly journeys; likewise, the medical care available to them is typically basic and may only offer minimal treatments, sometimes with no doctor in attendance. Tapped water supply and electricity, and access to an internet connection remains a problem for many children in remote areas. Service providers from both the public and private sectors must understand the practical issues that distance creates for these children, the majority of whom are the Orang Asai of Sarawak and Sabah and Orang Asli in the peninsula. All of them have their own strong, unique, indigenous cultures which need to be understood and honoured by service providers. Disregarding how these factors have a significant influence on their lives has led to some children being denied the MyKad, which then disadvantages them for life.

60. Ensure implementing services are apt, designed to be inclusive and culturally sensitive, and aim to reach the children in their original locations.

Where this is not feasible, enable compensation for expenses incurred in accessing the services.

61. Create empowering partnerships with remote communities to produce workable solutions.

For example, provide preschool facilities at village level by training local people; build supportive, informative networks for children with special needs in their village and nearest schools.

(Child Cluster, CSO Platform for Reform, Proposal 2E-13)

62. Ring-fence financing to ensure budgets for developing services are protected.

Include travelling and training costs so that service providers and key members in the community can jointly develop services.

63. Provide affordable and safe transport for children in remote areas to schools.

64. Accelerate internet connectivity in rural areas and use it to link people to services.

65. Assist children who lack access to online classes and follow up with those dropping out from schools.

66. Allow all children in remote areas to attend school and access welfare and healthcare services while their citizenship status is being clarified.

Clarification of their citizenship status can be done through joint collaboration between community leaders, the school, welfare and education departments.

67. Bring indigenous culture and knowledge into the classroom to increase interest, self-esteem and unity among children of different backgrounds.

Use the internet to link rural and urban children so that knowledge of contrasting environments is shared, building mutual respect and broadening horizons.

68. Disaggregate data to meaningfully track information on what is happening to children from different indigenous communities.

2f: Persons with Disabilities

Preamble

Persons with Disabilities (PWD) comprise 15% of the Malaysian population, but the wider PWD community includes family members, allies, volunteers and professionals in disability services. Altogether, the PWD community comprises over 30% of the total population. This is a sizeable population that cannot be ignored. They face obstacles and difficulties in daily life as a largely forgotten or ignored community in policy and law.

I: Legal rights

Malaysia ratified the CRPD in 2010 but has yet to submit the initial report that was due two years after ratification. Ratification of the CPRD is important as it expresses a clear moral and political commitment by the State to improve the lives of people with disabilities. This includes harmonising the existing Persons With Disabilities Act 2008 with the CRPD, as there are glaring weaknesses and gaps in the law.

1. Harmonise the Persons with Disabilities Act 2008 with the CRPD to rectify any existing discrepancies in the Act.

(Harapan OKU Law Reform Group & Association of Women Lawyers (AWL), Proposal 2F-1)

- i. Set up a task force to look into this and include CSOs working on law reform. The PWD Act needs to be reformed, specifically by way of expanding definitions, establishing remedies and introducing relevant penalties. All ouster clauses also must be repealed, including and not limited to Sections 41 and 42 that prevent and protect government and

public servants from being sued when they claim to have acted in good faith.

- ii. Amend Article 8(2) of the Federal Constitution to prohibit discrimination against PWDs.
- iii. Ratify the Optional Protocol on CRPD.

2. Establish an independent Disability Commission.

(Harapan OKU Law Reform Group & AWL, Proposal 2F-1)

The commission shall have powers to:

- i. mainstream disability issues;
- ii. investigate disability issues on behalf of, and provide legal advice to PWDs;
- iii. initiate a formal inquiry into disability-related cases, and compel any person to appear before it and to produce any document of nature pertaining to the investigation;
- iv. initiate independent action relating to non-compliance with the Act, and intervene where necessary in legal suits concerning disability issues;
- v. submit an annual report to Parliament for review and debate. The report may also serve as an advocacy tool for raising issues concerning PWDs;
- vi. establish a tribunal to handle infringement of the rights of PWDs;
- vii. examine means of strengthening multi-sectoral, multi-ministerial and multi-level coordination to mainstream disability inclusion; and
- viii. mobilise human (and other forms of) resources to advocate, on a continuous basis, for public, civil service and private sector understanding of the rights of PWDs.

II. Employment

Systematic efforts are needed to ensure PWDs enjoy equality of opportunity and to prevent and reduce all forms of discrimination in employment matters.

3. Give more PWDs job training for on-demand skills that meet evolving labour market needs.

(Harapan OKU Law Reform Group & AWL, Proposal 2F-2)

This includes job coaching, with ongoing mentoring to help PWDs utilise their acquired skills to full effect and maximise their potential in the workplace.

4. Raise awareness, with incentives, for the heads of departments in the civil service to hire and retain employees with disabilities.

(Harapan OKU Law Reform Group & AWL, Proposal 2F-2; Rapelson Richard Hamit, Persatuan Anak Istimewa Sarawak (PERAIS), Proposal 2F-3)

This includes making reasonable accommodation for PWD needs such that suitably qualified candidates may enjoy equal employment opportunities during the application and hiring process, and, if successful in their job application, apply themselves to the fullest of their abilities in the workplace.

5. Introduce a comprehensive policy on disability inclusion awareness raising, as well as financial and taxation initiatives for the private sector.

(Harapan OKU Law Reform Group & AWL, Proposal 2F-2)

This is to support remunerative work opportunities for PWDs, and for them to succeed as entrepreneurs or in gig employment.

2g1: Indigenous Peoples

Preamble

The Orang Asli population numbered about 217,000, according to 2019 estimates. Comprising 18 tribes scattered across the rural areas of the peninsula, they remain among the poorest and most disadvantaged of marginalised groups in the country. They lack basic facilities such as electricity, clean water supply, tarred roads to their villages, access to health clinics and education. For decades, their rights as indigenous people have been violated through the lack of official recognition of their right to customary land territories, which are mostly owned by the government although Orang Asli customary land and laws existed long before the independence of Malaya. Malaysia adopted the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007 but continues to lag behind in implementing it as the Orang Asli face an ongoing war against increased encroachment of their customary lands for economic activities such as agriculture, logging, hydro-electric dams and tourism.

I: Recognition of Customary Land & Territories

Both federal and state governments have not been prioritising this issue, thus making it an ongoing concern. The often-used excuse peddled by the federal government is that land matters are not under its jurisdiction but that of the state government.

1. Impose a moratorium on third-party projects involving Orang Asli customary land.

Since it is likely that pending third-party projects involving Orang Asli customary lands were planned without their knowledge or consent, such projects should be halted until the land recognition process is completed.

2. Set up a special commission.

The Human Rights Commission of Malaysia (SUHAKAM), in its 2015 Report of the National Inquiry into the Land Rights of Indigenous Peoples in Malaysia,

recommended the establishment of an independent National Commission on Indigenous Peoples comprising individual experts and relevant stakeholders. The function of this Commission would be, among others, to review recognition as well as promotion and protection of Orang Asli rights to their land and identity.

3. The federal and state governments must have equal and joint responsibility over Orang Asli customary land matters.

The land and its surrounding nature are fundamental to the cultural customs, beliefs and collective identity of the Orang Asli, thus both the federal and state governments should be equally responsible so that the recognition of Orang Asli customary land territories can be fast-tracked without further delay.

(Tijah Yok Chopil, Jaringan Kampung Orang Asli Semenanjung Malaysia (JKOASM), Proposal 2G1-1)

4. Amend and harmonise existing laws affecting the Orang Asli to protect their customary land, and enact new laws to secure their rights.

The Orang Asli have had to resort to the courts to claim their customary land. Despite their many wins, however, the government has not taken heed of the underlying issues of injustice that were revealed. The government should make a new law to address the weaknesses in administering Orang Asli lands, and harmonise all relevant laws so that they are in line with recognising customary land and territories. The issue of land recognition must be resolved to prevent further land loss or imbalances, such as the overlapping of Orang Asli land with the gazettement of protection areas (e.g. forest and wildlife reserves and national parks). The recognition of customary land and territories will ensure the continuity of the practice of cultural customs, beliefs, traditional knowledge, identity, history and ancestral legends. The Orang Asli can also develop their economy on customary territorial land safely.

The Orang Asli must be accorded the right to self-determination.

II: Development Projects

An important principle of the UNDRIP, which Malaysia is signatory to, is free, prior and informed consent. The government should reflect this in practice by

ensuring that all decisions involving the development, advancement and acquisition of territorial land of Orang Asli are transparent and take into account the decisions of the community themselves.

5. Ensure carefully planned and coordinated development programmes.

Policymakers for Orang Asli development should sit at the same table to sort out conflicting plans that will otherwise result in incomplete or half-hearted projects. Instead of taking a siloed approach, policymakers and programme coordinators should talk to each other and share information, with the Orang Asli as well, to ensure that all development programmes designed for the community are truly beneficial to them, implemented responsibly in terms of cost and quality, and completed. For example, although the Government has set aside housing quotas for the Orang Asli under the Hardcore Poor Housing Programme (PPRT, to use the more well-known Malay acronym) these are typically of poor quality, and the infrastructure and design of the housing units are incompatible with their natural way of living.

6. Ensure completion of planned projects.

Failed or delayed developmental and economic projects for the Orang Asli are a common occurrence. Many villages do not have full or quality basic amenities—for example, no electricity supply although electric utility poles have been planted; or the wiring is ready to be installed but the poles are not in place; or water pipes have been laid out but there is still no water supply.

7. Consult and inform the local community about any proposed land development project.

Often, land development projects in Orang Asli areas are proposed or implemented without any consultation with or agreement from the local community, and later, just as inexplicably abandoned. There is no formal monitoring or notification given to the local community as to the progress of the project, and when it ends up failing or being abandoned, all those involved would be pointing fingers at each other, with no one assuming any responsibility. Any land development project planning therefore should be consultative to ensure completion and accountability to the local community.

(Tijah Yok Chopil, JKOASM, Proposal 2G1-1)

III: Economic Development

Land is a key policy issue that is linked to all Orang Asli problems. If this issue can be resolved, others such as the economy, education, safety, development and so on can be resolved too.

(Tijah Yok Chopil, JKOASM, Proposal 2G1-1)

8. Allow the Orang Asli to apply for government assistance and necessary licences or certificates.

The Orang Asli have not been able to apply for governmental assistance from agencies such as the Department of Agriculture to boost their economy, as their land is deemed 'illegal'. Without the requisite licence from the Malaysian Palm Oil Board and certificate from the Roundtable on Sustainable Palm Oil, Orang Asli planters cannot sell their oil palm produce. Flexibility must be given to them to obtain such licences and certificates through their community Tok Batin (community leader) upon confirmation from the Department of Orang Asli Development that the land being cultivated is within Orang Asli customary territory.

IV: Freedom of Religion

Despite the guarantee of Freedom of Religion in Article 11 of the Federal Constitution, there are still cases of Orang Asli being unknowingly or deceptively converted to Islam by registration officers, teachers, among others. In most cases, the individual concerned would only realise the deception that had been committed on them when asked to produce their MyKad or birth certificate for official purposes, finding out then that it states Islam as their religion. The Orang Asli have a right to profess the beliefs of their ancestors and to not be forced or deceived into converting to Islam. Yet, annulling such cases is a costly, time-consuming, bureaucratic run-around. There are even plans by the Kelantan Islamic Religious and Malay Customs Council to convert all Orang Asli in the state by 2049.

9. Cease involuntary conversions to Islam, facilitate cancelling of such conversions.

Efforts to coerce the Orang Asli into converting to Islam and other involuntary conversions must stop. The process of removing the religious status of Islam from their MyKad and birth certificates in such cases should be simplified.

2g2: Migrant Workers

Preamble

The contentious handling of migrant labour issues is a long-standing problem. Malaysia has for decades relied on migrant workers as a source of cheap and pliant labour. Conservative estimates put them at approximately 15% of the labour force in 2019. Of these, 40% are irregular or undocumented, according to a 2020 World Bank report. One reason for this is the decades-long arbitrary management of migrants and entrenched corrupt practices in the labour recruitment system. Despite clear wrongdoings by the authorities, migrants continue to be blamed and made the scapegoats for irregular migration. In the past two years alone, US customs authorities have banned imports of certain Malaysian products following allegations of forced labour. Migrant rights activists have also highlighted the plight of migrant workers being overworked or given excessive overtime work, living in cramped and unhygienic conditions and being subjected to sexual harassment, among other human rights abuses. These warnings underscore an urgent need to manage our migrant labour force according to international standards.

Unfortunately, the current legislation, specifically the Anti-Trafficking In Persons and Anti-Smuggling of Migrants, is inadequate in protecting migrants from falling into the trap of forced labour and modern-day slavery.

(Firdaus Husni, MCCHR, Proposal 2G2-1)

I: Comprehensive Policy for Migrant Workers

The key issues pertaining to migrant workers are recruitment, debt bondage, arrest and detention, poor working and housing conditions, inadequate access to health treatment, sexual harassment and lack of access to redress mechanisms and unregulated domestic work. All these have resulted in forced labour and trafficking-in-persons situations, torture and deaths of migrant workers.

1. Make public the report of the Special Independent Committee on Foreign Worker Management.

(Adrian Pereira, North-South Initiative, Proposal 2G2-2)

In 2018, the Pakatan Harapan Cabinet commissioned a transparent Special Independent Committee on Foreign Worker Management to study the problems of migrant workers, and come up with recommendations to address the issue. Although the report was completed and presented to the Cabinet for deliberation, it was not publicly released, and to the best of public knowledge, none of the proposals have been implemented to date. The current government should accept its responsibility in improving the lives of migrant workers, and an immediate step is to release this report as the basis of a comprehensive policy to come.

2. Cease ad hoc policies.

(Adrian Pereira, North-South Initiative, Proposal 2G2-2)

Ad hoc policies have only given rise to more corruption while neither addressing migrant workers' woes in a systematic manner nor providing long-term solutions to the problems.

3. Establish effective procedures under the Ministry of Human Resources to manage migrant workers.

- i. The Ministry of Human Resources should be tasked with the responsibility of managing migrant workers, starting with setting up one-stop centres for them.

(Adrian Pereira, North-South Initiative, Proposal 2G2-2)

- ii. Separate labour and immigration issues, and allow migrant workers the same access to justice enjoyed by all Malaysian workers as mandated by the Manpower Department of the Ministry of Human Resources.
- iii. Set up an oversight consultation body consisting of government, private sector, trade unions, non-governmental organisations and migrant leaders to monitor and improve the system.

4. Stop arbitrary arrest and detention of undocumented migrants.

- i. Decriminalise and settle work permit issues, including any deportation of migrant workers, according to human rights standards.
- ii. Immediately cease the harsh treatment of migrant workers in overcrowded detention centres and other methods of torture.
- iii. Study, test and implement alternatives to detention.

5. Facilitate access to justice for migrant workers who file complaints against their employers.

- i. Allow migrant workers' work permits to be cancelled immediately after they have filed cases against their employers with the relevant departments. These workers should be issued special permits at minimum cost so that they can continue to work while their case is being addressed.
- ii. No migrant must face justice without representation. The National Legal Aid Foundation must allocate a quota for foreign nationals to access quality and effective legal aid services.

6. Grant migrant workers universal healthcare.

All migrant workers should have access to universal healthcare.

(Adrian Pereira, North-South Initiative, Proposal 2G2-2)

The healthcare system must not have a separate discriminatory costing tier for migrant healthcare. The levies that migrant workers pay should go towards paying for subsidised healthcare. Most migrant workers earn around the minimum wage, currently RM1,200, a sum which largely constrains their ability to save and spend on healthcare treatment.

7. Give migrant workers the right to decent work in accordance with Malaysia's labour laws.

Migrant workers should be given the freedom to exercise their rights related to labour matters, which includes collective bargaining with employers via forming and leading unions of their own sector or labour interest.

8. Amend laws to strengthen action against forced labour and modern-day slavery.

- i. Criminalise forced labour or modern slavery independent of anti-trafficking laws.
- ii. Ensure Malaysian laws also cover modern forms of exploitation, such as psychological coercion, deception, fraud and abuse of vulnerabilities.
- iii. Increase sanctions for forced labour, modern slavery, human trafficking and smuggling of migrants.
- iv. Hold corporations and supply chains accountable for any practices that support human trafficking and modern slavery.

(Firdaus Husni, MCCHR, Proposal 2G2-1)

9. Ratify all basic conventions on migrant work and workers by the ILO and the UN.

- i. It is especially urgent to ratify ILO Convention 189, which pertains to the rights of domestic workers, a grossly under-regulated sector in Malaysia.
- ii. Ensure integration of the Global Compact for Safe, Orderly and Regular Migration into national policies, laws, regulations and enforcement.

(Adrian Pereira, North-South Initiative, Proposal 2G2-2)

2g3: Undocumented Persons

Preamble

Citizenship is a fundamental human right guaranteed by Article 15 of the Universal Declaration of Human Rights. A life without citizenship is a futureless life. Children and adults who are stateless do not have equal access to basic human rights and opportunities accorded to citizens, including the right to education, healthcare and employment. In Malaysia, the stateless community is also excluded from social protection and access to public services and facilities. These exclusions increase their vulnerability to a number of social problems and health-related issues, particularly in the current COVID-19 era.

To make matters worse, Malaysian laws do not recognise stateless people as a specific category of residents. Malaysia also has not acceded to international accords pertaining to stateless persons—i.e. the 1961 Convention on the Reduction of Statelessness and the 1954 Convention Relating to Status of Stateless Person. We are also not a signatory to the 1951 Convention Relating to the Status of Refugees, which safeguards other vulnerable populations such as refugees and asylum seekers from statelessness.

While commendable, the commitment made by Prime Minister Dato' Sri Ismail Sabri Yaakob to protect all children regardless of their race, religion, citizenship or other status, in his World Children's Day speech on 18 November 2021 is not reflected in the existing law, policies, procedures and practices which continue to deter individuals born in Malaysia, as well as those with valid linkages to the country, from accessing Malaysian citizenship.

I: Gender-discriminatory Nationality Law & Policies

Whilst the Federal Constitution promotes equality and prohibits gender discrimination through Articles 8(1) and 8(2), these provisions are undermined by the prevalence of gender discrimination in other areas of the Constitution, specifically those dealing with citizenship.

For example, the Federal Constitution does not allow men to transfer nationality to their children if the child is born out of a legally recognised marriage (Section 17, Second Schedule, Part II); instead, the law only provides that stateless children born to unmarried couples would take on the mother's nationality. In other words, children born to parents who are not bound by common law marriage in Malaysia can only acquire Malaysian citizenship if the mother is a Malaysian citizen.

Historically, the Federal Constitution had been interpreted as not allowing legally married mothers to transfer nationality to their overseas-born children on the same basis as legally married fathers. Although in April 2010, the Home Minister announced a new regulation enabling Malaysian women married to foreigners to register their children born outside the country as a citizen under Article 15 (2), the purported change in policy neither guaranteed citizenship to overseas-born children of Malaysian mothers nor streamlined their citizenship application process. Hence, children in such situations continued to be stateless or placed at risk of statelessness if they were unable to acquire their father's nationality.

And although the High Court, in a landmark judgement on 9 September 2021 reinterpreted the Federal Constitution to grant Malaysian women equal rights to confer automatic citizenship on their overseas-born children in the case filed by Family Frontiers and six Malaysian mothers, the Government is appealing against this decision, indicating its dead-set position on this.

Of equal concern is the denial of citizenship to spouses of Malaysian citizens who have lived in Malaysia for many years. This particularly affects spouses of Malaysian women who do not have the option of "citizenship by registration"—an option stated in the Federal Constitution for spouses of Malaysian men. This is despite the fact that Article 9 of CEDAW, to which Malaysia is a party, explicitly obliges state parties to guarantee equal nationality rights, including the right for both men and women to confer their nationality on their spouses. Malaysia, though, places reservation on Article 9(2) relating to this.

1. Accept and implement the High Court judgement in *Suriani Kempe & Ors v Malaysian Govt & Ors*.

Withdraw the appeal against the 9 September 2021 decision in the case of *Suriani Kempe & Ors v Malaysian Govt & Ors* that interpreted the word "father" in Article

14(1)(b) read with Section 1(b), Part II of the Second Schedule of the Federal Constitution to include “mothers” and as such granted Malaysian women equal rights to confer automatic citizenship on their overseas-born children.

2. Amend the gender-discriminatory nationality law to ensure all children born in Malaysia or to Malaysian parents are able to obtain Malaysian citizenship.

(Firdaus Husni, MCCHR, Proposal 2G3-1)

- i. Article 14 of the Federal Constitution must be amended to include citizenship for: children born overseas to Malaysian mothers; and children who are born in Malaysia but cannot prove the fact or that they are born to Malaysian parents.
- ii. Section 17, Part II of the Second Schedule must be amended to allow Malaysian mothers to confer citizenship to children born outside of Malaysia.
- iii. Laws must be amended to remove the discrimination against illegitimate children or adopted children.

3. Amend the relevant provisions in the Federal Constitution to enable Malaysian citizens to confer nationality on foreign spouses on an equal basis, irrespective of the citizen spouse’s gender.

(Maalini Ramalo, Right2Citizenship Cluster, CSO Platform for Reform, Proposal 2G3-2)

II. Childhood Statelessness

When a child does not have any form of legal identification, she or he is often subjected to exclusion from cradle to grave—from being denied access to education, healthcare, employment and freedom of movement, to other basic rights and opportunities allowing for growth and progress as an individual. Whilst the extent of childhood statelessness in Malaysia remains unmapped and is therefore unclear, the affected children include the following:

- i. children of migrant workers, asylum seekers and refugees, whose births are often not registered because their parents are undocumented;

- ii. children born to parents with mixed nationality who are not married, and where the mother is not a Malaysian citizen;
- iii. adopted stateless children;
- iv. children born in welfare homes, foundlings and street children who often lack documentation due to discriminatory policies and poverty;
- v. indigenous children who, despite being born in Malaysia, face barriers in acquiring legal documentation due to factors such as family migratory lifestyle, poverty, lack of awareness of the importance of obtaining documentation and isolation from government authorities; and
- vi. foundlings who are no longer considered “newborn”.

4. Ensure bureaucratic compliance with constitutional safeguards against childhood statelessness.

- i. Ensure the comprehensive application of existing safeguards provided by the Federal Constitution to grant nationality to every child born in Malaysia who will otherwise be stateless, regardless of the gender, ethnicity, documentation or immigration status of the child’s parents.
- ii. Grant nationality to all children who are stateless or at risk of statelessness, including foundlings and adopted children.

(Maalini Ramalo, Right2Citizenship Cluster, CSO Platform for Reform, Proposal 2G3-2)

5. Remove the reservation on Article 7 of the UNCRC.

Article 7 of the UNCRC affirms every child’s right to a nationality. Malaysia’s reservation on this article, despite being a party to the convention, further denies stateless children born in Malaysia an avenue to uphold their right to a nationality.

(Maalini Ramalo, Right2Citizenship Cluster, CSO for Platform Reform, Proposal 2G3-2)

6. Facilitate the integration and admission of stateless, undocumented and displaced children into the national education system.

- i. Have clear directives and implementation measures to support the integration and admission of stateless, refugee, undocumented and displaced children into the national education system.

- ii. Recognise alternative schools and learning centres operated by NGOs and community-based organisations that cater for stateless and displaced children.
- iii. Allow stateless and displaced children to sit for public examinations and obtain certification.
- iv. Allow stateless and displaced children to compete for enrolment in public universities with the same fees as locals.

(Rahayu, Buku Jalanan, Proposal 2G3-3)

III. Right to Nationality for Every Person

The right to citizenship remains inaccessible for some communities in Malaysia, resulting in grave human rights challenges to these communities. Of particular concern is the Bajau Laut (Sama Dilaut) who reside predominantly around the coast of Sabah, many of whom do not have identity documents and whose births are often not registered. Though there are no estimates available as to the overall number of Bajau Laut affected by statelessness, the number of children affected is thought to be high due to their high birth rates, migratory lifestyle and lack of documentation. A similar predicament is faced by the Orang Asli community.

The absence of legal identification documents, which prevents these communities from accessing basic public services and other services to sustain their life, increases their vulnerability, which is further worsened by prohibitive citizenship application procedure and current practices being upheld by the Home Ministry and National Registration Department. The lag in implementation of the newly enforced standard operating procedure results in a backlog of applications, and it is typically the case that no valid reasons are provided for rejections of applications.

7. Create a statelessness identification system.

Issue every stateless person a personal identification card that carries a photo, renewable every three years and approved as a legal form of identity by banking institutions and other public domains that require a picture identification.

(Rosita MH Khan, Kelab Amal Prihatin Wanita Tapah, Proposal 2G3-4)

8. Streamline citizenship application.

Ensure applicants have easy access to the correct citizenship application forms and timely decision making on citizenship matters for them. In accordance with natural justice, unsuccessful applicants should also be provided a full explanation for the negative outcomes of their application.

(Maalini Ramalo, Right2Citizenship Cluster, CSO for Platform Reform, Proposal 2G3-2)

Concluding Remarks

The COVID-19 pandemic has left the stateless community in Malaysia in a most vulnerable state. Now, more than ever, collective and committed efforts are required from all stakeholders, especially the government, in addressing the denial of nationality to stateless individuals born in Malaysia who have a valid link to the country. It is not enough for the government to voice commitment in words; more importantly, this commitment needs to be translated into concrete actions to ensure the issue is effectively addressed, and to avoid its escalation into more severe societal and national concern.

2g4: Refugees & Asylum Seekers

Preamble

Malaysia has no legal or administrative framework for the recognition and protection of refugees, and has yet to ratify both the 1951 Convention Relating to the Status of Refugees (Refugee Convention) and the 1967 Protocol Relating to the Status of Refugees. Without such a framework, refugees are denied legal protection and are treated as “illegal immigrants”, subjected to arbitrary arrest and detention, and various rights violations. Without access to legal status, refugees cannot access safety or longer-term stability. Many live in poverty and are denied basic rights such as access to justice, healthcare, education and work. Refugee women and children face a heightened risk of violence and exploitation. The impact of living in an unsafe discriminatory environment without opportunity indefinitely is profound.

Refugees have fled life-threatening violence and persecution in their home countries to seek safety from harm. Regardless of their mode of arrival, they should be afforded conducive conditions of protection as a basic human right to seek asylum from persecution. Malaysia has international human rights obligations towards refugees which should be incorporated into the domestic legal framework to ensure that they are afforded protection and that their rights are upheld. Besides this, refugees and asylum seekers should be given opportunities to be self-sufficient and enjoy a dignified standard of living. Ensuring equitable access to healthcare, improving labour and social protections, and implementing a formal legal framework will enable refugees to make a living, contribute to the economy legitimately and prevent them from being abused and exploited.

I: Immigration Detention

Refugees and asylum seekers registered by United Nations High Commissioner for Refugees (UNHCR) hold a form of de facto status that allows some degree of protection. Nonetheless, arrests and detention still occur during the process of document verification, or when the refugee is prosecuted for working without a permit and transferred to an immigration detention centre after serving time in

prison for working illegally. As refugees cannot be deported, the timeframe for immigration detention is indefinite. Until August 2019, the Government had allowed UNHCR access to detention centres to conduct registration and assessment. Although refugees could still spend months in detention waiting to be processed, this move by the authorities at least helped shorten the timeframe by allowing for screening and release to take place.

1. Immediately grant UNHCR access into immigration detention centres to conduct screening and verification of detained refugees and asylum seekers.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-1)

2. Improve conditions in immigration detention centres.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-1)

The Ministry of Home Affairs (MOHA), MWFC, MOH and the Immigration Department must work together to improve conditions in immigration detention centres, including, but not limited to, improving the quality of food and water, latrine facilities, as well as provision of hygiene items for all detainees, and prompt and adequate access to healthcare.

3. Develop a formal policy in partnership with UNHCR Malaysia and civil society organisations to put a stop to immigration detention of refugees and asylum seekers.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-1)

4. Develop screening and referral mechanisms for refugees and asylum seekers.

Refer them to more appropriate reception facilities instead of immigration detention.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-1)

5. Develop a formal policy to end immigration detention of all children.

This should be done by the MOHA and MWFCDC. As a first step, immediately implement the pilot programme on alternatives to detention in collaboration with civil society organisations, and release unaccompanied children into alternative care arrangements that are not lock-down shelters.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-1)

6. Regularly publish data on the numbers of refugees, asylum seekers and children in immigration detention.

The data should be disaggregated by age, group, gender, nationality, and those registered with UNHCR.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-1)

II: Comprehensive Legal & Policy Framework for Refugees

The lack of a consistent domestic policy on refugees has enabled the Government to violate international human rights obligations including the principle of *non-refoulement*.

7. Develop a comprehensive legal and policy framework for the management and protection of all refugees and asylum seekers in Malaysia.

This includes the right to seek asylum, legal status, and the right to stay. Also enact or amend relevant national laws to incorporate these provisions.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-2; ROL Cluster, CSO Platform for Reform, Proposal 2G4-3)

8. Create an inter-agency committee on governance and protection of refugees.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-2)

This committee, consisting of both government and key civil society representatives, should make recommendations related to legal and policy reform on refugee protection. They should be accountable and report directly to the

Cabinet, who will have the mandate and power to approve any recommendations. Multi-stakeholder technical working groups should then be constituted to address the mechanics of implementation. This requires increased cooperation and meaningful engagement with civil society organisations.

9. Exempt all UNHCR-registered refugees and asylum seekers from prosecution.

Refugees who are already registered with UNHCR should be released from detention and granted temporary legal status. Those who are unregistered and currently in detention should be given the right to seek asylum with the UNHCR.

(Tham Hui Ying, *Asylum Access Malaysia, Proposal 2G4-2*)

10. Ensure accessibility to basic rights.

In particular, the right to education and healthcare, right to work, livelihood, housing and access to justice.

(Tham Hui Ying, *Asylum Access Malaysia, Proposal 2G4-2*)

III: Access to Healthcare

Because they lack legal status, refugees and asylum seekers face arrest and detention for immigration offences when accessing healthcare. Although those documented are given a 50% discount off foreign citizen rates, this rate was doubled in 2016, essentially rendering healthcare services inaccessible for them. For undocumented women, besides the financial cost burden and fear of arrest and detention, they face additional barriers accessing pre- and post-natal care, particularly in places of detention. The same factors of cost and security affect children as well, who face challenges in accessing immunisation; they also miss primary age immunisation, as they do not have access to national schools.

11. Repeal the MOH Circular No 10/2001, and any other subsequent circulars that contain orders for healthcare providers to identify and report undocumented patients seeking treatment to law enforcement authorities.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-4; ROL Cluster, CSO for Platform Reform, Proposal 2G4-3)

12. Introduce a firewall between healthcare providers and immigration and security enforcement.

Take necessary steps to ensure that these firewalls are respected.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-4)

13. Initiate a sustainable and comprehensive health-financing scheme within the public health system for refugees and asylum-seekers.

The aim is to reduce the cost barrier, promote self-reliance and improve universal health coverage.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-4)

14. Implement a public health response that is inclusive to all, regardless of legal status.

Particularly within the COVID-19 response, ensure safe access to vaccinations, testing and treatment for refugees and asylum seekers without reprisal.

15. Increase healthcare providers' capacity to provide translation and interpretation services, and health education to increase health literacy.

In collaboration with civil society and refugee-led organisations, enhance healthcare providers' understanding of the vulnerabilities, challenges, and needs of refugees and asylum seekers.

16. Strengthen implementation of health policies and guidelines in all places of detention.

Ensure that persons detained have adequate and prompt access to medical care at the point of need.

17. Amend the Fees (Medical) Order 1982 to ensure that non-Malaysian children have access to free vaccinations.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-4)

IV: Labour Protection

In the absence of a formal legal framework, refugees and asylum seekers are denied formal rights to work and to earn a dignified livelihood in Malaysia. To survive, refugees often find themselves in extreme poverty, working under exploitative conditions and resorting to informal work that is dangerous and demeaning. Refugees and asylum seekers do not receive regular livelihood aid or support for their basic needs from the Government or UNHCR. Many are thus forced to take on informal work, despite the risks and fear of being arrested, detained and subject to police harassment. Refugees are unable to access employment protections and do not have proper avenues for seeking redress from unscrupulous employers.

18. Enforce labour protections for refugees and asylum-seeking workers, in line with the Employment Act 1955 and Industrial Relations Act (IRA) 1967.

Ensure that they are able to seek redress for labour violations, with clear policies, guidelines and training across departments on filing and handling of labour dispute cases.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-5)

19. Enact or amend relevant laws and policies that will provide refugees and asylum seekers a right to stay and reasonable access to work opportunities.

This includes access to formal labour across all industries and geographical locations, access to social security benefits and insurance.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-5; ROL Cluster, CSO for Platform Reform, Proposal 2G4-3)

20. Form a technical committee between government ministries, UNHCR and civil society to institutionalise coordination of work rights.

A phased approach can be adopted, with members of the technical committee providing feedback throughout the design, implementation and review phases. The technical committee should also consult widely with representatives from the refugee communities as well as potential employers.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-5)

21. Ensure a comprehensive recruitment and monitoring system.

This must be put in place under the Ministry of Human Resources to protect refugees and asylum seekers' labour rights, and to ensure that these people are not exploited or trafficked.

(Tham Hui Ying, Asylum Access Malaysia, Proposal 2G4-5)

2g5: Gender

Preamble

This policy area focuses on two key communities, namely the LGBTIQ+ and Malaysian mothers with overseas-born children. It highlights the need for better treatment to be accorded to these groups, by pointing out the gaps in current policies and proposing legal reforms to prevent and eliminate discrimination toward to them.

I: Equal Treatment for LGBTIQ+ community

The LGBTIQ+ community in Malaysia face many unique legal and social challenges that are not experienced by other minority groups due to the politicisation of their lives and very existence. Most of the discrimination against them stems from certain individuals and groups in power, whose rhetoric toward the LGBTIQ+ community has encouraged the rise of an anti-LGBTIQ+ movement among religious conservatives and the political right. The Federal Government endorses and funds rehabilitation camps for conversion therapy, and some state legislators have even initiated laws that criminalise the LGBTIQ+. As a result of such pressure and actions against them, many LGBTIQ+ persons lack access to healthcare, the justice system and even education.

1. Stop all prosecution and initiatives to prosecute LGBTIQ+ persons based on sexual orientation, gender identity and gender expression.

(Arabelle Yong, L-INC Foundation, Proposal 2G5-1)

2. Place a moratorium on laws that criminalise the LGBTIQ+ community.

This will ensure their access to healthcare, justice, and assure them of their personal security and safety, as well as freedom from violence.

3. End all discriminatory speech toward LGBTIQ+ persons.

4. Engage SUHAKAM and LGBTIQ+ human rights groups to address the systemic impact of criminalisation and pathologisation of LGBTIQ+ persons.

(Arabelle Yong, L-INC Foundation, Proposal 2G5-1)

II: Citizenship rights of Malaysian women

Until the 9 September 2021 court ruling stating otherwise, Malaysian women in binational marriages did not have the same right as their male counterparts to confer citizenship on their overseas-born children by operation of law. Hitherto, women were limited by Article 15(2) and its related Second Schedule, which states that citizenship of a person born outside of Malaysia is upon application if their mother is a citizen, whereas Article 14(1)(b) allows such citizenship by operation of law if their father is a citizen.

It also did not help that the application process via Article 15(2) was fraught with delays—ranging between 2 and 10 years merely to receive a response, repeated rejections without reasons and no guarantee of approval. Malaysian women in such circumstances faced a myriad of challenges, including inconsistent bureaucratic requirements during the application process, vulnerability to gender-based violence and compromised autonomy in the public, private and civic spheres.

Although the recent court ruling appears to have put a stop to this injustice perpetrated on Malaysian women, the Government is appealing the decision, and nothing has changed yet in the Federal Constitution.

5. Amend Article 14(1)(b) of the Federal Constitution to ensure Malaysian women can confer citizenship by operation of law on an equal basis as Malaysian men on their children born overseas.

Align it in accordance with Article 8(2), which prohibits discrimination on the basis of gender.

(Melinda Anne Sharlini, Family Frontiers, Proposal 2G5-2)

6. Develop a clear and accessible standard operating procedure (SOP) to enhance reliability and transparency in the processing of citizenship and visa applications for non-citizen children of Malaysians.

The SOP must be made available on the Department of Immigration and National Registration Department's website. It should include a reasonable timeframe until a decision can be expected and detailed procedures to appeal a decision.

7. Allocate resources necessary to process the backlog of citizenship applications within a reasonable amount of time.

8. Allow the submission of citizenship applications at Malaysian missions overseas.

This includes those applying for their children over the age of one year old.

Concluding Remarks

Gender equality has long been a critical issue in Malaysia. Although Malaysia ratified CEDAW and UNCRC in 1995, even after 26 years, little progress has been made to localise the Conventions with regard to LGBTIQ+ and citizenship rights issues for women. The gap between the promise made by the Government via the conventions and the lived realities of the Rakyat must be narrowed immediately.

2h1: Sabah

Preamble

There are 33 indigenous groups, 50 languages and 80 ethnic dialects in Sabah, according to the state government's records. The indigenous communities make up three-fifths of the local Sabahan population, yet their languages and customs are not included in mainstream state education. This goes against the tenets of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which states that the indigenous people have the right to determine their own educational system. They also have the right to the lands, territories and resources which they have traditionally owned, occupied, used or acquired, and that governments must give legal recognition and protection to these.

Another defining problem of Sabah is statelessness. An estimated 800,000 of the people are stateless and have no access to healthcare, education, legal employment and other benefits accorded to a citizen. Not having a national identity also deprives them of diplomatic protection of the origin country and the right to exercise their fundamental rights, for which it is often a legal or practical requirement. Although there is a structured procedure to apply for legal citizenship, stateless communities still face a challenging process doing so due to the complex documentation pathway that includes going through the courts.

I: Legal status of the Bajau Laut

The Bajau Laut population in Sabah are a semi-nomadic seaborne community, with a historical mobility straddling the borders of Malaysia, Brunei, Philippines and Indonesia. Since the emergence of these nation-states and formalisation of territorial boundaries, the Bajau Laut have faced continual challenges in attaining legal recognition as citizens of any state. This, combined with the establishment of maritime borders, has led them to be denied customary freedom of movement.

1. Address the issues of access to citizenship for the Bajau Laut.

(Maalini Ramalo, DHRRA Malaysia, Proposal 2H1-1)

2. Amend the immigration law to restore the rights of people born in Sabah.

(Elihanis, Proposal 2H1-2)

The complex immigration policy in Sabah has caused difficulties in MyKad registration for many Sabah-born children. While birth certificates are issued to foreign children born in Sabah, these certificates do not affirm their citizenship but are merely a way to regulate their presence. The immigration officers still regard these children as being of foreign origin (depending on the nationality of their parents, usually either Filipino or Indonesian), and would thus reject their MyKad application.

Amend the relevant laws to protect children from being sent back to their 'origin' country.

II: Indigenous Education

Currently, mother tongue lessons, such as on Kadazandusun and Iban languages, are offered in schools where there is a minimum of 15 students from the relevant indigenous groups to a class. To increase inclusiveness within the education system, the Ministry of Education should look into incorporating local cultural elements in the primary and secondary syllabi, and introduce greater flexibility in the national education curriculum to allow schools to determine the appropriate syllabus for the local community. It is important to foster and include indigenous cultural knowledge and understanding in the national education curriculum.

3: Incorporate local material, especially on the culture of the indigenous people of Sabah and Sarawak, in the education syllabus.

A subject on indigenous mother tongues and a curriculum on indigenous customs should be offered in primary and secondary schools as well as all public universities in Malaysia.

(Esther Sinirisan Chong, Agora Society Malaysia, Proposal 2H1-3)

2h2: Sarawak

Preamble

The total land area of Sarawak is 12.4 million ha., out of which 6 million ha. (48%) are reserved for permanent forests and only 1 million ha. (8%) are Totally Protected Areas (TPAs). But even the TPAs are not safe from illegal logging, which contributes to environmental degradation.

In terms of social and economic development, there is a huge growth gap between Sarawak and the peninsular region of Malaysia, which houses the centre of federal power. Compared with developed heartlands in the peninsula, some settlements in the Sarawak interiors have yet to be provided basic facilities such as roads, electricity and clean water supply. Roughly 8–9% of Sarawakians (250,000 out of a total population of close to three million), reside outside of the state, in West Malaysia. Their reasons for migrating are mostly tied to education and employment opportunities, and the majority only return home on special family occasions due to expensive airfares. However, residing outside the state has made it difficult for these Sarawakians to exercise their fundamental voting rights, since the current voting system does not allow them to cast their ballots without being physically present in the state. Overall voter turnout in Sarawak during the 2018 general election was 73%, one of the lowest rates in the country. The need for alternative voting mechanisms to ensure that thousands of Sarawakians are not disenfranchised is all the more greater in this age of the COVID-19 pandemic, with various travel restrictions and quarantine orders.

Another issue that needs to be highlighted concerns the estimated 40,000 persons with disabilities (PWDs) in Sarawak who, like their fellow disabled community members elsewhere in the country, are often poorly represented or portrayed negatively and excluded from society. Many PWDs in Sarawak do not have a fixed income, and their precarious situation has been worsened by the pandemic and related restrictions. The prevalence of disability is expected to grow as Malaysia's population ages and chronic health problems increase. According to Department of Statistics data, the elderly (over the age of 60) population in Sarawak is expected to increase to between 15% and 20% of the total population by 2031.

I: Disrupted Lives, Property Losses from Illegal Logging

Illegal logging in the north of Sarawak is believed to have caused unprecedented floods that have wrecked damage on local communities and the surrounding environment, on top of having serious repercussions on climate change, which is a real threat in our backyard. Malaysia needs to do something before it is too late.

(Rining Peter, Keep Green Movement, Proposal 2H2-1)

1. Ensure sustainable forestry and devise green policies.

- i. Enforce strictly related laws, such as the Forests Ordinance 2015, against illegal logging, with the maximum penalty imposed on violators of the laws.
- ii. Establish a central coordinating committee with representation from all stakeholders to address issues faced by all and to coordinate social assistance programmes for the communities.
- iii. The authorities should initiate a tree-planting programme.
- iv. Instead of filling up cities with concrete jungles, introduce green lungs to improve the environment.

(Rining Peter, Keep Green Movement, Proposal 2H2-1)

II: Non-resident Sarawakians' Voting Rights

Voting during elections should be made accessible for the people of Sarawak who live outside the state. With the COVID-19 pandemic exacerbating travel difficulties, many will face an even greater challenge returning home to cast their vote, as seen during the recent state elections.

2. Introduce postal voting/absentee voting.

- i. Set up Election Commission booths in major towns to conduct postal or absentee polling for the Sarawak state and federal elections.
- ii. Institute postal voting for the people of Sarawak who are living overseas, starting with the ASEAN region.

(Ann Teo, Persatuan Pemangkin Daya Masyarakat (ROSE), Proposal 2H2-2)

III: Marginalisation of PWDs

The national and state agendas have either shifted or dialled down the focus on the rights of PWDs over the years. Most nation-building programmes appear to be devoid of PWD-friendly content. As a collective group, PWDs are not seeking special treatment; all they are asking for is to be treated fairly and equitably in line with the principle enshrined in the Rukun Negara, of “creating a just society where the prosperity of the country can be enjoyed together in a fair and equitable manner”, so that PWDs are able to flourish and contribute more effectively to the wider society and the country’s future generations.

(Rapelson Richard Hamit, PERAIS, Proposal 2H2-3)

A new national policy framework should be established to ensure the basic rights, dignity and well-being of PWDs.

3. Improve the lives of PWDs through better representation, public accessibility and access to education and employment.

- i. Set aside a 1% quota for representation of PWDs, in both government and private sectors, and establish at least one PWD officer in every local government body.
- ii. There must be at least one PWD senator for Sarawak and one PWD ADUN in the Sarawak State Assembly.
- iii. Give PWDs half-rate discounts for purchases of utilities and goods such as the national car, a house, internet, water, electricity, public transport and flights to support their daily life and in the community.
- iv. Provide more PWD-friendly public zones, facilities, shops, washrooms, etc.
- v. Both the private sector and the government must adhere to and fully comply with the Persons With Disabilities Act 2008 in all matters, especially on development and social issues, charity and access to work.
- vi. Provide free education for all PWDs, from kindergarten to university level.
- vii. Devise state and federal incentives to encourage employers to hire PWD staff.

(Rapelson Richard Hamit, PERAIS, Proposal 2H2-3)

Manifesto Rakyat Pillar 3: Towards a Just, Equitable & Democratic Society

3a: Electoral Reform

Preamble

For a democratic nation, we have an archaic electoral system. Electoral reform is fundamental to ensure a level playing field for all and to ensure that the people's voices are heard.

I: Anti-party-hopping Law/Mechanism

Following the Sheraton Move, the infamous party switching that brought down the first-term government of Pakatan Harapan in 2019, the people have grown increasingly concerned at the problems caused when such “party-hopping” by elected representatives happens in numbers that can effect a change in government. Since February 2020, we have seen the collapse of two federal governments, resulting in three prime ministers in three years, and the collapse of seven state governments, all brought about by party-hopping or the withdrawal of support for the incumbent prime minister or chief minister.

1. Work towards establishing an anti-hopping mechanism that will not require re-election.

Change the electoral system to allow the winning candidate's party to retain the seat should the elected representative leave the party, i.e. a Closed-List Proportional Representation (CLPR).

(drshamkk, Proposal 3A-1)

Under current laws and the First-Past-The-Post (FPTP) system, the elected representative's freedom of association as guaranteed under Article 10 (1)(c) of the Federal Constitution ensures their right to change party affiliations and bring

the seat they represent with them. For the party to retain the seat, a proportional electoral system would have to be in place, whereby seats are allotted according to the percentage of votes won by a party. In such a system, if an elected representative leaves the party, the next person on the party list will take over the seat, thus dispelling the need for a by-election.

2. Enact a law based on anti-hopping and recall election considerations.

Incorporate in the new law provisions on anti-hopping and recall elections to effectively deal with the problem of party-hopping. In tandem with this, Article 10 of the Federal Constitution, pertaining to freedom of association, should be amended to include a limitation clause for party-hoppers.

II: Representation

Concerning representation, the two major issues are gender and malapportionment of parliamentary constituencies. While a record number of women candidates were nominated in the fourteenth general election, merely 14.4% succeeded in becoming members of Parliament. Meanwhile, the recent elections was built on unfair electoral boundaries where it distorted the electoral results. The unfair electoral boundaries were built on malapportionment (unequal constituency electorate size) and gerrymandering (manipulation of electoral boundaries with partisan intent). Malapportionment has violated the principle One Person One Vote One Value.

Although the Thirteenth Schedule of the Federal Constitution, Section 2(c), states that "the number of electors within each constituency in a State ought to be approximately equal", the Election Commission (EC) has chosen to focus on the exception: "except that, having regard to the greater difficulty of reaching electors in the country districts and the other disadvantages facing rural constituencies, a measure of weightage for area ought to be given to such constituencies." As a result, rural constituencies are over-represented with far fewer voters than urban ones, which are under-represented. To make matters worse, in spite of the principle outlined in Section 2(d) which states, "regard

ought to be had to the inconveniences attendant on alterations of constituencies, and to the maintenance of local ties”, the EC has repeatedly ignored local authority boundaries where it suited them and divided up villages and housing estates to produce a certain preferred electoral outcome.

3. Incentivise the fielding of more women candidates in elections.

A seat-based direct funding for political parties can strengthen women’s representation in the legislature.

(Danesh Prakash Chacko, Tindak Malaysia, Proposal 3A-2)

BERSIH 2.0 has proposed an allocation of RM10 million annually for political parties, to be divided proportionally according to the number of female members of Parliament it has. This provides an incentive to political parties to not only nominate more women candidates, but also treat them as serious candidates by putting them in winnable seats.

4. Fairer delimitation of constituencies.

(Jusni Yusoff, IKRAM, Proposal 3A-3)

- i. Transfer the power vested in Parliament to apportion seats to a separate Boundary Commission.

(Danesh Prakash Chacko, Tindak Malaysia, Proposal 3A-4)

- ii. Free the EC from the influence of the Executive through reforms in the appointment process, staffing and budget.
- iii. Form a permanent Standing Committee on Election Matters in Parliament to ensure that the EC is answerable to the Legislature.

III: Governance & Accountability

Currently, there is no solid redress mechanism to hold political parties accountable for their wrongdoings. Weak governance, combined with a lack of transparency and accountability within the political system, has given rise to a political environment highly prone to corruption, in which official misconduct, victimisation of people, abuse of power and non-performance permeate every level of the government hierarchy.

5. Design an annual Key Performance Indicator (KPI) for elected representatives.

The public can measure the progress of campaign pledges and the credibility of their elected representatives by assessing their performance based on their election campaign pledges.

(Jhasinta, Proposal 3A-5)

IV: Separation of Politics & Business

Lack of transparency or openness in government tenders and political appointments in government-linked companies (GLCs) has encouraged the formation of different levels of patronage networks within the nexus of politics and business, further exacerbating governmental corruption.

6. Ban elected representatives from being involved in business.

Elected representatives should not be involved in businesses, since their governmental position grants them access to first-hand information that can be exploited for their own advantage. For example, in the area of public procurement, elected representatives may be among the first to know of government tender projects and use that knowledge to secure the projects for their own businesses, contradicting the principle of competitive tendering.

7. Institute open tender in the awarding of government projects.

Corruption that takes place within the upper tiers of government has resulted in much leakage and loss of funds that rightly belong to public coffers. A major incentive for party-hopping to the side of the government is access to lucrative government contracts; the process of awarding such contracts should therefore be transparent to disincentivise and prevent this form of corruption.

(John Ku, Proposal 3A-6)

8. Ban the appointment of elected representatives to the boards of government-linked companies, government-linked investment companies and statutory boards.

It is highly unprofessional and a conflict of interest for elected representatives to take up paid positions on GLCs and statutory boards alongside their constituency duties, given their political affiliations and roles as lawmakers to check the Government (including the performance of GLCs). Doing so may also divert their attention from their full-time duties to service their electorate. A Government-linked Company Act is needed to regulate this aspect.

Concluding Remarks

For a better and fairer electoral system and to eliminate cronyism, corruption and patronage that has plagued the political system for decades, firstly, there should be greater accountability of elected representatives; secondly, the composition of the Dewan Rakyat should be more reflective of the people of Malaysia in terms of gender; thirdly an ongoing mechanism, such as a KPI assessment system, should be implemented to hold elected representatives accountable and put pressure on them midterm should they fail to execute their duties in a manner that meets the People's expectations.

3b: Parliamentary Reform

Preamble

This policy area encapsulates the aspirations of our People to have a functioning Parliament and elected politicians who serve the rakyat effectively.

I: Appointment of Heads of Key Public Institutions

The power to appoint and fire heads of public institutions such as the Royal Malaysian Police force (PDRM) and the MACC rests upon one person, the prime minister. This can be a problem if we have a corrupt and immoral prime minister.

(Noh, Proposal 3B-1)

1. Key heads of public institutions must be appointed by the respective parliamentary select committee.

Reinforce the parliamentary select committee system to undertake the oversight of Executive functions and initiation of bills, and other tasks in accordance with international standards.

(G25 Malaysia, Proposal 3B-2)

Key public officers besides the heads of departments and agencies should indicate a thorough understanding of, and appreciation for, human rights in order to put a stop to human rights infringements such as the death penalty, torture, ill-treatment and deaths in custody.

(Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, Proposal 3B-3)

II: Accountable & Responsible Government

A major problem concerning the composition and quality of parliament is related to the competency and capability of our elected lawmakers, irrespective of their political affiliations.

2. Set up an Ombudsman Office.

A public complaints channel is an important first step towards ensuring appropriate actions can be taken on politicians or civil servants who have committed wrongdoing in public service.

(Uli Jon Rock, Proposal 3B-4)

In 2018, the Pakatan Harapan government announced that the Public Complaints Bureau would be replaced by an Ombudsman Office, empowered by an Ombudsman Act to ensure a more effective management of public complaints in Malaysia. The bill that would enable the establishment of such a mechanism, however, was not tabled in 2019, nor the following year. The lack of political will in this matter is puzzling, for there is a precedent for such a set-up, with the Ombudsman for Financial Services already in place since 2016.

III. Distribution of Constituency Development Funds

One of the informal but most visible duties of an elected representative is to secure funding for their constituencies (otherwise known as constituency development funds, or CDFs) in order to carry out minor projects, repair works and welfare assistance work in their constituencies. This need has been exploited by the ruling party to influence both elected representatives and voters into supporting it.

3. Institute reforms for an equitable CDF.

To prevent misuse of CDFs for political gains, the following reforms must happen:

- i. Make elected local government bodies the gatekeepers of these funds.
- ii. Devise a formula for equitable CDFs.
- iii. Institute accounting transparency for the CDF.

4. Allocate funds for each MP or state assembly representative to pay the salaries of their service centre staff.

These amounts should be included in the CDF as well.

IV: Political Financing

Political parties should be publicly funded and a law should be enacted to regulate the political financing system. In the absence of legislative safeguards, there is a glaring lack of transparency and accountability—any individual or corporation can give any amount of money to any political party or candidate they like, creating fertile ground for corruption, patronage and cronyism.

5. Allocate funds to the political parties according to the percentage of votes they won in the last elections nationwide.

This percentage has to be above a certain threshold.

Concluding Remarks

Some of these recommendations will require legislative change (e.g. an Ombudsman Act), while others can be instituted immediately if there is political will (e.g. strengthening parliamentary select committees). These topics are not new and hence merely require more push for implementation. It is our hope that the government will take note of these recommendations and outline the steps for implementation. While not comprehensive, the recommendations provide enough solid grounding for future elected representatives to be empowered to discharge their duties effectively and to be accorded equal treatment by the ruling government irrespective of their political affiliation, which is an important consideration in view of the fluid political state over the past two years that is likely to last for some time.

3c: Judiciary Reform

Preamble

The public must have confidence in the judges and the highest legal officers of the government who make the decisions that affect their day-to-day lives.

I: Judicial Independence

Justice, fairness and equality are central values in the law which should be reflected in the composition of the judiciary itself. As stated in Principle IV of the Latimer House Principles: “An independent, impartial, honest and competent judiciary is integral to upholding the rule of law, engendering public confidence and dispensing justice.”

1. Reverse the amendment of Article 121(1) of the Federal Constitution which has made judicial powers subservient to laws passed by Parliament.

2. Amend the Federal Constitution to separate the subordinate judiciary from the civil service and make it an independent service or part of the overall Judiciary.

The subordinate courts—Sessions and Magistrates—are still part of the Judicial and Legal Service, i.e. part of the Executive branch of government.

3. Amend the Federal Constitution to replace the role of the Prime Minister in the process of appointing judges with that of the Judicial Appointments Commission.

(G25 Malaysia, Proposal 3C-1)

This is necessary to maintain the separation of powers between the Judicial, Executive and Legislative branches of government.

4. Amend the Judicial Appointments Commission (JAC) Act 2009 to strengthen its independence.

(G25 Malaysia, Proposal 3C-1)

- i. The JAC must have representation of various stakeholders from within the judicial system so that there is meaningful consultation with other concerned parties in the judicial appointment process.
- ii. There must be accountability of those involved in the process.
- iii. The Act must also clearly define the criteria for the selection and promotion of judges.
- iv. Instead of reporting to the Prime Minister, the JAC should be under a duty to ensure its independence from the Executive.
- v. The JAC should be allowed to determine its own procedures without interference from the Executive.
- vi. The four eminent persons who are allocated seats in the JAC are the nominees of the Prime Minister. The selection of eminent persons leaves open the possibility that former members of the executive and public service, members of Parliament and other politicians may sit on the JAC. These persons ought to be expressly excluded.
- vii. Exclude any and all sitting judges from JAC. Include representatives from the legal profession (Malaysian Bar, Sabah Law Society and Advocates Association of Sarawak), the office of the three (3) Attorneys-General, academia/national profession of teachers of law and civil society.
- viii. Members of the JAC must be persons who are able to provide a civil society perspective, or contribute to specific expertise in another relevant discipline, or be chosen in a way that reflects the composition of the community, in terms of gender, ethnicity, and social groups in the country.
- ix. Increase the membership of the JAC commensurate with its expanded tasks.
- x. The JAC should report to a specific parliamentary select committee on key matters of appointment and remuneration to ensure accountability, checks and balances.

5. Transfer the jurisdiction and oversight of judicial training from the Judicial Academy to the Office of the Chief of Registrar.

The Judicial Academy is parked under the Prime Minister's Department to oversee the training of the superior judiciary. To ensure there is no Executive

influence in the training, the Office of the Chief Registrar should take over the role under the Chief Justice.

II: Strengthening Prosecutorial Independence/Governance

The posts of the Attorney General and the Public Prosecutor are not independent of each other despite being vastly different and possessing purposes and interests that may even clash. The Attorney General is the chief legal adviser to the government of the day, whereas the Public Prosecutor acts as the principal prosecuting authority of the country, acting independently in criminal cases. Although the Federal Constitution allows for a civil servant or non-member of Parliament to be the Attorney General, Section 376 of the Criminal Procedure Code, against the spirit of rule of law, actually specifies that the Attorney General shall be the Public Prosecutor. Over the decades, this two-in-one position has created problems with accountability, transparency and anti-corruption efforts.

6. Amend Article 145 of the Federal Constitution to separate the function of the Public Prosecutor from that of the Attorney General.

(G25 Malaysia, Proposals 3C-2 & 3C2-3); Andrew Khoo)

3d: Anti-corruption

Preamble

Left unaddressed, corruption and poor governance are national challenges that can undermine democracy, the rule of law and economic development in the country. Towards fostering conditions for a fair, just and inclusive nation, the proposals in this policy area focus on addressing corruption systemically through multiple and simultaneous approaches.

I. Growing Income Disparity Between Top 20% & Bottom 40% Households

Real income and purchasing power parity in Malaysia have significantly deteriorated, in particular for the bottom 40% (B40) households, whose cost of living is especially high in urban areas. The growing increase in household income inequality over the years has widened the gap between the rich and the poor, while inadvertently worsening social instability.

1. Introduce basic income strategies.

- i. Raise B40 salaries as part of comprehensive wage and administrative reforms covering both private and public sectors. A guaranteed acceptable income is a necessary condition for moral integrity and resistance to corruption.
- ii. Provide an income safety net for B40 households. Ensure that all citizens have access to certain fundamental goods, especially education and universal healthcare.

(John Ku, Proposal 3D-1)

II. Limited Access to Information

The lack of transparent media and access to information enables the election of corrupt politicians. Transparency International cites limited access to information on matters of public interest, stalled progress in institutional reforms and a lack

of political will to fight institutional corruption as major causes contributing to the downgrade of Malaysia's ranking in its Corruption Perceptions Index, falling six places from the previous year to fifty-seventh in 2021.

2. Establish a free and independent civil society and media.

- i. An independent media and an active civil society movement are crucial to promoting freedom of opinion and expression that, in turn, can build a resilient electorate. A free and independent civil society and media empower the public as agents to keep the powerful in check. Independent journalists also complement the work of anti-corruption agencies.
- ii. Repeal the Sedition Act 1948 and OSA. The former prevents open and transparent discussions of issues that are classified as sensitive by the government, while the latter subjects journalists and sources who expose wrongdoings to heavy penalties.
- iii. Review the CMA to remove problematic provisions on content regulation, and further refine and revise rules on ownership and licensing for media companies. Such revision may help prevent large media players, or those with direct political links, from dominating the market and instead encourage more independent content producers to enter into the field.

(John Ku & Len Hew, Proposal 3D-2)

III: Money Politics

Malaysia's political system is undermined by the deep-seated problem of money politics, especially on the buying of votes during general elections and internal party elections. Money politics also refers to politicians and parties being involved in business, whether directly through active ownership of companies or indirectly via proxies or trustees, which causes unfair competition.

3. Introduce a Political Funding Act.

This Act must include the rules and procedures for a political party to raise money, how to keep that money and, most importantly, how that money can be

spent. Accounts must be audited annually, and financial reports made available to the public. A three-pronged approach should be taken:

- i. Institute reforms in political parties to enhance transparency and accountability of funds.
- ii. Devise a government policy that fairly allocates direct and indirect financing of politics.
- iii. Empower the public through civic and voter education.

(John Ku, Len Hew & Rashid Ahmad, Proposal 3D-3)

IV: Deteriorating Public Perception of Corruption

Public perception of corruption in Malaysia has rapidly deteriorated over the last three years. According to the Corruption Perceptions Index by Transparency International, Malaysia scored 53 out of 100 in 2019, the best score in a decade but slid down to 48 in 2021. A systemic, whole-of-society response is critically required to address this trend.

In the context of systemic corruption, the purpose of corruption may also be seen to serve broader social and political functions besides accruing private gain. Individuals engaged in corruption may be at least partially driven by a desire to fulfil a social norm (e.g., an expectation to help one's race or religion), to accomplish political goals, or to attain some other end (e.g., maintain political stability and peace). In such situations, corrupt actions are intertwined with wider political or power structures and social norms, and thus become deeply rooted and self-reinforcing.

4. Create a national integrity system.

(Selina Cean, John Ku & Zulkifli Hilmi, Proposal 3D-4)

Social norms, entrenched interests and collective action issues make corruption highly resistant to reform. The existing corrupt equilibrium must be disrupted by strengthening the pillars of a national integrity system which include: an active civil society, corporate governance, judicial independence, public administration reform, and demonstrated public commitment to embedding anti-corruption values. Some key initiatives based on the pillars are identified below:

- i. Repeal the OSA.
- ii. Integrate anti-corruption values into education for all secondary schools.
- iii. Review the appointment of directors and shareholders of GLCs.
- iv. Implement declaration and monitoring of assets in companies, and increase protection of minority shareholders' interests.
- v. Increase control of monopolies and quasi-monopolies.
- vi. Strengthen anti-corruption legislation and institutions.
- vii. Enforce a code of ethics in the public service.
- viii. Implement declaration and monitoring of assets for top civil servants, and enforce punishment for major offenders, including senior officials.
- ix. Guarantee a free and independent media.
- x. Ensure anti-corruption agencies can work independently.
- xi. Appoint politicians who commit to taking a public oath to support anti-corruption and demonstrate said commitment by maintaining public accountability for their actions.
- xii. Strengthen monitoring and evaluation roles in all public services and ministries.

V: Regulatory & Process Barriers, & Ease of Doing Business

Opportunities for bribery and extortion can be curbed by rescinding unnecessary regulations, simplifying the issuing of permits, doing away with unnecessary licences, and streamlining customs duties and taxes. Actions to change the laws or impose punishment for transgressions are important steps, but alone are insufficient to change ingrained behaviour; they need to be complemented by functional and process reforms that focus on embedding transparency and reinforcing corruption-free behaviour. In Malaysia, public service delivery systems are often outmoded, cumbersome, lack controls, require extended waiting time, and are open to corruption. Addressing this issue requires strengthening and improving of transparency, streamlining of processes, creation of open-book public financial management, and implementation of proper systems and controls.

5. Strengthen public service delivery.

Small and medium enterprises (SMEs) play a significant role in developing Malaysia's economy, occupying 97.3% of total business establishments, and contributing to 36.3% of the gross domestic product (GDP) and 65.5% of total employment. However, SMEs typically operate in an intensively competitive environment, rife with opportunities to resort to unethical practices to procure business. Hence, the following actions are needed:

- i. Review and streamline all forms of licensing, duties and taxes imposed.
- ii. Institute business integrity programmes in SMEs, and owners and employees must have access to a whistle-blower platform.

(Janice Kwok, John Ku, David T.H. Tan, Jeff Wei, Adila Azhar & Ahmad Shafiee, Proposal 3D-5)

- iii. Redesign public delivery systems towards simplifying processes and procedures, improving controls, and reducing waiting times.
- iv. Improve public financial management and processes.
- v. Improve management information systems.
- vi. Reorganise ministries to dismantle corrupt networks.

(May Leong, Selina Chean & David Tan, Proposal 3D-6)

VI: Leakages & Abuses in Public Procurement

Public procurement in Malaysia is highly vulnerable to procurement fraud; there have been many reported instances of conflict of interest, bid-rigging fraud, and awarding of contracts to unqualified contractors and cronies, amongst others. Left unchecked, procurement fraud not only perpetuates corruption, but also serves to undermine the economy by driving up the prices of goods and services which consumers ultimately have to bear in the long term.

6. Increase the efficiency and transparency of public procurement.

- i. Implement transparent tendering processes.

- ii. Enforce strict and immediate prosecution in instances where public and private sector individuals or entities have failed to adhere to transparent procurement requirements.
- iii. Ensure greater accountability and transparency in the exercise of power by government ministers, especially in procurement and financial system reporting.
- iv. Introduce standard clauses in tender contracts awarded by the government to outsourced goods and service providers, to provide greater security and to protect both government and public interest in projects involving negotiations between both parties. Ensure that any breach of contract, the Government can terminate or/and file a civil suit against the party who breaches the contract.

(John Ku, Janice Kwok, Aida Rahman, Hayley Lee & Ahmad Shafiee, Proposal 3D-7)

VII: Lack of Independent Oversight

The Executive branch has consistently undermined, and at times completely extinguished, independent detection, investigation and deterrence of corrupt practices. Our enforcement agencies are unresponsive to massive abuses of government power, whistle-blowers are plainly unprotected, and government secrecy is a serious concern.

Certain politicians and top public servants hold veto authority over any investigation through backdoor Executive control of the enforcement agencies and ministries. The same politicians maintain considerable authority over court proceedings through Executive control of the Attorney General—alongside significant allegations of judicial misconduct. Many prominent political appointees and public servants have either been sacked or forced to resign from their positions over efforts to expose corruption; likewise, countless public servants have been threatened and intimidated.

7. Establish an Independent Public Ombudsman.

- i. Establish a robust integrity structure for the whole government via a Public Ombudsman, answerable only to Parliament. The Public Ombudsman should be made the authorised central hub for all

misconduct and corruption claims against politicians and public servants, replacing the internal investigative and integrity departments of various ministries and agencies, as well as the official platform for whistle-blower protection. It will be firewalled against the Legislative and Executive branches through guaranteed funding from a direct percentage of the Budget.

- ii. Rebuild and reconstruct the MACC over time to remove political interference and sunset redundant agencies.
- iii. Establish a Public Interest Litigation Unit.

(Fiqah Roslan, Tiada.Guru, Proposals 3D-8 & 3D-9)

VIII: Lack of Protection for Whistle-blowers

Since the Whistleblower Protection Act came into being in 2010, the MACC has only ever filed one charge under it. Individual public servants have testified that they do not feel at all protected by the MACC, nor by their internal ministry departments, if they report misconduct or corruption. There is no institutional separation or shielding between perpetrators and whistle-blowers—in fact, it is often the case that the whistle-blower's superior both receives the complaint and determines the outcome. That same superior has full control over the whistle-blower and may institute transfers, disciplinary actions, even dismissal arising from complaints being raised, rather than offering protection. Currently, internal disciplinary investigations do not afford any legal whistle-blower protection; witnesses are likewise frequently warned to not assist criminal or civil litigation.

8. Upgrade whistle-blower protection.

Through the proposed independent Public Ombudsman, upgrade protection for all public servants who are witnesses of misconduct by:

- i. allowing confidential submission of reports and evidence until a formal disciplinary, civil or criminal proceeding is held.
- ii. allowing consultation with lawyers without any restriction or penalty against their protection.
- iii. protecting them without any restriction from other legislation.
- iv. incentivising them with monetary compensation.

Concluding Remarks

Over time, the effects of corruption not only affect the activities of the government and direct stakeholders, but seep into all aspects of society and economy, compromising the exercise and role of democracy, the rule of law and jeopardising the national economy. Accordingly, public reaction to corruption must reflect the core values of justice and integrity, which are necessary elements for the nation to thrive. Addressing the ills of corruption is a key cornerstone in building a just, inclusive and prosperous society for the Rakyat.

3e: Economic Justice

Preamble

The vision to achieve a just, equitable and inclusive society is enshrined in the Rukunegara, which was conceptualised in 1970. We are far from realising this national aspiration. This policy area encapsulates the aspirations of our People to work and live with dignity in a fair and inclusive Nation. The key proposals focus on policies and the requisite institutional-legal frameworks to ensure economic rights and social justice for all our People.

I. Inclusive Society

Malaysians support policies and programmes that look out equally for all and help the needy, regardless of social status, race or religion. We also welcome policies that promote participation, capability and diversity. However, the political rhetoric over the New Economic Policy and its subsequent incarnations has downplayed these aspirations. This is an opportunity for a national policy to provide clarity on these objectives, and to align programmes in a systematic and constructive manner. A new policy framework that safeguards equality in basic rights, dignity and well-being, while promoting participation, capability and diversity is required.

(Dr. Lee Hwok Aun, Proposal 3E-1)

1. Build a cohesive society based on equality and fairness.

Reformulate the pillars of development to make it inclusive, based on:

- i. Equality—provision of basic needs and decent living standards to all, based on the principles of equality, dignity and human rights. These policies specifically involve basic education, public health services, nutrition, social protection, shelter, basic income and decent work conditions.
- ii. Fairness—develop capabilities and promote participation in order to reduce intergroup disparities in access, opportunity, capability and representation, and ultimately to narrow income and wealth gaps. The

key areas are tertiary education, professional-managerial occupations, enterprise development, wealth and property ownership.

(Dr. Lee Hwok Aun, Proposal 3E-1)

2. Establish an Equal Opportunity Employment Commission to safeguard minority groups from discrimination at the workplace.

(Anusha Arumugam, Proposal 3E-2)

Young Malaysians from minority groups have raised concerns over racial discrimination in employment, particularly with regards to opportunities for career development. Institutional and legal measures should be set in place to reduce and prevent issues of racial discrimination, based on principles of equality and justice.

3. Promulgate a Social Inclusion Act and establish an independent Social Inclusion Commission directly answerable to Parliament.

(Saya Anak Bangsa Malaysia, Proposal 3E-3)

Forty per cent of Malaysians are still trapped in the intergenerational cycle of poverty and inequality. Vulnerable individuals and groups continue to encounter prejudice, discrimination and remain marginalised. We need an independent commission to oversee poverty reduction, marginalisation and social inclusiveness. Furthermore, a Social Inclusion Act should be enacted to establish legal provisions for specific matters such as:

- i. Fulfilling the basic needs of all people fairly and equitably.
- ii. Upholding the fundamental values of self-reliance, self-esteem and the dignity of our people.
- iii. Providing our children with the capability to break the intergenerational cycle of poverty and inequality.

II: Impact of COVID-19 on Vulnerable Groups

The COVID-19 pandemic has exposed the inherent weaknesses of Malaysia's numerous social protection programmes. The overarching system is not designed to meet the basic needs of food and shelter, nor to adequately address the

socioeconomic vulnerabilities and fiscal challenges that affect a sizeable proportion of our population and residents of this country. A comprehensive social protection system is imperative to ensure that the basic needs of all citizens, especially the vulnerable, are met.

4: Ensure social protection for low-income households headed by women.

Women and children from low-income urban households are among those who have been most adversely impacted. COVID-19 has vastly reduced women's economic opportunities, particularly those working part-time and informally with low pay and no savings. This group experienced disproportionate difficulties in accessing social safety nets, healthcare services and internet connectivity/technology. The social protection system needs to be re-evaluated to provide robust and comprehensive protection, especially for women and children from the urban poor and vulnerable communities.

- i. Design specific social protection policies to provide for low-income households headed by women.
- ii. Establish a central coordinating committee with representation from all stakeholders to address issues and coordinate social assistance programmes.

(Lim Su Lin, People's Health Forum, Proposal 3E-4)

5. Conduct a Universal Basic Income (UBI) pilot experiment to evaluate the suitability of full implementation by 2025.

(Dr. Nurul Kauthar, IKRAM Pulau Pinang, Proposal 3E-5)

The UBI is one way of addressing income security for the most vulnerable groups.

III. Affordable Public Housing for Targeted Groups in Need of Decent Shelter

The national median monthly household income of a household of four in 2019 is RM5,873, rendering affordable housing beyond the means of at least 50% of the people. It will take at least 60 times this amount to get a decent shelter. The

provision of adequate housing is a fundamental right under the Universal Declaration of Human Rights 1948.

6. Take steps towards collaborative, affordable, community-based housing.

- i. Adopt the Industrialised Building System (a Malaysian term to describe the use of automation, mechanisation and prefabrication of components for the building industry) and the 3-D printing method, and use environmentally sustainable housing materials.
- ii. Establish a national youth housing project based on the rent-to-own concept.
- iii. Enhance funding for community housing through the use of Petronas dividends, Permodalan Nasional Berhad investment contributions and government bonds.

(CS Loh & Dr. Tai Tuck Leong, Monsoon Malaysia, Proposal 3E-6)

7. Adopt an efficient public housing policy.

To contain the rising cost of urban housing that is affected by real estate speculation in a free market economy:

- i. devolve powers to state governments and local authorities to supply public housing.
- ii. transform unmarketable apartments/condominiums into public housing rentable units. Establish a universal criterion for rental eligibility by proximity to work location, irrespective of income group.
- iii. give fresh graduates a subsidy for public housing rental and accord this group higher priority when it comes to approval of such rentals.

(Wong Tsu Soon, Agora Society Malaysia, Proposal 3E-7)

8. Promulgate an Estate Workers Housing Act.

The demand for guarantee of housing for estate workers stems from a legacy of being denied basic housing ownership rights for over three decades. Once their contract period ends, estate workers are vulnerable to eviction since they do not possess legal ownership over their living quarters. The low wages mean that

workers are often unable to afford a house, even houses built under the government's affordable housing schemes, as prices are constantly rising. The Housing Scheme for Estate Workers, formulated by then prime minister Tun Abdul Razak Hussein in the 1970s, was a laudable policy on paper but its implementation and enforcement remain far from reality.

An Estate Workers Housing Act is needed to ensure that:

- i. owners/employers adopt and abide by the Housing Scheme ownership policy for current and ex-workers.
- ii. the Housing Scheme for Estate Workers is fully subsidised by the federal or state government.
- iii. current services and facilities for workers are retained in the new housing area.

(Karthigesu Manickam, MARHAEN, Proposal 3E-8)

9. Stop evicting urban pioneers.

Urban pioneer villages have been around for almost 50 years. The current residents are third- and fourth-generation descendants of villagers or estate workers who had migrated to the cities for survival, and were even welcomed by the government, as additional labour was needed for the growing cities. In the 1970s and 1980s, the government allocated land to these pioneers for farming purposes. However, the villages are located on private property and government reserve land, and the residents are now under constant threat of eviction. The contribution of urban pioneers to the development of our cities is immeasurable and needs to be duly recognised by:

- i. Recognising the existing villages as traditional villages and giving the villagers the requisite land grants.
- ii. Providing communities identified for relocation with alternative housing prior to any eviction or demolition. Alternatively, a temporary transit housing with fair rental must be provided till the alternative housing is completed.
- iii. Ensuring that the alternative housing is near the original village to reduce disruption to the urban pioneers' livelihood.

- iv. Promulgating an Anti-Eviction Act to ensure the fundamental rights of pioneers to alternative land/housing and adequate compensation.

(Parameswary Elumalai, MARHAEN, Proposal 3E-9)

10. Local councils must be responsible for the maintenance of low-cost flats.

The physical state of low-cost flats in the country is generally appalling, resulting in an uncondusive living environment for occupant families, while negatively affecting their physical and mental health. Under statutory law, the Joint Management Body (JMB) of each low-cost development is responsible for overseeing maintenance and cleanliness. However, the monthly fees imposed by JMBs are often beyond what the majority of tenants can afford, on top of having to pay assessment and land/parcel taxes.

Further, there have been many reported cases of low-cost flat residents being subjected to unjust treatment by local authorities, such as having to pay the local council double the amount charged to residents of low-cost-terraced houses for fewer services.

Henceforth, to ease the burden of low-cost flat dwellers, all local councils should assume responsibility for the maintenance services of low-cost flats, with appropriate checks and balances in place to ensure integrity in the process.

(Madhavi Sahatuan, MARHAEN, Proposal 3E-10)

IV: Equal Rights for Binational Spouses

The Long-Term Social Visit Pass (LTSVP) visa of spouses strictly prohibits any form of employment. When exceptions are given, it is still highly restrictive. Professional licences can only be obtained after Permanent Residence is granted. Employers are reluctant to hire due to these restrictions. This has caused non-citizen spouses to be economically dependent on their Malaysian spouse, who becomes the sole provider. This dependence can increase the risk of domestic violence as non-citizen spouses are left with no choice but to depend on their Malaysian spouse for their legal status and economic security in the country.

The rights of non-citizen spouses to financial autonomy and security must be upheld.

11. Give non-citizen spouses equal rights to employment and social services.

- i. Remove the prohibition from employment on their visa.
- ii. Grant them the right to work upon registration of marriage.
- iii. Allow them to open individual bank accounts.
- iv. Extend to them the protection of labour laws including mandatory Employees Provident Fund and entitlements to severance packages.

(Bina Ramanand, *Family Frontiers*, Proposal 3E-11)

Concluding Remarks

The 11 actions range from a call to adopt new conceptual lenses for national socio-economic policy formulation and implementation, to tackling the issues of poverty, inequality and social protection, and the need to protect and promote the rights of all citizens and residents in a truly just and inclusive Nation.

3f: Education

Preamble

In the past decade, Malaysia has consistently ranked close to or in the bottom one-third of the international Programme for International Student Assessment (PISA), a triennial survey assessing students' key knowledge and essential skills in areas such as reading proficiency, mathematics and science. This trend was foreseen in a 2013 World Bank report, which noted the disparity between Malaysian students' cognitive skills and the country's aspirations to become a high-income economy. While national education systems are undoubtedly complex, and Malaysia's success or failure in PISA should not be treated as the only indicator of educational success, its results should prompt the government to look into the issues and factors contributing to our students' under-performance and falling standards that are apparent in general as well.

I: Partisan Political Influences

The root of the problem lies in the lack of a consistent vision for educational reform, especially given that education policies change every few years following changes of education ministers. Compounding the matter is the issue of how discrimination has been legitimised in our education policies. Over the years, Article 153 of the Federal Constitution, on bumiputra rights and privileges, has often been interpreted to justify Malay supremacy. This racial ideology has permeated in the public sphere, including curriculum content in schools and the composition of leaders in the public education sector and teachers. Unless it is replaced with an emphasis on professionalism, integrity and accountability, it will be hard to restore any meaningful standards in Malaysia's education.

1. Establish a comprehensive, cohesive accountability system.

The accountability system shall consist of the following independent components that are answerable to Parliament and allocated funding so that they may act impartially and fairly, and be free from political influence and intimidation:

- i. An oversight committee to provide checks and balances against the Education Ministry. It should include representatives from academia, educationists, the corporate sector, professional councils and parent representatives. The committee must look into misappropriation of funds, including rent-seeking and fraud, as well as monitor the execution of strategies identified in the Malaysian Education Blueprint (MEB) 2013-2025.

(Education Cluster, CSO Platform for Reform, Proposal 3F-1)

- ii. An apolitical professional education consultative council to ensure that curriculum content and implementation are aligned to current developments in education. Curriculum design, assessment and implementation must be the sole responsibility of experts, scholars and educators, and should include a mechanism for feedback from students, alumni and parent representatives. Such a council must also ensure the credibility of public assessment results by placing safeguards against manipulation. The goal of a consultative council is to ensure that education in Malaysia is on a par or if not better than the current international standards of education.

(Megat Mohamed Amin Megat Mohamed Nor, IKRAM, Proposal 3F-2)

- iii. An ombudsman system to investigate complaints about maladministration and abuse of power and trust by bureaucrats and officials bearing senior positions in the Ministry of Education (MOE).

(Kong Wee Cheng, Dong Jiao Zong, Proposal 3F-3; Education Cluster, CSO Platform for Reform, Proposal 3F-4)

- i. Comprehensive and genuine protection must be given to teachers and student whistle-blowers.

(Fiqah Roslan, Tiada.Guru, Proposal 3F-5)

- v. An Independent (Appointment) Selection Committee (ISC) comprising qualified professionals to administer merit-based appointments of senior officers, principals, specialist teachers and District Education Office officers. Candidates should be appointed on the basis of possessing the requisite capabilities and skills, and not merely to fill up vacancies. The

ISC must also address inquiries and decisions regarding non-performing officers, teachers including school principals, through an on-site investigative and interview panel.

(Education Cluster, CSO Platform for Reform, Proposal 3F-1)

- vi. An independent auditing body to conduct an annual audit of the financial accounts of the MOE, including economic damages (torts, breach of contract), contract fraud, money laundering and asset misappropriation, records falsification, procurement fraud and price fixing.

(Fiqah Roslan, Tiada.Guru, Proposal 3F-6)

2. Abolish the UUCA.

(Lee Hao Jie, Proposal 3F- 7)

Reformulate higher education laws to serve changing societal needs. Reinstate the right of university students to form unions.

3. Reinstate civic and citizenship education in national schools.

The young generation must know their rights and role in society, both local and global, be able to discuss and debate rationally, and seek solutions to differences via dialogue. Such awareness and civic competency are essential to develop a co-existence and co-prosperity mindset in a multi-racial society.

(Education Cluster, CSO Platform for Reform, Proposal 3F-8; Fiqah Roslan, Tiada Guru, Proposal 3F-9)

II: Inclusive Education

Inclusion and equity are key elements that should be prioritised in Malaysia's education system to ensure an appreciation and respect for diversity as a pathway to sustainability, prosperity and peace, which is the endmost role of education. The overemphasis on the values of one ethnicity, language and religion has increasingly homogenous, conformist outlook and conservative mindsets in national schools, at the expense of multicultural acceptance. The tolerance for and perpetuation of patriarchal values in schools, as reflected in unaddressed

gender discrimination and sexual harassment, creates an unsafe environment for learning.

4. Implement multicultural policies and laws that demonstrate respect for, and appreciation of diversity in culture, language and gender in schools and learning institutions.

(Kong Wee Cheng, Dong Jiao Zong, Proposal 3F-10)

5. Safeguard and enforce the constitutional right of Malaysians to access first-language education.

As advocated by the UN Educational, Scientific and Cultural Organization (UNESCO), a child's first language is the optimal medium for attaining literacy and learning in primary school. Actions to support for first-language education should include the following:

- i. Respecting parents' choice for the vernacular school system.
(Education Cluster, CSO Platform for Reform, 3F-11).
- ii. The Chinese national-type primary school (SJKC) system is favoured by 95% of Chinese parents and 20% of Malay, Indian, Orang Asal and Orang Asli parents, according to MOE 2019–2020 data, while professionals and parents who had attended the English-based missionary schools of the past thought that curriculum and approach to be better than the present ones. The bilingually competent alumni of such schools are more likely to embrace a multicultural ethos and practise openness and acceptance towards others, a key aspiration expressed in the MEB, and much sought after by both local and international industries.
- iii. Reinstating English-medium schools as an alternative language stream among the public-funded schools to produce trained and competent English teachers towards equipping the next generation with a good command of the language, which will enhance Malaysian students' international competitiveness as well as the nation's trade competitiveness.

(G25 Malaysia, Proposal 3F-12)

6. Endorse gender equality policies that prohibit gender discrimination.

(Kong Wee Cheng, Dong Jiao Zong, Proposal 3F-13)

- i. Provide evidence-based education on gender or sexual health matters to students, in order to prevent and end rape culture and sexual harassment in educational institutions.

(Rusni Tajari, WAO, Proposal 3F-14)

- ii. School teachers and principals should also undergo gender-sensitisation programmes, which include being taught the inappropriateness of conducting intrusive period spot checks on female students for not attending religious prayers.

7. Provide access to education for all stateless and undocumented children.

(Bina Ramanand, Family Frontiers, Proposal 3F-15; Maalini Ramalo, DHRRA, Proposal 3F-16)

The right to education for all children, including those who are stateless and undocumented, is covered in the UNCRC, which Malaysia has ratified, and it is also recognised in the Child Act 2001. These children should only have to undergo a one-time enrolment process into schools, instead of a yearly application, and once registered, they should be given full access to all forms of educational opportunities offered by the schools, including taking part in both in- and beyond-school activities.

Left unchecked, the ongoing prejudice and social discrimination faced by these students leads to not only education loss but also life-long adverse socioeconomic outcomes, such as inability to earn a livelihood, and increased risk of falling into crime and violence.

III: School Autonomy & Decentralisation of Education

Malaysia has arguably one of the largest central education administrations in the world, relative to the number of schools, according to UNESCO 2013 data. As a policy thrust, the centralisation of education at federal level was useful during the nation's formative years to ensure efficiency in delivery of services, but five

decades down the road, the overconcentration of power within the MOE has led to many problems, including the creation of overly bureaucratic, hierarchical top-down structures, multiple wastages and a complex, overlap of interests among stakeholders in the education system. The MEB specifically provides that, as part of the third stage (2021–2025) of education transformation, the MOE should demonstrate transparency and accountability by restructuring and decentralising its powers.

8. Restore autonomy in the various levels—state, district, school.

To address geographical gaps in education, decision-makers at the state, district and school levels should be given the authority and flexibility to implement educational policies through local-data-based solutions to meet the needs of the students and local community.

(Kong Wee Cheng, Dong Jiao Zong, Proposal 3F-17)

At school level, principals should also be given the flexibility to make changes in their schools to address specific education loss issues, based on localised needs and students' socioeconomic status. Such measures could include incorporating special English or Malay proficiency programmes to the existing curriculum or providing custom parental education programmes to help parents be more effective in supporting their children.

(Education Cluster, CSO Platform for Reform, Proposal 3F-18)

9. Run a pilot decentralised education initiative to restore school autonomy.

The academy schools of the United Kingdom can serve as a reference for this progressive initiative, in particular to empower both high-achieving and under-performing schools and teachers.

(Dr. Tan Ai Mei, Proposal 3F-19)

10. Establish an annual school curriculum, integrity and safety report card devised by schools.

The MOE should not set academic key performance indicators (KPI) for schools, nor should school performances be compared at either district or state

levels. Schools should be able to set their own KPI on students' well-being with respect to safety, integrity, education delivery and human resources.

(Fiqah Roslan, Tiada.Guru, Proposal 3F-20)

11. Make public online statistical data about school profiles and research reports about education in the country.

Transparency is needed to ensure that all decisions related to education policy and subsequent actions taken are done in accordance with policy formulation and review.

(Kong Wee Cheng, Dong Jiao Zong, Proposal 3F-21)

This should include the validity and representativeness of consultations with stakeholders on a geo-granular basis.

12. Make accessible across all agencies the data collected from teachers.

The lack of a cohesive data collection and housing system has resulted in countless duplication of requests for identical data by different education divisions across the federal, state and district levels. It is a waste of teachers' time and a distraction from teaching, affecting the performance of schools, teachers and students alike.

(Kong Wee Cheng, Dong Jiao Zong, Proposal 3F-21)

13. Maximise public participation in policy formulation.

This includes establishing a geographical gradient consultation with the school community and diverse stakeholders in education. Set a clear, effective participation process that will incur minimum cost.

(Kong Wee Cheng, Dong Jiao Zong, Proposal 3F-22)

14. Empower parent-teacher associations to perform their role in safeguarding student well-being and checking irregular practices in school.

Amend the Education (Parent-Teacher Associations) Regulations 1998 and Education Act to pave the way for schools to develop partnerships with parents, community, NGOs, and lead the school transformation as identified in the MEB.

(Fiqah Roslan, Tiada.Guru, Proposal 3F-23)

15. Overhaul and reform the MOE payment system.

Decentralise financial disbursements for school building maintenance, repair and procurement, with standard accountability requirements instituted locally to eliminate corrupt, rent-seeking practices that are currently embedded in the system; as observed in school projects awarded to contractors listed in the Public Works Department pipeline.

(Education Cluster, CSO Platform for Reform, Proposal 3F- 24)

16. Review the executive power and professional competency of the District Education Office to spearhead change at the school level.

The leadership of the District Education Office needs to adhere to the 3Cs—commitment, coordination and communication—to see through reforms from start to completion. The Office should not be regarded as a stepping stone for quick promotion to senior positions in the MOE, a practice which appears to have transpired in the Federal Territory of Kuala Lumpur Education Department.

(Education Cluster, CSO Platform for Reform, Proposal 3F-25)

IV: Holistic Education

Education and curricular delivery must be administered as an integrated humanising learning process, underpinned by professionalism.

(Fiqah Roslan, Tiada.Guru, Proposal 3F-9)

Political and orthodox influences to reinforce the status quo and political control, as observed in the teaching of subjects such as history, moral studies and religious studies, must stop.

Assessments are needed to provide students with feedback on their attainment of literacy and numeracy skills, as well as knowledge of daily life, which entails a holistic approach to education. Yet the MOE has been overly focused on grades and examinations at the expense of instilling an authentic learning culture in schools. While the Primary School Achievement Test, also known as the Ujian Pencapaian Sekolah Rendah (UPSR) has been abolished—not by design but due to the learning obstacles posed by the COVID-19 pandemic—and the Form Three Assessment, or Pentaksiran Tingkatan Tiga (PT3), similarly cancelled, the MOE still has to radically change its approach.

17. Implement standardised competency assessment to replace the UPSR.

(Education Cluster, CSO Platform for Reform, Proposal 3F- 25)

The abolition of UPSR in 2021 provided teachers and schools an opportunity to focus on restoring autonomy and ownership of learning to students, and teaching to teachers. In lieu of the UPSR, we propose that the MOE introduce a national-level assessment conducted by a professional examination board during the Year 5 and 6 primary schooling years as a means of ensuring that teachers and schools are discharging their duties accordingly. Students should be permitted to decide for themselves when to take the test within the timeframe, with no limits placed on the number of resits. The main objective of the assessment is not to quantify school rankings or student gradings, but to ensure that students attain a minimum basic competency in language, mathematics and science to conduct their daily activities and pave the way to life-long learning.

18. Liberate teachers from the grade-obsessed mentality and encourage them to play the role of learning facilitators instead.

Rather than pressuring students to achieve good grades and excel in exams, teachers should strive to make education a more balanced, nurturing process that builds character and good values, while igniting passion and curiosity in students.

(Fiqah Roslan, Tiada.Guru, Proposal 3F- 9)

Use the holistic and integrated approach in the development of students' personality (*tarbiah*). This is essential to promote interest, develop talents and realise the potential of students. Various theories can be utilised such as the 3H (head, heart, hands) approach, involving critical reflection, relational knowing and physical engagement, or the concept of *insan rabbani* (a noble and pious individual).

(Megat Mohamed Amin Megat Mohamed Nor, IKRAM, Proposal 3F- 26)

19. On language teaching, focus on proficiency and competency instead of passing exams.

The majority of SJKC students are unable to understand basic conversational Malay; 60% of secondary school students' English proficiency is of primary school level; and 30% of public school English teachers only managed to obtain a minimum C3 in the 2012-13 English teacher qualifying exam. These dismal figures highlight an urgent need to re-align the way language is taught in mainstream education. Effective language education should be premised on the philosophy of language being taught as a life-long living skill, rather than a subject for which an exam must be passed.

(Education Cluster, CSO Platform for Reform, Proposal 3F- 27)

20. Restore the history curriculum, with an emphasis on facts and an appreciation of diversity.

This is important for nation healing, growth and unity, as well as to lay the foundations for a holistic perspective of the world and appreciation of human civilisation. Curricular manipulation creates mistrust, impedes social integration, and affects the competitiveness of the country. For example, the narrative on East Malaysian history laid out in the current curriculum is not reflective of the people's struggle since the Federation of Malaysia was formed; likewise, the contributions of the Chinese and Indian ethnic groups to the development of the country are increasingly being erased from the history curriculum.

(Education Cluster, CSO Platform for Reform, Proposal 3F-27)

21. Conduct human rights education through workshops and project work in primary school right up to university.

This can be incorporated into the civics and citizenship curriculum. Besides improving humanity in general, it is essential to stem police brutality in society...

(Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, Proposal 3F-28)

...and sexual harassment and rape in schools.

(Rusni Tajari, WAO, Proposal 3F-29)

22. Investigate learning loss and dropouts due to school closures.

(Chan Yit Fei, Agora Society Malaysia, Proposal 3F-30)

- i. The priorities of the MOE during and post-pandemic should be to:
 - a) Reduce the impact of school closures on the foreseeable rise in dropout and truancy rates.
 - b) Reduce the learning gap due to the digital divide.
 - c) Ensure lesson plans designed for online learning involves methodology such as teaching by sharing videos and allowing children engagement with their classmates online. Teachers need to be better supported in online teaching methodology.

(Srividhya Ganapathy, CRIB (Child Rights Innovation & Betterment) Foundation, Proposal 2E-7)

- d) Reduce the harm to students' mental well-being due to learning loss and social isolation.
 - e) Empower schools to run school-based curriculum towards effectively fulfilling students' learning needs and the community's aspirations.
- ii. Set up a task force to assess the impact of learning loss nationwide, in particular the impact on students' literacy and numeracy skills. The MOE could adopt the following curricular strategies:
 - a) Reduce subject matter content by emphasising core ideas and content that is deemed essential for future learning.
 - b) Introduce a new curriculum to build better skills to cope with uncertainty and encourage life-long learning to build resilience.
 - c) Administer school programmes to curb dropouts.

- d) Tailor remedial classes according to the adjusted curriculum and students' personal needs.

V: Non-performing Teachers & Teacher Professionalism

Teachers are the vanguard of education reform. Unfortunately, many teachers serving in the public education sector suffer from lack of motivation, due to being guaranteed automatic promotion by virtue of simply holding their posts. This, alongside an entrenched annual incremental remuneration reward system, are major reasons contributing to underperformance of public school teachers and educators. The removal of non-performing teachers can take up to three years, owing to excessive red tape. The Teacher Redeployment policy implemented since the last decade, which transferred senior teachers, assistants and principals around, has reduced schools to a uniform level of mediocrity.

In the past four years alone, nearly 4,000 teachers opted for early retirement every year, of which a significant number were senior teachers, administrators and frustrated principals (2017-2020 MOE data). To restore standards in education and the teaching profession, there needs to be an overhaul, from the entry point of teachers and education officers, to the appointment and promotion of education leaders and, more importantly, the establishment of an ombudsman system to handle the problem of underperforming teachers.

23. The MOE and Public Service Department must demonstrate accountability in handling problematic teachers.

(Education Cluster, CSO Platform for Reform, Proposal 3F-31)

Our hierarchical education system is a major stumbling block to the firing or dismissal of problematic teachers in schools. Too many conscientious principals have been frustrated to the point of opting for early retirement, while others have little choice but to continue tolerating teachers and senior assistants who display a clear lack of motivation to work.

24. Review the absolute authority held by the Education Service Commission in executing the recruitment, appointment and promotion of education officers.

(Fiqah Roslan, Tiada.Guru, Proposal 3F-32)

Teachers who have a record of underperformance and non-motivation should be singled and rooted out at the entry point. Similarly, the appointment and promotion of education officers should not be influenced by nepotism and political patronage.

25. Shift the investigative authority vested in the Ministry of Education to an Ombudsman or Independent Panel.

(Fiqah Roslan, Tiada.Guru, Proposal 3F-5)

Multiple cases of probes into teacher misconduct have been swept under the carpet just because the MOE claimed “there was no evidence.” A whistle-blower survey conducted by Tiada.Guru, a Sabah-based campaign of grassroots victims, whistle-blowers and activists, revealed instances of political intimidation and fabricated evidence in some of these probes. A necessary-hire-and-timely-fire mechanism has to be employed to salvage the education loss of students.

26. Ensure that in-service teachers go through monthly professional learning development.

This must be done through professional learning communities at both subject and professional levels in school, as stated in the MEB, to form the basis for continued reformation as a practice.

27. Reinstate the three-year renewal policy of the teaching licence.

This is to ensure that all teachers, even upon confirmation in the automatic time-based promotion system set at a maximum of three years, remain motivated to engage in regular professional learning development. This should be applied to all ranks of teacher educators—Novice (DG41), competent (DG44), professional (DG48) and expert consultant (DG52-DG54).

28. Establish an impartial professional body to assess teachers' competency prior any promotion.

This is especially important when it comes to assessing the middle and senior ranks—DG48, DG52 and DG54.

29. Remove teachers from the civil service and put them under the jurisdiction of school authorities.

Empower school authorities, i.e. the school board of governors, to decide on an appropriate hire-and-fire policy for teachers, including the principal. Besides reducing governmental red tape in this matter, it is also in keeping with the vision to decentralise education. The board must be led by reputable professionals, as is the practice in Hong Kong and EU countries. State funding for schools must include allocations for teachers' salaries, on top of school development and maintenance.

VI: Students' Physical & Mental Health

The primary and secondary school health curriculums are designed to benefit students with life-long life skills and good health literacy. While these curricula are fairly wide ranging and cover topics such as physical, socio-emotional, mental and spiritual development, child safety issues, as well as nutrition, diseases and first aid, student and youth lifestyle and morbidity profiles have registered worrying trends, as indicated in the 2017 National Health & Morbidity Survey (NHMS). The suicide rate amongst youth is also of concern. From January 2019 to May 2021, there were 872 suicide deaths of young people, with 15–18-year-olds comprising 51% of the total 1,708 cases, according to police data.

30. Make the school system an essential part of the national mental health system.

(Chan Yit Fei, Agora Society Malaysia, Proposal 3F- 33)

- i. Establish a functioning mental health system within each school or within a district that oversees schools, that includes facilities for safe counselling.

- ii. Lay counsellors, including teachers, must be well-trained in identifying symptoms of mental problems and must network with professional counsellors, clinical psychologists and psychiatrists.
- iii. Run programmes in schools to educate students, parents and the community.
- iv. Give appropriate support to the underprivileged groups, including undocumented or stateless migrant children, and establish easy-to-access platforms to report grievances.

31. Schools must set up a Student Health Programme Committee.

(Chan Yit Fei, *Agora Society Malaysia, Proposals 3F-33 & 34*)

The ministries of health, youth and education must collaboratively set up a health monitoring and support system for students. Assign a health officer to work with schools and government clinics in the district on health programmes to equip students with good health literacy and practices to combat obesity, stunting, malnutrition and mental problems.

32. Recruit professionally trained teachers to teach the physical and health education subjects.

Stop the ad hoc practice of replacing the health or physical education period with other subjects, or having non-option teachers (i.e. teachers who have not undergone formal training in particular subjects) to teach these subjects.

33. Take a systemic process approach to address the lack of self-resilience in students, including mental health issues.

Such measures can include online classes, a caring school environment and equipping parents with knowledge on child and teenage development.

VII: Early Childhood Childcare

Pre-COVID-19 pandemic, there were only 4,812 registered childcare centres, an enrolment rate of barely 10%, the lowest in ASEAN. Poor quality early childhood childcare education (ECCE) puts children at risk of toxic stress, abuse, neglect and educational disadvantage.

34. Establish an integrated, comprehensive Early Childhood Childcare Education System.

Children under five years old comprise 8% (2.6 million) of the total population in Malaysia. To enable a stable and economically developed nation, Malaysia must invest in building high-quality, affordable and accessible ECCE system infrastructure, as strong early foundations in physical, socio-emotional, language and cognitive development, as well as nutrition and health are formed during a child's early years.

(Education Cluster, CSO Platform for Reform, Proposal 3F-35)

- i. Place all types of ECCE institutions, including private ones, under a single agency.
- ii. Review the curriculum to make it holistic. Engage kids through play, toys, nature or projects instead of a formulaic academic approach, and ensure that education policies are free from religious indoctrination.
- iii. Prioritise establishing alternative, community-based childcare models, such as family playgroups, community toy libraries, home and family-based childcare centres within neighbourhoods, especially People's Housing Project flats.
- iv. Devise a Compulsory Child Protection Policy.
- v. Enact an ECCE Profession law that stipulates minimum qualifications for preschool teachers and care providers. Establish an independent ECCE professional regulatory body to oversee the development of care providers and preschool teachers.
- vi. Build partnerships with NGOs and the corporate sector to reach marginalised and remote communities.

Concluding Remarks

To overhaul the country's education system, we need professionalism, accountability and integrity in leadership. This requires transparency, maximum stakeholder participation, and decentralisation of power and education at both structural and systemic levels. Of particular urgency is to remove partisan politics from education.

3g: Local Democracy

Preamble

Of the three levels of government—federal, state and local—local government (city, municipality and district councils) has the most direct influence and impact upon the daily lives of the general public. Local authorities play the important role of managing the development process at local level while adhering to basic principles of democracy and administrative efficiency, and ensuring the social and economic development of the people and areas within its jurisdiction. Local governments are the last gatekeepers for projects that either improve people's lives or have disastrous consequences. As such, constant feedback and public engagement is crucial to ensure that their actions have the approval of local communities. Unfortunately, the absence of local government elections has made it challenging, if not impossible for principles such as public participation, transparency and local representation to be a prerogative.

I: Local Representation

There should be “no taxation without representation”. Currently, local councillors are appointed by the ruling political parties and represent the interests of the politicians and parties that appoint them. This interest may be in conflict with those of the residents, whom these appointed councillors are supposed to serve. The appointment of city mayors and council heads is also based on political patronage.

1. Reinstate local council elections.

(Wong Tsu Soon, *Agora Society Malaysia*, Proposal 3G-1; Fork Yow Leong, Proposal 3G-2)

- i. Bring back local council elections, which was officially abolished under the Local Government Act 1976 (LGA).
- ii. Until the legislation is officially reinstated, hold provisional elections, with the winning candidates appointed as councillors by the authority of the Menteri Besar.

- iii. Include election of the mayor as part of local elections.

II: Freedom of Information & Public Participation

Public participation in local affairs starts with the availability of information. Local democracy is possible only if citizens are given adequate information to provide feedback to policy makers. Local governments in Malaysia have been slow to embrace the culture of open data and open data initiatives. On top of this, secrecy laws such as the OSA do not support a safe environment for transparent open data and data sharing. Instead, such laws enable certain corrupt parties to withhold information from the public that could otherwise help ensure a transparent and accountable government.

2. Make information available to the public through policy and legislative changes.

(Jaslin Nadia, DHRRA Malaysia, Proposal 3G-3; Danesh Prakash Chacko, Tindak Malaysia, Proposal 3G-4)

- i. Institute an open data policy, mandating all levels of government to voluntarily publish important information. Local councils must periodically publish a list of open data information in a format that is accessible to all.
- ii. Enact a Freedom of Information (FOI) law at the federal level to enshrine the rights of the public individuals to request information of public interest, and reduce vagueness and arbitrariness in the criteria for open data release.
- iii. Subscribe to the Open Government Partnership and adopt their framework of principles and practices.
- iv. Promote public participation in the annual budget of local councils via participatory budgeting, and adhere to the principles laid down by the International Budget Partnership.

Concluding Remarks

These two main action items on local democracy will improve public participation and foster greater community engagement in the service delivery

efforts of local councils. Open data sharing within the local government ecosystem promotes transparency, while encouraging the adoption of more holistic and inclusive working practices. A multi-disciplinary, multi-stakeholder approach is needed to solve the current multi-dimensional problems of climate change, the Fourth Industrial Revolution and the pandemic. Local governments can no longer just work for the people—they will need to work with the people.

3h: Labour

Preamble

Malaysia's labour laws are a product of the former British colonial government's efforts to eliminate militant communists during the era of the post-war labour movement. The Trade Unions Ordinance 1940, in particular, had been revised a few times (up until 1950) to mandate the registration of trade unions and their separation into the categories of trade, industry and occupation, so as to divide and weaken the general unions supported by the people.

Post-independence, the Malayan government replaced the Ordinance with the Trade Unions Act 1959 but retained its restrictive provisions. Legislative suppression continued after the formation of Malaysia with the enactment of the IRA 1967, which was passed based on the restrictive features of the Trade Unions Act. Yet another piece of legislation, the Employment Act 1955, enacted before independence, contains many discriminatory features and lacks sufficient safeguards for workers to be protected against forced labour.

On top of legislative restraints to their rights, workers in Malaysia face an economic crunch. The privatisation of public services that took place in the 1990s led to the contract system being imposed upon workers employed in the lowest rungs of these services. The contract system for support services (e.g. cleaners and guards) in public premises (e.g. schools and hospitals) lopsidedly benefits the contractors, and over the years, this has resulted in the deterioration of treatment of and working conditions for service workers subsumed under the system—for example, they have lost benefits and basic labour rights such as annual increment and job security, as they are employed by private entities with a three-year turnover. They also do not have medical leave or annual leave—should they wish to take leave, they themselves must bear the financial cost of compensating the salary of the replacement worker during the duration of their leave. Malpractices are rampant across the country; countless cases abound of employers not contributing to the Employees Provident Fund and Social Security Organisation, not paying overtime rates adequately, unlawfully cutting wages, and hiring workers exceeding the retirement age, among others. The COVID-19 pandemic has exposed this broken system, as not only were these service workers

not recognised as front-liners and given their dues in benefits and protection such as personal protective equipment, they were also subjected to heavier workloads. The current system also favours cronyism and is manipulated by certain corrupt political elites to reward political loyalty. The procurement process is non-transparent and there is no accountability. Dependence on contractors is supposedly justified in the name of cost-saving, efficiency and service quality upgrade.

I: Right to Freedom of Association

The Trade Unions Act must be a law that promotes and protects the rights of all workers in all trades, regardless of nationality, gender or occupation, to defend their rights to form a trade union of their choice. Currently this law restricts the formation of trade unions and excludes many workers from forming and joining trade unions.

1. Amend the Trade Unions Act 1959 to remove barriers to establishment of organisations and strengthen the role of the Judiciary over the Executive.

- i. Remove the restriction that trade unions can only register in accordance with their trade, industry and occupation, and lower the threshold of amalgamation of unions.
- ii. The powers of the Director General of Trade Unions should be restricted to registering unions and other administrative tasks.
- iii. If the government fails to respond to an application for registration of a trade union within 30 days, the union is deemed registered.
- iv. Suspension of unions should be referred to the courts.
- v. The legal provision for strikes should be in accordance with international labour standards.
- vi. Non-citizens should be given the right to become union officials after they are legally employed for one year.
- vii. Unions must be able to affiliate through general meeting without having to first seek governmental approval.

(Ng Yap Hwa, Labour Law Reform Coalition, Policy Town Hall Meeting, 3 October 2021)

2. Amend the IRA to remove all obstacles to workers' freedom of association and assembly.

- i. Remove the restriction under Section 9(1) of the IRA 1967 that trade unions can only seek recognition from employers in accordance with employee categories, such as executive, managerial, confidential and professional.
- ii. Amend Section 9(4A)(b) of the IRA, which covers the powers of the Director General to verify the percentage of worker support for the trade union, to ensure that the result is decided by the number of votes cast, whether for or against the union, rather than by factoring in the total number of workers, i.e. by counting the number of uncast votes as a 'vote' against the union.
- iii. Amend sections of the Act that regulate strike and picket practices to be aligned with international labour standards.

(Ng Yap Hwa, Labour Law Reform Coalition, Policy Town Hall Meeting, 3 October 2021)

II: Right to Work, Benefits & Safer Workplaces

“Decent work for all” is a guiding principle of the ILO that is mainly concerned with the availability and provision of employment under conditions of freedom, equity, security and human dignity. It sets the standards for labour practices and ensures the interests of all workers are protected, irrespective of their nationality. Decent work is defined by the ILO as “work that is productive, delivers a fair income with security and social protection, safeguards basic rights, offers equality of opportunity and treatment, prospects for personal development and the chance for recognition and to have your voice heard”. If work is decent for all, there would not be problems of local workers refusing certain types of work that migrant workers are only too willing to take up to the extent that they are exploited over it.

3. Amend the Employment Act 1955 to induce workplaces to adhere to decent work standards, as defined by the ILO.

- i. Cover all workers, both local and migrant, as well as foreign spouses of Malaysians and refugees who are in employment, regardless of their salary level.
- ii. Amend the current legal definition of a workweek; reduce it from 48 hours to 40.
- iii. Provide for 98 days paid maternity leave and 7 days paid paternity leave.
- iv. Prohibit all forms of discrimination, such as gender, ethnicity, sexuality and age.
- v. Fully implement and enforce workplace codes of conducts to curb sexual harassment. These codes should include proper, clear-cut redress mechanisms for victims, and enforce strict penalties upon transgressors.
- vi. Repeal the provision for labour contractors.
- vii. Amend discriminative terms contained in the clauses in the First Schedule of the Act and replace “domestic servants” with “domestic workers”.

(Irene Xavier, Persatuan Sahabat Wanita Selangor, Proposal 3H-1)

4. Abolish contract labour in public services.

- i. Fully absorb support service workers in public premises as full-time government employees. Direct employment will guarantee these workers their rights and ensure that they receive the same benefits as other civil servants under direct employment, such as doctors and teachers.
- ii. Regulate the procurement process, including the appointment of board members, to ensure transparency.
- iii. Ban all subcontracting.
- iv. Embark on legal reforms, such as removing secrecy laws and recruiting external parties as monitors.
- v. Embark on operational reforms, such as blacklisting contractors who violate workers’ rights and enforcing cancellation of bond money from contractors as security payment for workers.

(Danial Hakeem, Jaringan Pekerja Kontrak Kerajaan, Proposal 3H-2)

5. Ensure a better future for Malaysians in the low-income category through legislation that prioritises Malaysian workers.

(The Tamil Foundation/Group of Concerned Citizens, Proposal 3H-3)

- i. Fill the labour shortage in the country through laws that regulate the hiring of local Malaysians in all categories of work, whether skilled, semi-skilled or unskilled.
- ii. Restrict the hiring of foreign workers to sectors which bear severe labour shortages without depressing wages of local workers.
- iii. Set up a government department that responds to labour shortages by reskilling and retraining local workers, especially Indian Malaysians, to meet these demands. Manage the movement of displaced plantation workers from the rural to urban areas by training and equipping them with new skills that are relevant for employment in the cities.

(Workers Union; The Tamil Foundation/EWRF, Proposal 3H-4)

6. Enforce labour laws to protect migrant workers from exploitation.

(Irene Xavier, Persatuan Sahabat Wanita Selangor, Proposal 3H-1)

3i: Health

Preamble

The MOH assumes the largest responsibility for the performance and delivery functions of public health. It fulfils these responsibilities by carrying out a variety of intervention strategies and services centred on preventive care (i.e. immunisation programmes) and disease control, from primary up to tertiary care. Short-, medium- and long-term planning and coordination are required to produce better health outcomes for the population.

The COVID -19 pandemic has exposed and tested the resilience of the health system, especially of the public healthcare sector. Insufficient funding and investment in infrastructure development over the past two decades, combined with lack of planning for human resources in the public sector, manifested in high bed occupancy rates in major public hospitals—a problem that had already existed before the pandemic, and was further exacerbated by it—and Hartal Doktor Kontrak, a nationwide workers' strike organised by young medical officers in protest against the government's contract system appointment.

The Malaysian population's health is also at risk due to rising trends and burdens of non-communicable diseases. If the government and society were to continue a 'business-as-usual' approach, the situation would deteriorate and, worse, with little or inadequate support still. The status quo is clearly not sustainable, and plans for improving and strengthening the health system must be put in place now. There are large gaps to be closed, especially in the running of primary healthcare.

I: Investment in Public Health & Public Healthcare

From 2009 to 2019, public health financing for the MOH stagnated at around 2% of GDP. Health made up only 8.5% of total government expenditure in 2018, just slightly over half the rates of similar upper-middle-income countries such as Thailand and South Africa, which ranged from 13% to 15%. This low rate does not mean Malaysians were much healthier, therefore requiring fewer health resources; on the contrary, low health allocations directly contributed to

the overstretching of the public health system. As the Director General of Health, Dr. Noor Hisham Abdullah, admitted in a 2019 news report: “We are currently underfunded, understaffed, underpaid, overworked, overstretched and with overcrowded patients.” In its election manifesto for the 2018 general election, the Pakatan Harapan coalition had pledged an allocation of 4% of GDP for the MOH; this is a good starting point to address the chronic funding situation in the public health sector.

1. Prioritise health by giving it a budget exceeding 4% of the gross domestic product.

- i. Significantly increase the budget for MOH with immediate effect. The funding from this budget should be separate from the COVID-19 fund.
- ii. Target a 4% GDP public health expenditure within five years, and increase it after that.

(Dr. Lim Chee Han, Agora Society Malaysia/People’s Health Forum, Proposal 3I-1)

2. Ensure equity in healthcare financing by implementing cross-subsidy mechanisms based on principles of progressive taxation.

The “social wage” in the form of subsidised healthcare must be increased because the wages of an average worker in Malaysia are low--only about one-sixth of wages in western countries. Any scheme requiring them to pay more for health would be unjust.

(Dr. Jeyakumar Devaraj, People’s Health Forum, Proposal 3I-2)

- i. Reject health financing schemes that rely on funds from the general public through mandatory contributions similar to the Employees Provident Fund, or mandatory health insurance schemes.
- ii. Raise tax income from the richest sections of society and corporations to increase the funds available for healthcare financing.

(Dr. Jeyakumar Devaraj, People’s Health Forum, Proposal 3I-2)

II: Healthcare Capacity & Development in the Public Sector

Overwhelmingly crowded conditions and long waiting periods for healthcare service in the government hospitals and health clinics are still a common scene, as reflected in soaring bed occupancy rates of over 70% in all state hospitals in 2019, even before the pandemic. Besides the healthcare workforce, healthcare facilities and physical capacities must be expanded to accommodate and meet local demands, especially in urban areas where over three quarters of the population reside. In recent years, the number of hospitals in the private sector have mushroomed in response to this surging healthcare demand. As of 2019, there were more private hospitals (208) than public ones (154). Nonetheless, private healthcare is not a sustainable solution as many lower middle class and low-income groups cannot afford private hospital fees. Thus, it is the responsibility of the government to take on this burden of providing a social safety net for urban communities. Moreover, setting up more private hospitals serves to encourage more specialists to migrate from the public sector to work in these hospitals, to the detriment of training and healthcare in the public hospitals.

3. Impose a moratorium on new private hospitals.

This includes a ban on expansion of beds in existing private hospitals.

(Dr. Jeyakumar Devaraj, People's Health Forum, Proposal 3I-3)

4. Build more hospitals in urban areas.

Construct more hospitals or expand existing ones in urban areas, where there is greater demand for healthcare.

(Dr. Lim Chee Han, Agora Society Malaysia/People's Health Forum, Proposal 3I-4)

III: Health Workforce Sustainability

One of the most important goals in rebuilding post-pandemic is to safeguard the collective health and well-being of the Rakyat. This cannot be achieved without strengthening the bedrock of the public healthcare system, namely its workforce, which is currently under tremendous pressure owing to the health crisis. Simply

put, we need to focus on two things: increasing the supply of public health staff to fill in available vacancies, and improving their retention within the public system, with the ultimate aim of creating a high-morale workforce that can contribute towards consistent healthcare services.

5. Exempt healthcare staff recruitment from the Human Resources Optimisation Policy.

All public healthcare personnel appointments are currently managed by the Public Service Department, and are consequently tied to the Department's Human Resources Optimisation Policy, which contains a directive to trim civil servant numbers by 1%. Under this policy, new appointments may only be carried out on a rotating basis. An appeal was made by the MOH to the Public Service Department in 2019 for healthcare staff to be exempted from these recruitment policies. This should be implemented immediately to enable more recruitment of healthcare staff, to overcome the shortage of healthcare workers and stop the deterioration of quality in public health service delivery.

(Dr. Chee Heng Leng, Citizens' Health Initiative/People's Health Forum, Proposal 3I-5)

6. Establish a Public Health Services Commission to set up a transparent promotional system.

Poor staff retention and high attrition rate from the public to the private sector continues to drive the workforce crisis even further, causing delays in services that impact most Malaysians.

(Dr. Chee Heng Leng, Citizens' Health Initiative/People's Health Forum, Proposal 3I-6)

IV: Primary Healthcare

In 2019, the National Health and Morbidity Survey reported worsening trends of non-communicable diseases (NCD), reflecting higher rates of obesity, diabetes, hypertension and hypercholesterolemia. NCD-related hospital admissions have historically been a significant burden on tertiary care services, and this trend is projected to worsen with the growth of an ageing population. As a result, the government will have to deal with competing demands on public services, even as the cost of care rises exponentially. Currently, about half of the MOH budget

is used for tertiary care, which is essentially the largest budgetary category, estimated to cost RM14.4 billion in 2019. This crisis provides an opportunity to enhance the role of primary care as the cornerstone of community healthcare, by providing timely health advice and screening through established trusting relationships between patients and their general practitioners (GPs). As the population grows older and the burden of chronic disease increases, implementing good family health practices, such as encouraging a practice of visiting the same doctor, is extremely important in capturing the benefits of continuity of care in the community.

7. Implement a Family Doctor System.

The MOH should implement a family doctor system with policy frameworks that support better coordination of health promotion, patient advocacy, illness prevention and end-of-life care. Currently, 70% of GPs are in the private sector, but a significant portion have also signed up for the ProtectHealth PeKaB40 programme, a healthcare initiative focused on early detection and prevention of non-communicable diseases among the low-income communities, which complements the often overwhelmed outpatient government clinics. The budget for such public primary care programmes should be increased accordingly.

(Dr. Lim Chee Han, Agora Society Malaysia/People's Health Forum, Proposal 3I-7)

8. Integrate private and public primary care services.

Introduce a capitation funding system for primary care services, whereby private GPs are contracted and funded by the MOH to cover and treat a certain number of patients over a period of time and within a determined geographic location, according to their place of practice. This way, GPs have “guaranteed patients”, allowing them to spend ample time on health prevention strategies as well as driving excellence in chronic disease management of the population.

(Dr. Chee Heng Leng, Citizens' Health Initiative/People's Health Forum, Proposal 3I-8)

V: Social & Inclusive Care

The country has seen an increase in suicide cases especially during the pandemic, with women comprising 83.5% of 1,708 suicide cases reported between 2019 and

May 2021. More than half of the suicide deaths were individuals aged between 15 and 18 years. This is part of a long-term trend as communities continue to face the double whammy of psychosocial and economic impacts.

9. Draft a comprehensive action plan for mental health and psychosocial support for women.

The COVID-19 pandemic has profoundly affected women, many of whom have been overburdened and hard hit, both at the workplace (especially in health and social sectors) as well as at home. The increase in workload due to lockdown and quarantine measures, on top of having to juggle multiple roles, has exacerbated the toll on women's mental health. In mapping out crisis responses to the pandemic, the Government must ensure that adequate access to psychosocial support resources targeted at women are put in place and strengthened, on top of demonstrating adaptability and rapid responses, and that current and future health policies include women's concerns as a prime consideration.

- i. Increase the number of psychiatrists, qualified counsellors and clinical psychologists.
- ii. Improve access to mental health services and treatments targeting vulnerable women.

(Dr. Roohaida Othman, IKRAM, Proposal 3I-9)

10. Apply universal approaches in migrant-focused health.

Inclusivity of care also means emphasising migrant health.

- i. Replace the over-securitisation approach with universal engagement in managing migrant-focused healthcare. This should stem from an intention of balancing between disease control, economic concerns and social well-being in often fluid circumstances.
- ii. Collaborate with civil society and community-based organisations in health screening and contact tracing processes to ensure cultural safety in healthcare services.
- iii. Make available migrant health data, especially to relevant groups working on this issue.

(Dr. Sharuna Verghis, Health Equity Initiatives/People's Health Forum, Proposal 3I-10)

11. Give stateless persons universal access to basic healthcare services and remove cost barriers for non-citizen children.

To better promote inclusive care, the government must provide stateless persons universal access to basic healthcare services for stateless persons, such as childhood immunisation programs and subsequent maternal and child health follow-ups, with minimal administrative and financial barriers.

(Maalini Ramalo, Development of Human Resources for Rural Areas Malaysia, Proposal 3I-11)

Allow all non-citizen children (up to the age of 18) with at least one Malaysian parent to access public healthcare at the same rate as Malaysian citizens, upon provision of the Malaysian parent's identity card. Non-citizen children should also be enrolled in the National Immunisation Programme free of charge, and allowed to take part in public-school-related health programmes such as dental check-ups and other initiatives.

(Bina Ramanand, Family Frontiers, Proposal 3I-12)

12. Formulate a pandemic preparedness plan.

This includes enhanced collaborative efforts between local and regional manufacturing capacities of vaccines, as well as inclusive social protection systems at home.

(Dr. Chan Chee Khoo, People's Health Forum, Proposal 3I-13)

Concluding Remarks

Despite the existence of heavily subsidised universal healthcare for citizens, there are severe cracks in the system, as revealed and exacerbated by the COVID-19 pandemic. These key recommendations are part of a system-building effort to better serve the Rakyat during the present crisis and for decades to come.

3j: Environment

Preamble

An overarching framework on climate change is needed to meaningfully address cross-cutting environmental issues which are inter-disciplinary and wide ranging, such as transparency, environmental and human rights impact assessments, sustainable development and natural resources.

I: Climate Change Action

Climate change needs to be addressed as a top priority issue in view of its impact on the economy and food security in particular. Public awareness must be raised on how climate change could affect different stakeholders, especially marginalised groups, and the urgent need to be prepared to deal with these impacts. We have already witnessed the consequences of extreme weather patterns that led to unusually heavy rainfall and unprecedented flooding in several states at the end of 2021 that caught us unprepared. The government, through effective policy making, needs to develop plans to mitigate and reduce greenhouse gas emissions while responding and adapting to climate change, such as enhancing flood mitigation systems and addressing coastal erosion due to rising sea levels, and making financial provisions for loss and damage suffered by communities.

1. Declare a national climate emergency and mainstream climate change in national development planning.

(Evelyn Teh, Jaringan Ekologi dan Iklim, Proposal 3J-1; Faris Ahmad Fadzil, Proposal 3J-2)

- i. Mainstream climate emergency in all policy, governance and institutional levels across agencies.
- ii. Formulate laws and regulations that impose low-carbon development and transportation, prevent further deforestation and ensure food security.
- iii. Ramp up national budget allocations for effective implementation and enforcement of climate-related actions.

- iv. Facilitate multi-stakeholder participation and representation, especially from the indigenous, vulnerable and marginalised communities, in an inclusive manner.
- v. Adopt a holistic approach towards raising public awareness, which includes having environmental education as a core component in the school curriculum and increasing coverage by mainstream media and through social media channels.

II: Transparency in Decision-Making Processes

An important principle of climate justice is that the voices of the most vulnerable must be heard and accounted for. This requires open and participatory decision-making processes, and accountability for decisions that are made, with emphasis given to the well-being of local communities and the environment. A clear example of opacity in the governmental decision-making process lies with the degazetting of forest lands for resource extraction or development. At present, this is frequently done by the state executive council, chaired by the Menteri Besar or Chief Minister, without transparency and proper oversight by the state legislative assembly, let alone the public.

2. Involve the public as decision makers in the development planning process.

(Siti Fatimah bt. Jafar, Environment Cluster (Treat Every Environment Special (TrEES)), CSO Platform for Reform, Proposal 3J-3)

- i. Provide complete information on development planning projects to members of the public so that they are fully informed and have a chance to review, express, propose and object to development plans.
- ii. Use leading social media platforms as publicity channels to announce development plans.
- iii. Distribute full documentation online free of charge instead of relying on printed documents.
- iv. Make the project developer responsible for all publicity and distribution costs related to public announcements as part of their corporate social responsibility.

- v. Encourage two-way communication which is safe, open and friendly at all levels ranging from interpersonal communication to mass communication.

3. Institutionalise the public involvement process and require state legislative assembly approval for degazetting of forest reserves.

(Dr. Lim Chee Han, Agora Society Malaysia, Proposal 3J-4)

- i. Make transparent the decision-making process for degazetting a forest reserve by keeping the public informed of impending plans and making it a requirement for project developers to first ensure that they have the majority support of the local public citizens to proceed with these plans, during public consultation sessions and through a local survey.
- ii. Require state executive councils to prepare a bill at the state legislative assembly prior to the state government making any decision on this. The state executive council should be able to satisfactorily justify, explain and defend their decision to degazette forest reserves to the state government.

III: Natural Resources Conservation

Green budgeting contributes to informed, evidence-based debate and discussion on sustainable growth. It uses the tools of budgetary policy-making to help achieve environmental and climate goals.

4. Incorporate green budgeting and planning.

(Dr. Lim Chee Han, Agora Society Malaysia, Proposal 3J-5)

- i. Have annual planning on the management of forests and natural resources.
- ii. Evaluate environmental impacts of budgetary and fiscal policies and assess their coherence towards the delivery of national and international environmental commitments.
- iii. Present green budgeting in the same session with the state budget for the approval of the state legislative assembly annually.

- iv. Set annual green targets such as treetop coverage, carbon dioxide emissions and pollution reduction.
- v. Conduct inventory checks and engage in advanced planning for utilisation of land and natural resources, which must be allocated, debated and approved.
- vi. Have state assembly persons (ADUNs) and the general public track, monitor and question the process and purpose of utilising these resources.

5. Protect water catchment forests.

(Rexy Prakash Chacko & Dr. Kam Suan Pheng, Penang Hills Watch, Proposal 3J-6)

- i. Gazette entire areas of natural water catchments within permanent forest reserves as water catchment forests under the National Forestry Act 1984 to protect them against logging and other unauthorised use.
- ii. Enact state by-laws to enable legal enforcement against unauthorised water extraction, logging and river contamination due to uncontrolled agrochemical use.

6. Increase forest connectivity in fragmented landscapes.

(Aisling Usun Bagly, Save Rivers, Environment Cluster, CSO Platform for Reform, Proposal 3J-7)

Connect forest reserves and national parks to increase the size of totally protected areas, while recognising the rights of local communities who depend on the forest for their livelihoods.

7. Redefine forest protection.

(Ken Lee, Agora Society Malaysia, Proposal 3J-8)

- i. Promote habitat conservation management as a high-income profession with generous remuneration.
- ii. Change the paradigm of conservation from conventional resource extraction to one that instead emphasises data extraction relating to biological species, habitat, water resources and emergence of diseases.

- iii. Encourage participation of rural residents, especially indigenous communities, to escape poverty through the transformation of livelihood practice, while forging a unique type of enterprise capital with their traditional forest knowledge.
- iv. Amend the Federal Constitution to solve problems related to forestry policy and land law, which currently fall under the absolute control of state governments.
- v. Raise public awareness on the importance of conserving forests.
- vi. Invite different social groups to participate in decision making to enhance ecosystem protection.
- vii. Limit timber production to areas outside forests and observe strict demarcation between plantation estates and forestland.

8. Enable sustainable forest conservation.

(Faris Ahmad Fadzil, Proposal 3J-9; Muhammad Sha'ani b. Abdullah, Environment Cluster, CSO Platform for Reform, Proposal 3J-10)

- i. Classify forests according to their environmental functions in the National Forestry Act to determine the best management practice for each composition.
- ii. Amend the National Land Code to strengthen governance of all land management and land use by state authorities by incorporating meaningful public consultation procedures.
- iii. Amend relevant laws to make the degazetting of permanent forest and wildlife reserves the purview of state legislative assemblies.

IV: Environmental Impact Assessment

Gaps and weaknesses in the Environmental Impact Assessment (EIA) regulations prevent the adoption of a holistic and comprehensive approach when assessing proposed projects. There is a need to give weightage to social impacts and human rights components, proper stakeholder consultation, access to information and the independent appointment of consultants.

Additionally, the practice of the project proponent appointing the EIA consultant leads to a conflict of interest which tends to favour the developer. There is often a lack of project oversight, monitoring of compliance and

mitigation measures, as well as follow-up after the EIA report is approved. It is worse in Sarawak where an EIA is not required for the logging of virgin or primary forests, thus leaving primary rainforests exposed to unethical and destructive logging methods without regulation.

9. Review the approval and evaluation processes for the EIA.

(Ng Yap Hua, Teoh Beng Hock Trust for Democracy, Proposal 3J-11; Celine Lim, Save Rivers, Environment Cluster, CSO Platform for Reform, Proposal 3J-12; Dr. Lim Chee Han, Agora Society Malaysia, Proposal 3J-13)

- i. Provide the public and other stakeholders with free and easy access to all documents produced including the EIA and social impact assessment on any planned development.
- ii. Enable the public and other stakeholders to present their views and inputs before a decision is made to approve the project.
- iii. Ensure the authorities or developers respond to objections or feedback within a stated time and before the project is approved.
- iv. Restrict the minister's power to "prescribe any activity" that requires EIA study by re-formulating transparent and clear criteria for an EIA study.
- v. Require project proponents to set aside and contribute a certain amount of funds for EIA purposes to a central consolidated account, for the Department of Environment to act on behalf of the project proponent and hire the most suitable candidate as the independent EIA consultant, with the EIA report used as a key reference source for project evaluation.
- vi. Revise EIA procedures and requirements to follow international standards of logging and forest management. This should be enacted across Malaysia to promote uniform standards of logging and ensure sustainable practices and better management of the country's rainforests. Enlist the help of national, regional, and international civil society organisations as a committee to produce solutions to mitigate loopholes and grey areas.

10. Revise Sarawak's EIA logging standards.

(Zarris, Environment Cluster (TrEES), CSO Platform for Reform, Proposal 3J-14)

- i. Amend the Natural Resources and Environment Ordinance 1958 to stipulate strict and clear EIA logging requirements for primary and secondary forests of a reasonable size.
- ii. Increase emphasis on conservation and careful management requirements of forest resources.
- iii. Legislate national laws to regularise implementation within state jurisdictions.

11. Replace the EIA with an environment and human rights impact assessment system.

(Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, Proposal 3J-11)

Revamp the Environmental Quality Act 1974 to make human rights impact assessment enforceable.

V: Sustainable Development

As the Malaysian population grows, human demands for social, cultural, economic and environmental resources increase, which can affect the quality of life. A green approach involving solid waste management, limiting urban sprawl and conserving public green spaces, among others, is needed.

12. Improve solid waste management.

(Aisling Usun Bagly, Save Rivers, Environment Cluster, CSO Platform for Reform, Proposal 3J-15)

- i. Raise public awareness on the need to make solid waste management a lifestyle practice, such as to 'go green' and be 'zero-waste-friendly'.
- ii. Educate packaging companies, supermarkets, restaurants and food vendors to roll out programmes to encourage zero waste.
- iii. Develop proper waste management systems, especially for communities in rural areas.

13. Inhibit urban sprawl to protect forests.

(Wong Tsu Soon, Agora Society Malaysia, Proposal 3J-16)

- i. Set urban growth boundaries in local plans.
- ii. Relax zoning restrictions in the cities to encourage mixed development; introduce policies that treat such zones as residential, e.g. by applying residential rates to utility bills and relevant taxes, and rehabilitating shophouses as residential housing.
- iii. Provide housing rental and purchasing subsidies that encourage people to live within a closer radius to the workplace, instead of living further and having to commute long distances to work, which in turn contributes to urban sprawl.

14. Increase infrastructure for pedestrian walkways and efforts to conserve public green open spaces.

(Siti Fatimah bt. Jafar, Environment Cluster (TrEES), CSO Platform for Reform, Proposal 3J-17)

- i. Develop pedestrian walkways which are integrated with green infrastructure within and among cities or towns.
- ii. Encourage public participation from local communities and local business owners, within local authority jurisdictions, to contribute and achieve neighbourhoods which are resilient and sustainable.

3k: Transport

Preamble

This policy area encapsulates the aspirations of the Rakyat for a transport infrastructure that facilitates physical and social mobility in all settings, whether urban or rural.

An efficient, accessible and affordable public transportation—and even active transportation, i.e. all human-powered forms of travel—is crucial to ensure economic growth and connectivity across Malaysia. Town planning, however, has been influenced by a strong car dependency—86.8% of households own a car, according to 2019 Household Income and Basic Amenities Survey by Department of Statistics Malaysia—with a sizeable minority owning multiple cars per household, compared with public transport use of around 25%. The focus on car-centred infrastructure has led to negative impact on the air quality in urban areas and concomitant damage to residents' health, on top of stunting the economic development of semi-urban and rural areas. This is not an economically, environmentally and socially responsible way to grow our cities, regions and country. As Malaysia's population is expected to peak in 2068, with an estimated annual growth of 1.3%, car-free alternatives to transport are a crucial factor in creating liveable and accessible neighbourhoods for people of all ages, abilities and economic backgrounds.

I: Decentralisation of Transport Planning

Transport services and infrastructure are highly location-sensitive. Every region in Malaysia has differing dynamics and needs based on the economic activities and social structures in place. Decades of transport planning under federal agencies, however, have degraded the quality of life, especially in the cities—Klang Valley residents, for example, waste up to RM20 billion annually on traffic congestion, according to a 2015 World Bank report. Decentralisation of transport planning is therefore needed to address these local transport issues.

1. Devolve the management of transport services from the federal government to the state government and/or regional authorities.

Allow the latter institutions to create an integrated transport system and services that cater to local needs, aided by the Land Public Transport Agency and specialist staff.

(Chong Yong Wai, Transit Malaysia, Proposal 3K-1)

2. Revise the National Transport Policy towards meeting the broader urban goal of 20-minute neighbourhoods to reduce car dependency in cities and regions.

This goal of ensuring self-sufficient neighbourhoods whose living and working needs are catered for within a 20-minute walk must be incorporated into the National Physical Plan, state planning guidelines and standards, as well as local structure plans.

(Chong Yong Wai, Transit Malaysia, Proposal 3K-1)

3. Upskill public staff who work on urban transport planning with continuous and professional training.

Give incentives for staff to work in regional areas and offer grants to regional councils to improve the public and active transport networks in their areas.

(Chong Yong Wai, Transit Malaysia, Proposal 3K-1)

II: Equitable Development

Development of transport infrastructure, especially public infrastructure, has been centred on the Greater Klang Valley, resulting in massive inequality in transport capacities among the capital, secondary cities and tertiary cities. The Government must rectify this developmental injustice to Malaysians living and working outside the Greater Klang Valley, who are forced to spend more on transport compared with those living in the capital.

4. Create a national transport funding framework to ensure equitable regional development.

- i. Establish an inter-parliamentary working group with the sole purpose of creating a transport funding mechanism based on the population of the local area, district and state towards equalising the price per resident in all areas. The funding mechanism should consider existing infrastructure, area density and economic land uses.
- ii. The new funding mechanism will work in line to fund the proposed regional transport planning authority, based on principles set forth by an updated National Transport Policy.

(Ir. Dr. Tai Tuck Leong, Monsoon Malaysia, Proposal 3K-2)

III: Progressive Policies for Sustainability

Many outmoded practices and planning-related policies, guidelines, regulations and laws have contributed to outdated, detrimental urban planning and design, leaving a negative effect on the liveability and accessibility of residences. These non-progressive policies and practices also hamper the growth of active and public transport as cars are prioritised in planning. Such policies should be revised to embed sustainable transport in planning documents.

5. Integrate state and local planning guidelines and policies into a revised National Transport Policy and National Physical Plan that encourage the growth of sustainable transport options.

6. Embed new urban planning best practices in our state and local planning policies.

The following are some suggestions:

- i. Fast-track the development of car-light development schemes that comply with revised goals in the National Transport Policy and National Physical Plan. This can be done through streamlined Development Applications assessment processes.

(Cameron Kang, Penang Public Transport Users Association, Proposal 3K-3)

- ii. Impose parking maximums to limit the construction of off-street car parking in public/active transport-rich areas.

(Cameron Kang, Penang Public Transport Users Association, Proposal 3K-3)

- iii. Increase residential densities and build affordable housing near public transport corridors.
- iv. Improve rights-of-way for public transport vehicles to ensure service quality, and create safe networks for cyclists and pedestrians.
- v. Create ‘superblocks’ of shared streets, streets with reduced speed limits, or pedestrianised local streets to create more accessible open spaces.
- vi. Set universal access guidelines to ensure footpaths, public transport stops and open spaces are accessible to all.
- vii. Develop sustainable urban design principles for neighbourhoods, to encourage permeability, access to businesses, transport, services and safer streets through passive surveillance.
- viii. Incentivise car-light developments with development fee waivers in recognition of the public benefit to public and active transport modes.

3I: Agriculture

Preamble

There are two categories of agriculture production in Malaysia: commodity and food. The former falls under the Ministry of Plantation Industries and Commodities (MPIC); the latter, the Ministry of Agriculture and Food Industry (MAFI). Commodity production is largely operated by large companies—for example, only 40% of oil palm is cultivated by small farmers. On the other hand, approximately 90% of producers in the food sector are smallholder farmers.

Despite improvements in food production, Malaysia continues to be a net importer of food, as 100% self-sufficiency is still impossible due to poor policies and implementation. Some of the imports are for the local industry to add value and export later. The main food imports are temperate fruits and vegetables, wheat, sugar, salt, beef and mutton.

Locally, the demand and need for agricultural produce are growing as consumption patterns change, especially among the urban population. When the COVID-19 pandemic broke out, local food production and distribution were disrupted due to the limited supply of raw materials and inputs, shortages in labour and market access, hindrances in global supply chains and exports, as well as an overall slowdown in agriculture services due to lockdowns and transport restrictions. In 2020, we imported food products worth RM55.5 billion compared with exports worth RM33.8 billion. This resulted in an increased trade deficit in food products amounting to RM21.7 billion, a difference of 24.9% from the previous year.

I. Food Security & Sovereignty

Many reports conclude that the root causes of the country's low agricultural backwardness stems from the lack of use of modern technology and unproductive smallholder farmers due to uneconomical farm size. Rarely discussed are the major problems of farmers, such as subsidy leakages largely enjoyed by supplier companies and contractors (non-farmers), market exploitation of input and yield prices, oppressive corporate monopolies, debt

traps, and entry of low-quality foreign products that are cheap, unregulated and exploit stakeholders. Our failure to identify real problems in the field will only exacerbate the situation when new technologies and control systems are introduced.

1. Give farmers freedom over seeds, agricultural inputs and market choices.

- i. Loosen overly formal controls in our agricultural ecosystem.
- ii. Repeal laws governing the freedom of farmers, such as the Seed Quality Act and the Amendment to the Protection of New Plant Varieties Act 2004.
- iii. Break up the monopoly of supply of agricultural inputs and the market of agricultural products, whether by agencies or the private sector.

(NurFitri Amir Muhammad, Forum Kedaulatan Makanan Malaysia, Proposal 3L-1)

2. Do not sign any free trade agreements (FTAs).

FTAs will remove import controls on agricultural products, leading to the flooding of cheap and low-quality products from supplier countries, which will affect the local market.

(NurFitri Amir Muhammad, Forum Kedaulatan Makanan Malaysia, Proposal 3L-1)

3. Decentralise the agricultural ecosystem—i.e. create a new ecosystem based on local nature.

Decentralisation will reduce costs and the risk of logistical failure, especially in the event of a crisis.

(NurFitri Amir Muhammad, Forum Kedaulatan Makanan Malaysia, Proposal 3L-1)

4. Empower the Federal Agricultural Marketing Authority (FAMA) to buy farmers' products through cold storage systems in each locality.

Through this system, FAMA can also help local farmers sell their produce at affordable prices for both the local and export markets.

(Ku Nurasyiqin Ku Amir, activist/Ph.D. student, Proposal 3L-2)

5. Implement modest economies of scale through the establishment of local cooperatives or companies that are confined to the area.

(Bawani K.S., Jaringan MARHAEN, Proposal 3L-3; NurFitri Amir Muhammad, Forum Kedaulatan Makanan Malaysia, Proposal 3L-1)

6. Limit farm areas.

Prevent large-scale estate farming which leads to monopoly and more harm to the environment and farmers' welfare.

(Bawani K.S., Jaringan MARHAEN, Proposal 3L-3)

7. Change the current subsidy system to direct assistance to farmers.

Rather than benefiting farmers, the current subsidy system is exploited by vendors. Direct assistance would be better, such as coupon systems or metric cards to buy agricultural inputs.

(NurFitri Amir Muhammad, Forum Kedaulatan Makanan Malaysia, Proposal 3L-1)

8. Help small and medium agricultural entrepreneurs to compete at a higher level without involving established corporate companies.

Government assistance in the form of finance or support for established corporations will only help them expand their monopoly, to the detriment of smallholder farmers and consumers in the long run.

(Bawani K.S., Jaringan MARHAEN, Proposal 3L-3)

II. Farmers' Rights

Smallholder farmers are faced with greater risks of falling into poverty when their income is unstable, which in turn affects dimensions of well-being such as health and food security. Environmental changes such as weather uncertainties and disease attacks, the COVID-19 pandemic and rising costs of living have created greater precarity for farmers, making their work all the more challenging. Although the National Agro-Food Policy aims to increase production every year, this will be difficult to achieve if the rights of farmers are not upheld.

9. Upgrade the farmers' rights component as part of the MAFI policy.

(Ku Nurasyiqin Ku Amir, activist/Ph.D. student, Proposal 3L-2)

Smallholder farmers need several support systems such as social safety nets that will guarantee their income during periods of bad weather or disease attacks. They also need assistance from extension officers, who may offer advice and guidance on improving agricultural practices in order to get better yields or income. At the same time, there should be an assessment of intergenerational poverty in peasant families. The direct impact of the COVID-19 pandemic on the lives of these farmers also needs to be taken into account, especially with regard to nutrition, education and mental health. Collectively, smallholder farmers need to understand their rights and be allowed to participate in the decision-making process at government level.

III: Access to Land

Land is the lifeblood of agriculture. Agriculture is the nation's backbone, as it provides food and generates job opportunities, particularly in the rural areas, and serves as a foundation for the development of the country. The government should therefore exercise strong political will in providing farmland to smallholder farmers and ensuring land security for them. The real value and conditions of land for agriculture should be maintained and preserved, and priority should be given to smallholders and farmers before a piece of land is parcelled out to a third party for development.

10. Maintain agricultural areas for food cultivation.

(Vijayagandi Ramasamy, Gabungan Penternak/Jaringan MARHAEN, Proposal 3L-4; Bawani K.S., Jaringan MARHAEN, Proposal 3L-3; Tan Tean Chee, Persatuan Pertanian Moden Chemor, Proposal 3L-5)

Only about 10% of available land area designated for agricultural purposes is used to grow vegetables and fruits. This is largely disproportionate, compared with the amount of land (over 80%) that is used for oil palm, rubber and other commodities. If it is absolutely necessary to redevelop land that was previously secured for agricultural purposes, the government must ensure that the tenant smallholder farmers and farm animal breeders are duly compensated with a

suitable area of farmland before being evicted, to allow them to carry on with their agricultural activities.

11. Give smallholder farmers a lease of 20 years.

(John Ku, Activist, Proposal 3L-6; Tan Tean Chee, Persatuan Pertanian Moden Chemor, Proposal 3L-5)

With enough time, farmers will have confidence that their investment in developing the land will pay off. Leases on agricultural land should come attached with the condition that the land can only be used to supply foods.

12. Modify state government standard operating procedures related to land disposal (alienation of land) to reflect the approach of farmers' rights to access to land.

(Vijayagandi Ramasamy, Gabungan Penternak/Jaringan MARHAEN, Proposal 3L-4; Bawani K.S., Jaringan MARHAEN, Proposal 3L-3)

Improve state land regulations by creating a committee to monitor the handling of government-leased land used by small farmers. Land that is found to have been changed for non-agricultural related purposes should be reclaimed and given to other farmers.

Concluding Remarks

The potential value of the agricultural sector should not be measured purely in terms of business and commodities; it should also be calculated in terms of its contributions to food security, improving livelihoods in rural areas, farmers' welfare, and its potential to generate revenue and release resources into other strategic sectors to propel the nation's socioeconomic development. The government needs to acknowledge that this sector will not be able to survive without implementing important land reforms that serve to regulate competing land use issues arising from land development, and curb the unscrupulous actions of certain land developers, especially those from the housing and manufacturing sectors, who have placed tremendous pressure on the smallholder farming community. Without food security, the future of the country will not be guaranteed.

Appendix: Manifesto submission titles & codes

Pillar 1: Unity in Diversity/ Bangsa Malaysia

Cultural Identity (1A) & Religious Harmony (1B)

Proposal 1A-1: Dato' Stanley Issacs, Individual, "The Bangsa Malaysia Concept requires mindset transformation"

Proposal 1A-2: Harmony Cluster, CSO Platform for Reform, "Review the National Unity Action Plan to make it a substantive document aimed to promote National Unity and not only focus on symbolism"

Proposal 1A-3: Harmony Cluster, CSO Platform for Reform, "Revamp JPNIN-Jabatan Perpaduan Negara Dan Integrasi Nasional and the Ministry of Unity"

Proposal 1A-4: Harmony Cluster, CSO Platform for Reform, "Setting Up an Equal Opportunity / Harmony Reconciliation Commission"

Proposal 1A-5: Goh You Ping, Individual, "Bangsa Malaysia bangsa majmuk"

Proposal 1A-6: Dave, Individual, "No more Bumiputera but Bangsa Malaysia"

Proposal 1A-7: Fanks, Individual, "Bangsa Malaysia /Cultural Identity"

Proposal 1A-8: Harmony Cluster, CSO Platform for Reform, "Introducing and Implementing non-discriminatory policies through the elimination of racial and religious discrimination"

Proposal 1A-9: Sharmacheng, Individual, "To have only one category of citizens, Bangsa Malaysia."

Proposal 1A-10: L, Individual, "Economic Justice"

Proposal 1A-11: Anusha Arumugam, Tamil Foundation/The Educational, Welfare & Research Foundation Malaysia, "Demands of Indian Malaysians for a Better Future"

Proposal 1A-12: Sabah Reform Initiatives (SARI), "Reshaping Bangsa Malaysia"

Proposal 1B-1: G25 Malaysia, “Review Syariah Criminal Offences laws in Malaysia”

Proposal 1B-2: Badlishah Sham Baharin, GBM/IKRAM, “Setting up mediation commission or council at Federal and state level”

Pillar 2: Promote, Improve & Defend Civil Rights & Liberties

Freedom of Expression (2A)

Proposal 2A-1: Lew Guan Xi, Individual, “Amend/Abolish Suppressive Laws to Empower Freedom of Expression”

Proposal 2A-2: Bilqis Hijjas, ReformARTsi, “Satire is Not a Crime”

Proposal 2A-3: Bilqis Hijjas, ReformARTsi, “University Discourse Should Be Free and Transparent”

Proposal 2A-4: Bilqis Hijjas, ReformARTsi, “Malaysian Audiences Should Be Empowered To Choose”

Proposal 2A-5: Bilqis Hijjas, ReformARTsi, “Performances Should Not Be Censored by City Council”

Proposal 2A-6: June Tan, ReformARTsi, “Arts as Priority in the National Agenda”

Human Rights (2B)

Proposal 2B-1: Uli Jon Rock, Individual, “Social and Natural Justice”

Proposal 2B-2: Kenneth Cheng, SUARAM, “Preventing Death in Custody in Malaysia”

Proposal 2B-3: Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, “Enact an Anti-Torture Act”

Proposal 2B-4: Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, “Setting up Independent Police Complaints of Misconduct Commission (IPCMC)”

Proposal 2B-5: Rule of Law (ROL) Cluster, CSO Platform for Reform & The Tamil Foundation/EWRF, “Demands of Indian Malaysians for a Better Future”

Proposal 2B-6: Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, “Ratify United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT)”

Proposal 2B-7: Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, “To reform the Lockup Rules Act 1953”

Proposal 2B-8: Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, “Amendment of section 30(3)(a) of Malaysian Anti-Corruption Commission Act”

Proposal 2B-9: Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, “Compulsory Human Rights Training for enforcement agencies and officers involved in development planning”.

Proposal 2B-10: Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, “To use human rights impact assessment to replace environmental impact assessment system”

Proposal 2B-11: Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, “To enact a Transitional Justice Act”

Proposal 2B-12: Progressive Malaysian Christians, “Progressive Malaysian Christians for Justice”

Proposal 2B-13: ROL Cluster (Amnesty International Malaysia), CSO Platform for Reform, “Abolish the Death Penalty”

Proposal 2B-14: ROL Cluster (SUARAM), CSO Platform for Reform, “Abolish Oppressive Laws”

Proposal 2B-15: ROL Cluster (Malaysian CARE), CSO Platform for Reform, “Drug Dependant (Treatment & Rehabilitation) 1983”

Proposal 2B-16: ROL Cluster (Malaysian CARE), CSO Platform for Reform, “Prison Policy Reform”

Proposal 2B-17: Firdaus Husni, Malaysian Centre for Constitutionalism and Human Rights (MCCHR), “Peaceful Assembly Act 2012”

Women (2C)

Proposal 2C-1: Rusni Tajari, Women's Aid Organisation (WAO), "Introduce anti-stalking law"

Proposal 2C-2: Rusni Tajari, Women's Aid Organisation (WAO), "Enact amendment to the Employment Act"

Proposal 2C-3: Badlishah Sham Baharin, GBM/IKRAM, "Equal participation in Caregiving Responsibilities in Family"

Proposal 2C-4: Rusni Tajari, Women's Aid Organisation (WAO), "Enact a Sexual Harassment Act"

Proposal 2C-5: Roohaida Othman, IKRAM, "Immediate tabling of the sexual harassment bill in parliament"

Proposal 2C-6: Rusni Tajari, Women's Aid Organisation (WAO), "Enact Gender Equality Act"

Proposal 2C-7: Rusni Tajari, Women's Aid Organisation (WAO), "Amend the Domestic Violence Act"

Proposal 2C-8: Karen Lai, Women's Centre for Change (WCC), "Sexual and Gender-based violence"

Proposal 2C-9: Badlishah Sham Baharin, GBM/IKRAM, "A More Integrated Approach and Assistance for Women Experiencing Domestic Violence"

Proposal 2C-10: Rusni Tajari, Women's Aid Organisation (WAO), "Healthcare response to DV/GBV"

Proposal 2C-11: Rusni Tajari, Women's Aid Organisation (WAO), "Women's participation in political and public life"

Proposal 2C-12: Rusni Tajari, Women's Aid Organisation (WAO), "National machinery and policies for advancement of women"

Proposal 2C-13: Melinda Anne Sharlini, Family Frontiers, "Impact on women in Malaysian binational marriages"

Proposal 2C-14: Bina Ramanand, Family Frontiers, “Discriminatory law and practice against women in Malaysian binational marriages”

Youth (2D)

Proposal 2D-1: Liao Pin Chun, University of Malaya New Youth (UMANY), “Revival of Students' Autonomy”

Proposal 2D-2: Lew Guan Xi, Individual, “Empowerment of Youth Political Rights and Involvement”

Child (2E)

Proposal 2E-1: Child Cluster, CSO Platform for Reform, “Ensuring Higher Degrees of Child Participation in All Spaces”

Proposal 2E-2: Child Cluster, CSO Platform for Reform, “Child marriage and Female Genital Mutilation in Malaysia”

Proposal 2E-3: Sallawahiu Mohd Salleh, IKRAM, “Yearly reporting of Child Commissioner (SUHAKAM) in Malaysia to Parliamentary Elect Committee”

Proposal 2E-4: Child Cluster, CSO Platform for Reform, “Child Sexual Abuse”

Proposal 2E-5: Child Cluster, CSO Platform for Reform, “Child Trafficking”

Proposal 2E-6: Child Cluster, CSO Platform for Reform, “Barriers to enrolment in National Schools for Non-citizen children of Malaysians”

Proposal 2E-7: Srividhya Ganapathy, CRIB (Child Rights Innovation & Betterment) Foundation, “Children's rights to education during the pandemic”

Proposal 2E-8: Child Cluster, CSO Platform for Reform, “Barriers to Healthcare at affordable rates to non-citizen children with either parent Malaysian”

Proposal 2E-9: Child Cluster, CSO Platform for Reform, “Barriers to the acquisition of Malaysian citizenship”

Proposal 2E-10: Bina Ramanand, Family Frontiers, “Barriers to the acquisition of Malaysian citizenship”

Proposal 2E-11: Child Cluster, CSO Platform for Reform, “Barriers to remain in the country for the divorced foreign parents to access visitation and co-parenting of their children”

Proposal 2E-12: Child Cluster, CSO Platform for Reform, “Ensuring Refugee Children’s Rights”

Proposal 2E-13: Child Cluster, CSO Platform for Reform, “Children Living in Remote Areas”

Persons with Disabilities (2F)

Proposal 2F-1: Harapan OKU Law Reform Group & Association of Women Lawyers (AWL), “Harmonization of Domestic Legislation with the CRPD (CRPD Art. 33)”

Proposal 2F-2: Harapan OKU Law Reform Group & Association of Women Lawyers (AWL), “Employment issue for PwDs (CRPD Art. 27)”

Proposal 2F-3: Rapelson Richard Hamit, Persatuan Anak Istimewa Sarawak (PERAIS), “Better Treatment for Nationwide OKU (People With Disabilities)”

Indigenous Peoples (2G1)

Proposal 2G1-1: Tjiah Yok Chopil, Jaringan Kampung Orang Asli Semenanjung Malaysia (JKOASM), “OA Menentu Hala Tuju Sendiri”

Migrant Workers (2G2)

Proposal 2G2-1: Firdaus Husni, MCCHR, “Anti-Trafficking In Persons and Anti-Smuggling of Migrants and Modern Slavery Act 2020”

Proposal 2G2-2: Adrian Pereira, North-South Initiative, “Migrant Workers Right To Redress Coalition”

Proposal 2G2-3: John Ku, Individual, “Employer, migrant, refugee and undocumented worker’s right should be protected by law and a system”

Undocumented Persons (2G3)

Proposal 2G3-1: Firdaus Husni, MCCHR, “Federal Constitution (Amendment)”

Proposal 2G3-2: Maalini Ramalo, Right2Citizenship Cluster, CSO Platform for Reform, “Ensuring right to citizenship to every person and prevention of statelessness”

Proposal 2G3-3: Rahayu, Buku Jalanan, “Clear policies & directives on the integration and admission of stateless & undocumented and displaced children into national education system”

Proposal 2G3-4: Rosita MH Khan, Kelab Amal Prihatin Wanita Tapah, “Create special ID number and card for stateless people in Malaysia”

Refugees & Asylum Seekers (2G4)

Proposal 2G4-1: Tham Hui Ying, Asylum Access Malaysia, “Ending Immigration Detention of Refugees and Asylum Seekers”

Proposal 2G4-2: Tham Hui Ying, Asylum Access Malaysia, “Comprehensive legal and policy framework for Refugees and Asylum Seekers”

Proposal 2G4-3: ROL Cluster, CSO Platform for Reform, “Asylum Access”

Proposal 2G4-4: Tham Hui Ying, Asylum Access Malaysia, “Equitable access to healthcare for refugees and asylum seekers”

Proposal 2G4-5: Tham Hui Ying, Asylum Access Malaysia, “Strengthening Labour Protection for Refugees and Asylum Seekers”

Gender (2G5)

Proposal 2G5-1: Arabelle Yong, L-INC Foundation, “LGBT+ Community”

Proposal 2G5-2: Melinda Anne Sharlini, Family Frontiers, “Unequal citizenship rights of Malaysian women in the conferral of citizenship”

Sabah (2H1)

Proposal 2H1-1: Maalini Ramalo, DHRRR Malaysia, “Addressing the issues of Bajau Laut Community access to citizenship”

Proposal 2H1-2: Elihanis, Individual, “Immigration law issues in Sabah”

Proposal 2H1-3: Esther Sinirisan Chong, Agora Society Malaysia, “The syllabus should also have local content (especially the culture of the indigenous people of Sabah and Sarawak so that young Sabahan and Sarawakians can understand their local culture.)”

Sarawak (2H2)

Proposal 2H2-1: Rining Peter, Keep Green Movement, “Stop Illegal Logging”

Proposal 2H2-2: Ann Teo, Persatuan Pemangkin Daya Masyarakat (ROSE), “Introduction of Postal Voting in Sarawak PRN”

Proposal 2H2-3: Rapelson Richard Hamit, PERAIS, “Better Treatment for Nationwide OKU (People With Disabilities)”

Pillar 3: Towards a Just, Equitable & Democratic Society

Electoral Reform (3A)

Proposal 3A-1: drshamkk, Individual, “anti hopping”

Proposal 3A-2: Danesh Prakash Chacko, Tindak Malaysia, “Financing Women Representation”

Proposal 3A-3: Jusni Yusoff, IKRAM, “Electoral reform through better representation”

Proposal 3A-4: Danesh Prakash Chacko, Tindak Malaysia, “Equalization of Constituency (reinstatement of Merdeka era limits)”

Proposal 3A-5: Jhasinta, Individual, “Report Card & Anti-political party hopping law”

Proposal 3A-6: John Ku, Individual, “No elected people representative MP and Adun involves in business and tender government project”

Parliamentary Reform (3B)

Proposal 3B-1: Noh, Individual, “Reform of Appointment of Head of Public Institution”

Proposal 3B-2: G25 Malaysia, “More and Expanded roles for Parliamentary Committees”

Proposal 3B-3: Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, “To ensure the parliamentary select committee on appointment of key public officers to filter and approve qualified personnel including MACC chief.”

Proposal 3B-4: Uli Jon Rock, Individual, “Solid Mechanism To Make The Government Responsible and Accountable”

Judiciary Reform (3C)

Proposal 3C-1: G25 Malaysia, “Transparent Process and Reforms in the Appointment and Promotion of Judges”

Proposal 3C-2: G25 Malaysia, “Appointment of the Office of the Attorney General and Director of Public Prosecution (DPP)”

Proposal 3C-3: G25 Malaysia, “Separation of the Office of the Attorney General and Director of Public Prosecution (DPP)”

Anti-Corruption (3D)

Proposal 3D-1: John Ku, Individual, “B40 Corruption: Ameliorate Some Drivers of Corruption via Basic Income Strategies”

Proposal 3D-2: John Ku & Len Hew, “Political Reform: Avoid Electing Politicians Involved in Corruption and Abuse of Power”

Proposal 3D-3: John Ku, Len Hew & Rashid Ahmad, “Political Reform: Money Politics”

Proposal 3D-4: Selina Chean, John Ku & Zulkifli Hilmi, “Holistic Society: Create a National Integrity System for Malaysia”

Proposal 3D-5: Janice Kwok, John Ku, David T.H. Tan, Jeff Wei, Adila Azhar & Ahmad Shafiee, “Strengthening Public Service Delivery: Streamline Licencing/Approvals for SMEs”

Proposal 3D-6: May Leong, Selina Chean & David Tan, “Strengthening Public Service Delivery: Functional Reform Measures”

Proposal 3D-7: John Ku, Janice Kwok, Aida Rahman, Hayley Lee & Ahmad Shafiee, “Strengthening Public Service Delivery: Increasing the Efficiency and Transparency of Public Procurement”

Proposal 3D-8: Fiqah Roslan, Tiada.Guru, “Strengthening Public Service Delivery: Establish an Independent Public Ombudsman, an “IPCMC” for all Public Servants and all Politicians”

Proposal 3D-9: Fiqah Roslan, Tiada.Guru, “Establish Vicarious Liability Provisions in the Public Service through the Public Ombudsman”

Proposal 3D-10: Fiqah Roslan, Tiada.Guru, “Strengthening Public Service Delivery: Stronger + Broader + Assured Protection for All Whistleblowers (e.g., in Schools)”

Economic Justice (3E)

Proposal 3E-1: Dr Lee Hwok Aun, Individual, “New concept of a Cohesive Malaysian Society based on Equality and Fairness”

Proposal 3E-2: Anusha Arumugam, Individual, “Proposal to handle the issues of Racial Discrimination”

Proposal 3E-3: Saya Anak Bangsa Malaysia, “SOCIAL INCLUSION ACT & Establishment of a Social Inclusion Commission”

Proposal 3E-4: Lim Su Lin, People’s Health Forum, “Address the impact of COVID-19 on low-income women and children”

Proposal 3E-5: Dr. Nurul Kauthar, Pertubuhan Ikram Malaysia Negeri Pulau Pinang, “The Government agrees to conduct a pilot experiment on UBI in order to evaluate the suitability of full implementation in Malaysia by 2025”

Proposal 3E-6: CS Loh, Dr. Tai Tuck Leong, Monsoon Malaysia, “A Collaborative-Cooperative Community-base Housing Project”

Proposal 3E-7: Wong Tsu Soon, Agora Society Malaysia, “An Efficient Public Housing Policy”

Proposal 3E-8: Karthigesu Manickam, MARHAEN, “Implement Estate Workers Housing Scheme Act”

Proposal 3E-9: Parameswary Elumalai, MARHAEN, “Stop Forced Eviction, Grant Alternative Housing”

Proposal 3E-10: Madhavi Sahatuan, MARHAEN, “Municipal Councils should take over maintenance responsibility at Low-cost flats”

Proposal 3E-11: Bina Ramanand, Family Frontiers, “Economic dependence and financial insecurity of non-citizen spouses in binational Malaysian marriages”

Education (3F)

Proposal 3F-1: Education Cluster, CSO Platform for Reform, “Urgently Separate Politics From School Institutions before it is too late”

Proposal 3F-2: Megat Mohamed Amin Megat Mohamed Nor, IKRAM, “Establishing a Professional, Apolitical Educational Consultative Council.”

Proposal 3F-3: Kong Wee Cheng, Dong Jiao Zong, “To formulate the Education Ombudsman”

Proposal 3F-4: Education Cluster, CSO Platform for Reform, “Civil Servant Mindset and Exit Teachers who are not performing”

Proposal 3F-5: Fiqah Roslan, Tiada.Guru, “Stronger + broader + external protection for all whistleblowers (e.g., schools)”

Proposal 3F-6: Fiqah Roslan, Tiada.Guru, “An independent, third-party Audit into the MOE’s finances”

Proposal 3F-7: Lee Hao Jie, Individual, “Abolish AUKU 1971 and Amend Act 262”

Proposal 3F-8: Education Cluster, CSO Platform for Reform, “Distorted History Curriculum And Spillover Impact on Social Iitegration”

Proposal 3F-9: Fiqah Roslan, Tiada.Guru, “Emancipatory education through a new curriculum”

Proposal 3F-10: Kong Wee Cheng, Dong Jiao Zong, “To formulate an education policy on cultural and language diversity in the national education system”

Proposal 3F-11: Education Cluster, CSO Platform for Reform, “Tap Into Diversity of the Vernacular School System to Advance National Competitiveness”

Proposal 3F-12: G25 Malaysia, “Establish English Medium Schools”

Proposal 3F-13: Kong Wee Cheng, Dong Jiao Zong, “Including gender sensitivity in education”

Proposal 3F-14: Rusni Tajari, WAO, “Make educational institutions safer for students”

Proposal 3F-15: Bina Ramanand, Family Frontiers, “Barriers to enrolment in national schools for non-citizen children of Malaysians”

Proposal 3F-16: Maalini Ramalo, DHRRA, “Limited access to education for stateless persons”

Proposal 3F-17: Kong Wee Cheng, Dong Jiao Zong, “Distribution of Federal power in the education system”

Proposal 3F-18: Education Cluster, CSO Platform for Reform, “Decentralisation of Education to Ensuring Better Transformation of Malaysian Education.”

Proposal 3F-19: Dr. Tan Ai Mei, Individual, “Decentralisation of Malaysian Education to Salvage a disrupted education system”

Proposal 3F-20: Fiqah Roslan, Tiada.Guru, “Establish a Yearly School Curriculum, Integrity, & Safety Report Card”

Proposal 3F-21: Kong Wee Cheng, Dong Jiao Zong, “Ensuring Data and Information Transparency”

Proposal 3F-22: Kong Wee Cheng, Dong Jiao Zong, “Improving public consultation”

Proposal 3F-23: Fiqah Roslan, Tiada.Guru, “End school interference in PIBGs and reform their Constitutions”

Proposal 3F-24: Education Cluster, CSO Platform for Reform, “Rent Seeking (institutionalised patronage) and Issues of Transparency and Accountability of MOE”

Proposal 3F-25: Education Cluster, CSO Platform for Reform, “The Standardisation of Assessments in Competencies”

Proposal 3F-26: Megat Mohamed Amin Megat Mohamed Nor, IKRAM, “Transform schools as a place students enjoy learning – A Reset.”

Proposal 3F-27: Education Cluster, CSO Platform for Reform, “Malay as National Language to Enhance VS Divide Ethnic Social Integration”

Proposal 3F-28: Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, “To implement human rights education from primary level to the tertiary level”

Proposal 3F-29: Rusni Tajari, WAO, “Make educational institutions safer for students”

Proposal 3F-30: Chan Yit Fei, Agora Society Malaysia, “Mitigating Learning Loss and Drop Outs Due to School Closures”

Proposal 3F-31: Education Cluster, CSO Platform for Reform, “Civil Servant Mindset and Exit Teachers who are not performing”

Proposal 3F-32: Fiqah Roslan, Tiada.Guru, “Ban the appointment of Politician-Education Ministers”

Proposal 3F-33: Chan Yit Fei, Agora Society Malaysia, “Establish Student’s Health & Safety Support System In Schools”

Proposal 3F-34: Chan Yit Fei, Agora Society Malaysia, “Reform Health and Physical Education”

Proposal 3F-35: Education Cluster, CSO Platform for Reform, “Proposal For Reforms For The Early Childhood Care And Education (ECCE)”

Local Democracy (3G)

Proposal 3G-1: Wong Tsu Soon, Agora Society Malaysia, “Reintroduce Local Election Along with Decentralisation”

Proposal 3G-2: Fork Yow Leong, Individual, “The need for Local Council elections”

Proposal 3G-3: Jaslin Nadia, DHRRA Malaysia, “Improve transparency and public participation”

Proposal 3G-4: Danesh Prakash Chacko, Tindak Malaysia, “Participatory Budgeting”

Labour (3H)

Proposal 3H-1: Irene Xavier, Persatuan Sahabat Wanita Selangor, “Discrimination Against Domestic Workers”

Proposal 3H-2: Danial Hakeem, Jaringan Pekerja Kontrak Kerajaan, “Abolish contract system for support service workers in public premises”

Proposal 3H-3: The Tamil Foundation/Group of Concerned Citizens, “Demands of Indian Malaysian for a Better Future”

Proposal 3H-4: Workers Union; The Tamil Foundation/EWRF, “Demands of Indian Malaysians for a Better Future”

Health (3I)

Proposal 3I-1: Dr. Lim Chee Han, Agora Society Malaysia/People’s Health Forum, “Give priority and invest more than 4% GDP on health budget”

Proposal 3I-2: Dr. Jeyakumar Devaraj, People’s Health Forum, “Equity in health care funding”

Proposal 3I-3: Dr. Jeyakumar Devaraj, People’s Health Forum, “Moratorium on New Private Hospitals”

Proposal 3I-4: Dr. Lim Chee Han, Agora Society Malaysia/People’s Health Forum, “Need more government hospitals in the urban area”

Proposal 3I-5: Dr. Chee Heng Leng, Citizens’ Health Initiative/People’s Health Forum, “Strengthen public health services”

Proposal 3I-6: Dr. Chee Heng Leng, Citizens’ Health Initiative/People’s Health Forum, “Establish a public health services commission”

Proposal 3I-7: Dr. Lim Chee Han, Agora Society Malaysia/People's Health Forum, "Strengthen primary care by implementing Family Doctor system"

Proposal 3I-8: Dr. Chee Heng Leng, Citizens' Health Initiative/People's Health Forum, "Strengthen primary health care by connecting private and public sectors"

Proposal 3I-9: Dr. Roohaida Othman, IKRAM, "A Comprehensive Action Plan for Mental Health and Psychosocial Support to Women"

Proposal 3I-10: Dr. Sharuna Verghis, Health Equity Initiatives/People's Health Forum, "Migrant Health Care"

Proposal 3I-11: Maalini Ramalo, Development of Human Resources for Rural Areas Malaysia, "Perils of Stateless person access to Healthcare"

Proposal 3I-12: Bina Ramanand, Family Frontiers, "Barriers to public healthcare at affordable rates for non-citizen children"

Proposal 3I-13: Dr. Chan Chee Khoon, People's Health Forum, "Lessons Learnt for Pandemic Preparedness in Malaysia"

Environment (3J)

Proposal 3J-1: Evelyn Teh, Jaringan Ekologi dan Iklim, "The Urgent Need to Apply Climate Lens in Environmental Management"

Proposal 3J-2: Faris Ahmad Fadzil, Individual, "The Declaration of a National Climate Emergency"

Proposal 3J-3: Siti Fatimah bt. Jafar, Environment Cluster (Treat Every Environment Special (TrEES)), CSO Platform for Reform, "Public Involvement as Joint Decision Makers"

Proposal 3J-4: Dr. Lim Chee Han, Agora Society Malaysia, "Degazettement of Forest Reserve needs the approval from the State Legislative Assembly"

Proposal 3J-5: Dr. Lim Chee Han, Agora Society Malaysia, "Green Budgeting and Planning for state governments"

Proposal 3J-6: Remy Prakash Chacko & Dr. Kam Suan Pheng, Penang Hills Watch, “Protecting our Precious Water Catchments”

Proposal 3J-7: Aisling Usun Bagly, Save Rivers, Environment Cluster, CSO Platform for Reform, “Reduce Deforestation and Increase Connectivity in fragmented Landscapes”

Proposal 3J-8: Ken Lee, Agora Society Malaysia, “Redefine forest protection”

Proposal 3J-9: Faris Ahmad Fadzil, Individual, “Conservation of the Natural Environment and Reduction in Natural Resource Exploitation”

Proposal 3J-10: Muhammad Sha’ani bin Abdullah, Environment Cluster, CSO Platform for Reform, “Sustainable Forest Conservation”

Proposal 3J-11: Ng Yap Hwa, Teoh Beng Hock Trust for Democracy, “EIA should be replaced by an Environment and Human Right Impact Assessment system”

Proposal 3J-12: Celine Lim, Save Rivers, Environment Cluster, CSO Platform for Reform, “Review the approval/evaluation process for Environmental Impact Assessment (EIA) and Social Impact Assessment (SIA) reports”

Proposal 3J-13: Dr. Lim Chee Han, Agora Society Malaysia, “Independent appointment of EIA consultants by the authority”

Proposal 3J-14: Zarris, Environment Cluster (TrEES), CSO Platform for Reform, “Revision of Sarawak EIA Logging standards”

Proposal 3J-15: Aisling Usun Bagly, Save Rivers, Environment Cluster, CSO Platform for Reform, “Improper Municipal Solid waste management”

Proposal 3J-16: Wong Tsu Soon, Agora Society Malaysia, “Inhibit Urban Sprawl to Protect Forests”

Proposal 3J-17: Siti Fatimah bt. Jafar, Environment Cluster (TrEES), CSO Platform for Reform, “Improving pedestrian infrastructure and green open area conservation efforts”

Transport (3K)

Proposal 3K-1: Chong Yong Wai, Transit Malaysia, “Transport for Everyone, Everywhere, Everytime”

Proposal 3K-2: Ir. Dr. Tai Tuck Leong, Monsoon Malaysia, “Ensure Public Transport Is Available and Affordable to All”

Proposal 3K-3: Cameron Kang, Penang Public Transport Users Association, “Policy Rethink, Encourage Participation of Developers in Making Public Transport Accessible”

Agriculture (3L)

Proposal 3L-1: NurFitri Amir Muhammad, Forum Kedaulatan Makanan Malaysia, “Jaminan Bekalan Makanan Dan Kedaulatan Makanan”

Proposal 3L-2: Ku Nurasyiqin Ku Amir, activist/Ph.D. student, “Farmers' Right to a Better Life”

Proposal 3L-3: Bawani K.S., Jaringan MARHAEN, “Safeguarding the Lands for Farming”

Proposal 3L-4: Vijayagandi Ramasamy, Gabungan Penternak/Jaringan MARHAEN, “Hentikan Pengusiran Petani Dan Penternak Kecil Demi Mengekalkan Pengeluaran Dan Jaminan Makanan Rakyat Malaysia”

Proposal 3L-5: Tan Tean Chee, Persatuan Pertanian Moden Chemor, “Maintain food -producing agricultural areas ”

Proposal 3L-6: John Ku, Activist, “Food price increasing, not enough food, health effects, solution Rakyat given free land to plant”



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