

ANALYSIS REPORT

**PAKATAN HARAPAN'S
22 MONTHS**

&

**PERIKATAN NASIONAL'S
FIRST 100 DAYS**

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Abbreviations

APPGM-SDG	All-Party Parliamentary Group on SDGs
CMA	Communications and Multimedia Act
CPI	Corruption Perception Index
CRC	Child Rights Convention
CSO	Civil society organisation
IDEAS	Institute for Democracy and Economic Affairs
EC	Election Commission
EPU	Economic Planning Unit
ERC	Electoral Reform Committee
FPTP	First-past-the-post
GDP	Gross domestic product
GLC	Government-linked company
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
IRC	Committee on Institutional Reforms
IPCMC	Independent Police Complaints and Misconduct Commission
IPTA	Public higher learning institutions (Institut pengajian tinggi awam)
JAKIM	Department of Islamic Administration (Jabatan Kemajuan Islam Malaysia)
LBTI	Lesbian, bisexual, transgender, intersex
LGBTIQ	Lesbian, gay, bisexual, transgender, intersex, queer
LPPKN	National Population and Family Development (Lembaga Penduduk dan Pembangunan Keluarga Negara)
LTSVP	Long-term social visit pass
MACC	Malaysian Anti-Corruption Commission
MCO	Movement Control Order
MOE	Ministry of Education
MOH	Ministry of Health
MRSM	MARA Junior Science College (MRSM)
MP	Member of Parliament
NGO	Non-governmental organisation
OECD	Organisation for Economic Co-operation and Development
OSA	Official Secrets Act
PMO	Prime Minister's Office
POCA	Prevention of Crime Act
POTA	Prevention of Terrorism Act
PPPA	Printing Presses and Publications Act
SMPC	Independent Chinese schools (Sekolah Menengah Persendirian Cina)
SOGIESC	Sexual orientation, gender identity, gender expression and sex characteristic
SOP	Standard operating procedure
SOSMA	Security Offences (Special Measures) Act
SPM	Malaysian Certificate of Education (Sijil Pelajaran Malaysia)
UDHR	Universal Declaration of Human Rights
UEC	United Examination Certificate
UMNO	United Malays National Organisation
UNHCR	United Nations High Commissioner for Refugees
UPR	Universal Periodic Review
UUCA	Universities and University Colleges Act

Foreword

On 29 January 2019, a National Consultation and Strategic Workshop was held amongst the civil society organisations based primarily in Kuala Lumpur and Selangor; and it was agreed that the Civil Society Organisations Platform for Reform be formalised as one voice.

Among the concerns were the continuation of reform efforts with the then Pakatan Harapan government, the challenges in dealing with the civil service, and the work to improve the Coalition's efforts and strategies to push for reforms. As of 1 March 2020, we have a new government—though not of the people's mandate—the Perikatan Nasional. And with this comes new challenges for civil society organisations to be accepted as an add-on to the government.

This Analysis Report of Pakatan Harapan's 22 Months and Perikatan Nasional's First 100 Days is a two-component analysis based on a collective compilation of reports of various themes, taking into account reforms that happened or did not happen between 9 May 2018 and 29 February 2020, the tenure of the Pakatan Harapan government; and the first 100 days of Perikatan Nasional that was formed after the infamous 'Langkah Sheraton' event.

This report will be used by the civil society stakeholders—Civil Society Organisations, and the people of Malaysia in general—to urge the government to continue the positive and progressive efforts of the Pakatan Harapan government towards reforming the nation in the best interests of the *rakyat*.

We, the Co-Secretariat of the CSO Platform for Reform, would like to thank the writers, contributors, and editor for their commendable commitment in completing this report.

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 this report will be of benefit to both the *rakyat* and the policymakers, for a nation that practises democracy, transparency, equality and good governance.

Thank You, Terima Kasih.

Co-Secretariat
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Executive Summary

In a democracy, one votes for the party that will best represent one's interest. On its part, the party will woo voters with a manifesto—a promise from the party on what it will do to improve the lives of the people when given the mandate to plan and administer macro-affairs of their public life.

When Pakatan Harapan defeated Barisan Nasional in Malaysia's fourteenth general election in 2018, it had a manifesto called Buku Harapan. Promising reforms, the manifesto resonated with Malaysians who could no longer stand the flagrant corruption and kleptocracy of a government that had long overstayed its welcome.

And so, Malaysians voted Pakatan Harapan to power. Although its term was shorter than expected due to the defection of some members, a record of what the coalition did in office was still needed as an accountability mechanism through which the people could decide whether it had been worth it to take a chance on a party that had never held federal power vis-à-vis the government of six decades.

It took civil society a few months to meet, discuss and collate the information for this record, since the collapse of the Pakatan Harapan government was so unexpected, made more tumultuous by its timing at the cusp of the COVID-19 pandemic. By then, enough days under the new government of Perikatan Nasional had passed for its performance to be reviewed as well, hence its inclusion in this report. It must be emphasised, though, that this is not meant to be a direct comparison of the two governances but about civil society vigilance and state accountability, a task taken up by the CSO Platform for Reform.

The CSO Platform for Reform is a coalition of 75 non-governmental organisations and civil society groups which had first come together to engage with the Pakatan Harapan government as one civil society front. Its output, this report, checked on 12 thematic focus areas based on the Buku Harapan. These are, in alphabetical order:

1. Access to justice, rule of law and human rights
2. Anti-corruption
3. Child
4. Education
5. Electoral reform
6. Freedom of expression
7. Government-linked companies reform
8. Harmony
9. Health
10. Refugees, asylum seekers and stateless persons
11. Sustainable Development Goals
12. Women

The CSO Platform found Pakatan Harapan's performance in office to be sketchy overall: great strides made only in one area, tentative progress in several others, but sluggish in the majority remainder. The bar set by the Buku Harapan had been high; this was admitted as much by the then Prime Minister Dr Mahathir Mohamad, who said in a keynote address at a conference in October 2019, "We are victims of our own manifesto."¹

Electoral reform was closest to the goal, perhaps unsurprisingly, as BERSIH 2.0 had led the biggest people's movement in the country over 10 years, and a key staff had gone on to assume office as a commissioner. A little progress was seen in ensuring autonomy of public watchdog institutions towards prevention of corruption and abuse of power, reforming the education sector, building harmonious society, and attaining the Sustainable Development Goals. However, women's lot hardly advanced despite the breakthroughs of Malaysia's first woman Deputy Prime Minister and the highest number of women in office—milestones that remained symbolic for the lack of substantial change that they should have brought. Little had changed in the situations of marginalised groups, the LGBTIQs, Orang Asal, refugees, migrant workers—some of whom continued to face state-instituted discrimination. The biggest disappointment was the lack of political will to repeal the anti-democratic laws that had plagued Malaysia for decades.

An outstanding characteristic of the Pakatan Harapan's governance had been the level of civil society engagement, which is perhaps unsurprising as the two stakeholders had common if slightly differently motivated reform agendas when Pakatan Harapan was the Opposition; a few civil society actors had even gone on to become the people's representatives under Pakatan Harapan.

As for the Perikatan Nasional government, despite public misgivings about how it came to power, it appears to be trying to live up to some standards that had been set by its predecessor, in tacit acknowledgement that the coalition still needed public approval and support although it did not use the democratic option of going to the polls.

For a paradigm shift has already occurred from the first change of government in the nation's history, and Malaysians have begun to experience the full advantages of a two-party system and democracy at work at the ultimate level. There is only one way for Malaysia to go from here, and that is forward.

The CSO Platform hopes that this report will also serve as a reminder to the government of the day that it has to make good its promises to the people and not act in contravention of the principles behind them or it will find itself out sooner than expected. Even an unelected party must still face the people—if not at the polls then in the daily management of state affairs and plans, whose success is still dependent on the people, seeing that they are for the people in the first place.

¹ *Malaysiakini*. (2019, Oct 4). *PM: Easy to promise, hard to implement – Harapan victim of own manifesto*. <https://www.malaysiakini.com/news/494429>

Introduction to the CSO Platform for Reform

Malaysia saw hope for reform across the country for the first time on 9 May 2018, after the fall of the then longest-ruling party in the democratic world, the Barisan Nasional (BN), in the fourteenth general election, which was won by Pakatan Harapan (PH). Civil society groups and supportive citizens called the historic period “Malaysia Baharu” (New Malaysia). And like the proverbial new broom, the newly ascended PH government immediately started on its reform agenda in line with its election manifesto, Buku Harapan.

A few NGOs in Malaysia—Pusat KOMAS, Suara Rakyat Malaysia (SUARAM), Center to Combat Corruption and Cronyism, G25, Sisters in Islam—came together soon after to strategise ways of supporting the PH government in its institutional reform agenda. Pusat KOMAS and SUARAM took on the role of secretariat to coordinate a new coalition of non-governmental organisations (NGOs) and civil society organisations (CSOs), called the CSO Platform for Reform, to present a united civil society front to engage with the new government. It started with a National Consultation and Strategic Workshop on 29 January 2019, following which various thematic focus areas were established. The CSO Platform was divided into smaller cluster groups accordingly, resulting in 19 clusters:

1. Anti-Corruption
2. Child
3. Education
4. Electoral Reform
5. Environment
6. Freedom of Expression
7. Government-linked Companies
8. Harmony
9. Indigenous People
10. Local Democracy
11. MA63 (Malaysia Agreement 1963)
12. Migrants & Refugees
13. Persons With Disabilities
14. Public Health
15. Rule of Law/Rights to Justice
16. Strengthening Civil Society
17. Sustainable Development Goals
18. Women
19. Youth

To date, there are 75 NGOs in the CSO Platform.

The cluster groups are led by volunteer NGO(s) to engage with the respective ministries and special selection committees in Parliament. Besides the individual advocacy by the cluster groups, the CSO Platform secretariat too, had activities in mind to strengthen not only the network but also overall civil society participation in the national reform agenda.

There were many opportunities for engagement. Firstly, Prime Minister Dr Mahathir Mohamad established a temporary Council of Eminent Persons to advise the fledgling PH government on economic and financial matters. The council members were Daim Zainuddin, Zeti Akhtar Aziz, Hassan Marican, Robert Kuok, Prof K.S. Jomo. Soon after, it formed a Committee on Institutional Reforms (IRC), comprising five prominent professionals—K.C. Vohrah, Mah Weng Kwai, Brigadier-General (Retired) Mohamed Arshad Raji, Emeritus Prof. Dr Shad Saleem Faruqi and S. Ambiga. Daim said the IRC received about 1,000 submissions from members of the public, including letters and e-mail, on suggested reforms.²

The ‘Coup’

However, Malaysians who were finding the new government a breath of fresh political air found themselves gasping in shock when, not even halfway through its term, the PH government collapsed just a week after the “Sheraton Move”. The affair was named after the hotel in which a few senior politicians from Parti Keadilan Rakyat (PKR) and Parti Pribumi Bersatu Malaysia had met over the weekend of 22 February 2020 in open confirmation of a political ‘coup’, the rumours of which had been spreading in the preceding days. This group decided that Bersatu would leave PH, purportedly as a show of support for Dr Mahathir’s continued premiership and a rejection of PKR president Anwar Ibrahim’s long-desired ascendancy. With the seeming collapse of PH, Dr Mahathir resigned from his party on 24 February. In the ensuing tumultuous days of frantic horse-trading, more elected PH representatives switched allegiance to align themselves with BN, with the biggest blow delivered by then Deputy Prime Minister Muhyiddin Yassin. Muhyiddin quickly formed a new coalition, Perikatan Nasional (PN), comprising Bersatu, and the opposition parties, Barisan Nasional (BN) and Parti Islam Se-Malaysia (PAS). He managed to convince the Yang di-Pertuan Agong that he commanded the confidence of the majority of the Dewan Rakyat. Thus, on 1 March 2020, Malaysians woke up to an unexpected new dawn of politics led by a government they never voted for.

Even as Malaysians grappled with their sudden vastly different political reality, civil society actors faced an even more troubling dilemma—whether or not to engage with the new government to realise the reforms that Malaysia needs to progress and thrive as a nation. Because to engage would mean accepting the legitimacy of and recognising PN as the government.

² *New Straits Times*. (2018, Aug 20). *CEP has ended its tenure, says Daim*.
<https://www.nst.com.my/news/nation/2018/08/403488/cep-has-ended-its-tenure-says-daim>

Eventually, as a responsibility to the civil society at large, and to continue its efforts for reforms, the CSO Platform decided that the only way to stay vigilant against further regression of the status quo was to forge on and actively keep the government of the day accountable.

The Report

This two-pronged Analysis Report is intended for the civil society stakeholders: CSOs and the people of Malaysia as an advocacy tool that they can use to urge the PN government to continue the positive and progressive efforts by its predecessor towards reforming the nation for the best interest of the *rakyat*.

Aside from the usual introduction, recommendations, conclusion and appendices, this report has two major components:

- Critical analysis report on the performance of PH's 22 months in power based on the Buku Harapan; and
- PN's first 100 days in power

The CSO Platform is well aware that it is unfair to compare the performance of the two governments, as one is being evaluated over its entire 22-month governance, while the other is limited to its first 100 days. An apple-to-apple comparison is not the objective of this report—and even though it may seem that PH has an advantage due to a longer period of observation, 22 months is still not a lot of time to work on reforms to basically undo 60 years of damage by the previous administration. Whereas for PN, its performance is doubly challenged by its poor timing in coming to power just as the country, along with the rest of the world, was being hit by the unprecedented COVID-19 pandemic. Within a fortnight, the PN government had to impose a partial country-wide lockdown through a Movement Control Order (MCO). Clearly, both governments faced challenges—some are common whilst others are unique to each.

However, it is still essential to document the performances of both governments. In the case of PH, short-lived though its governance was, it still marks and is a historic and ground-breaking period in Malaysia's growth as a democratic nation. One may even argue that PH's first achievement was to come to power despite facing decades-old obstacles and not having the advantage of incumbency. Monitoring—and the attendant activity, evaluation—is also an important role of civil society that helps it to ensure state accountability to the people. This means PN too, is not off the hook, having passed at least 100 days of governance, and must similarly be monitored—the results of which are in this report.

Before the findings are presented, here is a brief introduction to some of the clusters and an explanation of how they worked, mostly during PH's governance, and the outstanding promises of the PH government. Some CSOs went beyond the Buku Harapan as a yardstick of PH's performance though, using also the 2030 Agenda for Sustainable Development as well as the statements and actions of key politicians to check for consistency between promise and deed.

The Clusters

The cluster areas in this report are: (in alphabetical order)³

1. Access to Justice, Rule of Law and Human Rights
2. Anti-Corruption
3. Child
4. Education
5. Electoral Reform
6. Freedom of Expression
7. Government-Linked Companies Reform
8. Harmony
9. Health
10. Refugees, Asylum Seekers and Stateless Persons
11. Sustainable Development Goals
12. Women

Members of the “Freedom of expression” cluster had been proactively engaging with the Communications and Multimedia Ministry, amongst other authoritative bodies, to see reform in this area. They were part of the committees set up by the Home Ministry in 2018 to study the abolition or amendments to six laws—the Sedition Act 1948, Printing Presses and Publications Act 1984 (PPPA), the Security Offences (Special Measures) Act 2012 (SOSMA), Prevention of Crime Act 1959 (POCA), the Prevention of Terrorism Act 2015 (POTA) and the Peaceful Assembly Act 2012. The cluster was part of the Pro-tem Committee for the Media Council formed in January 2020⁴ and had conducted trainings for the National Unity and Integration Department on how to counter hate speech. The cluster and the Legal Affairs Division in the Prime Minister’s Department jointly organised a consultation with civil society on the right to information.⁵ The cluster had met the then Minister in the Prime Minister’s Department in charge of national unity and social well-being, P. Waytha Moorthy, to discuss the adoption of the Rabat Plan of Action⁶ in government policies and provide input to the National Harmony and Reconciliation Commission Bill. On 19 February 2019, the cluster presented the Communications and Multimedia Minister, Gobind Singh Deo, with a proposed Freedom of Information Bill as a nudge towards enacting it. The minister was also informed about related challenges in the film industry and the need for the Film Censorship Act 2002 to be abolished, as it imposes criminal penalties on filmmakers if they fail to obtain prior

³ See Appendix III for a detailed list of the civil society groups that contributed to this report.

⁴ Bernama. (2020, Jan 17). Pro-tem committee of media council established.

<https://www.bernama.com/en/news.php?id=1807196>

⁵ Legal Affairs Division, Prime Minister’s Department. (2019, Nov 27). National stakeholders consultation on the right to information legislation

<http://www.bheuu.gov.my/index.php/en/media/galeri-gambar/1666-27-28-november-2019-national-stakeholders-consultation-on-the-right-to-information-legislation>

⁶ The Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence brings together the conclusions and recommendations from several UN Human Rights Office expert workshops. See <https://www.ohchr.org/en/issues/freedomofopinion/articles19-20/pages/index.aspx>

ministerial approval of all films. The cluster urged for the classification board, currently under the Home Ministry, to be placed under the National Film Development Corporation Malaysia, more commonly known by its Malay acronym FINAS.

However, PH could not fulfil the following promises related to freedom of expression during its 22-month governance:

- **Ratify international human rights treaties**—Despite the then Prime Minister Dr Mahathir Mohamad stating in a speech to the United Nations in September 2018 that Malaysia would ratify all six remaining human rights treaties,⁷ none was signed.
- **Amending and repealing repressive laws**
 - **Communications and Multimedia Act 1998 (CMA), section 233**—This is despite the Communications and Multimedia Minister’s saying in October 2019⁸ that this provision needed to be reviewed as it was too wide, and that the government was looking into amending the Penal Code to deal with online speech.
 - **PPPA**—Then Home Minister Muhyiddin Yassin said in January 2019⁹ that this was one of the laws to be amended or reviewed, but nothing has been said of it since.
 - **SOSMA, POCA, POTA**—The Home Minister said in May 2019¹⁰ that SOSMA was likely to be amended at the next parliamentary sitting, but it did not happen. In November 2019,¹¹ he said it might be done in March 2020. Another law that PH had promised to amend but did not was POTA; nor was POCA abolished.
- **Set up a media council**—The Communications and Multimedia Minister had said that the PPPA would be abolished after the council was set up. The report of the committee was almost completed when the PH government fell.
- **Adopt a right to information law**—In July 2019, Dr Mahathir Mohamad said that the government would draw up a Freedom of Information Act to replace the Official Secrets Act 1972 (OSA).¹² At stakeholders consultation with civil society co-organised by the CSO Platform and the Legal Affairs Division of the Prime Minister’s Department in November the same year,¹³ the then de facto law minister Liew Vui Keong

⁷ *New Straits Times*. (2018, Sept 29). [Speech text] Dr Mahathir at 73rd UN General Assembly. <https://www.nst.com.my/news/nation/2018/09/415941/speech-text-dr-mahathir-73rd-un-general-assembly>

⁸ *Christina Chin*. (2019, Oct 6). *Face to face: The Little Lion of Puchong is no more*. *The Star*. <https://www.thestar.com.my/news/nation/2019/10/06/the-little-lion-of-puchong-is-little-no-more>

⁹ *The Star*. (2019, Jan 15). *Six laws to be amended or repealed*. <https://www.thestar.com.my/news/nation/2019/01/15/six-laws-to-be-amended-or-repealed-muhyiddin-msia-needs-legislation-that-balances-security-and-basic>

¹⁰ *Bernama*. (2019, May 6). *Revision of harsh laws among ministry’s agenda*. <https://www.bernama.com/en/general/news.php?id=1723716>

¹¹ *The Star*. (2019, Nov 6). *Muhyiddin: Cabinet to consider amending SOSMA*. <https://www.thestar.com.my/news/nation/2019/11/06/muhyiddin-cabinet-to-consider-amending-sosma>

¹² *The Sun*. (2019, July 18). *Freedom of Information Act in place of Official Secrets Act: Dr Mahathir*. <https://www.thesundaily.my/local/freedom-of-information-act-in-place-of-official-secrets-act-dr-mahathir-CD1126370>

¹³ *Legal Affairs Division*. *National stakeholders consultation on the right to information legislation*.

reiterated the government's commitment to repeal the OSA and adopt a Freedom of Information law.

- **Replace UUCA**—In February 2020, interim Education Minister Dr Mahathir Mohamad reiterated an earlier announcement by his predecessor who resigned two months ago, that the Universities and University Colleges Act 1971 (UUCA) would be replaced with a better, more comprehensive law to restore authority and independence to institutes of higher learning.¹⁴ The PH government fell shortly after this.
- **Prevent political interference in welfare organisations**—The Societies Act 1996 was another law that was supposed to have been amended towards this end, especially pertaining applications for tax exemptions. By the time PH was ousted, nothing had been done; nor were there any changes to the tax exemption process.

The cluster on “Access to justice, rule of law and human rights defenders” identified 20 priorities, focusing on critical reforms of legislation based on PH's Buku Harapan manifesto. The cluster comprises of at least 12 organisations with an additional 4 organisations under the sub-cluster “human rights defenders”. The cluster also collaborates with the Freedom of Expression cluster on one particular priority where the latter leads.

With regard to PH's promises for reforms in these areas, the cluster found little progress in most of them, though it must also be said that PH had been moving in the right direction. To prod the PH government, the cluster continued engagements by being flexible in their approach and strategy. As an example, the abolition of the National Security Council Act was a promise that was later backtracked. The cluster had planned to continue applying pressure by tentatively including strategic litigations. It had also engaged with various stakeholders via consultations, online and offline campaigns, submission of memorandums, proposed reforms, research papers, press statements, op-ed writings, and lobby and advocacy with Members of Parliaments (MPs), the Parliament Select Committees, among others.

The “Women” cluster had a rather fruitful engagement with the Women, Family and Community Development Ministry under PH, headed by the then Deputy Prime Minister Dr Wan Azizah Wan Ismail, with Hannah Yeoh as the deputy minister. Whilst much was achieved, as the ensuing pages will show, there were outstanding issues revolving around these areas:

- **Female Genital Mutilation (FGM)**—One week after this issue was raised at Malaysia's Universal Periodic Review (UPR) in November 2018, Dr Wan Azizah reiterated the government's stand on female circumcision, calling it part of the Malaysian culture.¹⁵ She also stated that her ministry was holding discussions with the Ministry of Health (MOH) to look at the benefits and downsides of the practice.

¹⁴ Bernama TV. (2020, Feb 9). AUKU akan diganti dengan undang-undang lebih baik. Facebook. https://web.facebook.com/BernamaTV/videos/auku-akan-diganti-dengan-undang-undang-lebih-baik/187229962627774/?_rdc=1&_rdr

¹⁵ New Straits Times. (2018, Nov 15). Female circumcision part of Malaysian culture says DPM. <https://www.nst.com.my/news/nation/2018/11/431411/female-circumcision-part-malaysian-culture-says-dpm>

- **Gender-based violence**—The Joint Action Group for Gender Equality met with the then Deputy Education Minister Teo Nie Ching, who was receptive to the idea of introducing a sexual harassment policy for all universities. She was told by the Women, Family and Community Development Ministry that a proposal paper was near completion.
- **National machinery/policies for advancement of women**—The report and action plan of the National Policy on Women and Gender Mainstreaming in Government have not been made public after a review by the Women, Family and Community Development Ministry in collaboration with United Nations Development Programme.
- **Employment**—A policy to institute 30% of women in senior management/boardroom positions was created. Although it did not have clear mechanisms, monitoring and evaluation, and the quota is yet to be achieved, PH did fill more women to be in management/board.¹⁶
- **Refugee women**—There was no promised announcement by the government in December 2019 on whether it would grant refugees the right to work (as Malaysia is not a signatory to the 1951 Refugee Convention), despite the Ministry of Human Resources telling Parliament so a month before that.¹⁷
- **Nationality**—The then Women, Family and Community Development Deputy Minister Hannah Yeoh held meetings with the Ministry of Home Affairs to review the laws pertaining to citizenship of children, specifically to: 1) grant the children of Malaysian women who are born overseas automatic citizenship, 2) allow the use of DNA as evidence for citizenship approval, 3) ensure the prioritisation of stateless children under the care of the Welfare Department, 4) grant citizenship to adopted children once the adoptive parents receive the court order for adoption, and 5) provide an explanation for every citizenship application that is rejected. Since 2018, applications for permanent residence are being rejected, and a 10-year residence pass is being given instead, which is not a pathway to citizenship.
- **LGBTIQ**—The situation for lesbian, bisexual, transgender, intersex and queer (LBTIQ) women has regressed in the last two years, as evidenced by the increased prosecution, discriminatory speeches, threats of arrest and rehabilitation (changing or suppressing a person's gender identity, gender expression and sexual orientation), among others by state actors. State funded anti-LGBT activities are still going on. While LGBTIQ human rights defenders engage in civil society–state processes, there is a high level of resistance by the government in employing an evidence- and rights-based framework in addressing the human rights violations, marginalisation and other issues faced by LGBTIQ persons. Further, the state's understanding of gender and sex is still very binary, inaccurate and morality-ridden. It is the same with sexual orientation. In addition, line ministries and other agencies are often unclear of the ministry that should address LGBTIQ-related issues, and are bound by the

¹⁶ NCWO. *Malaysia Beijing+25 CSO Parallel Report. (2019). Section 19.17.* <https://ngocsw.org/wp-content/uploads/2019/11/Malaysia-CSO-report.pdf>

¹⁷ *The Star.* (2019, Nov 18). *Govt to decide on allowing refugees to work in Dec.* <https://www.thestar.com.my/news/nation/2019/11/18/govt-to-decide-on-allowing-refugees-to-work-in-dec>

government stance, which is to rehabilitate LGBTIQ persons using a *dakwah*, loving and compassionate manner. As a result, LGBTIQ-related issues are deferred to the Department of Islamic Administration (JAKIM) despite the cross-cutting nature of the issues. These ‘soft’ approaches are harmful as they are unscientific, non-evidence- and rights-based,¹⁸ and have severe and systemic impact. The context of criminalisation of LGBTIQ persons allows such activities to continue without adequate evaluation and assessment, compounded by media sensationalism and online discrimination or aggression. Some concerning developments were:

- In May 2019, the Negeri Sembilan state government introduced Section 66A, “female person posing as a man” in its Syariah Enactment, criminalising gender expressions and identities of trans masculine persons and persons assigned female at birth with diverse masculine gender expressions and identities. Meanwhile, three amendments were made to Section 66 (male person posing as a woman), which underwent a constitutional review between 2010 and 2015. The phrase “for immoral purposes” was added; the fine was raised from RM1,000 to RM3,000, and the prison sentence increased from six months to “not more than two years.”¹⁹
- In some recent prosecutions of LGBTIQ persons under the state syariah laws, the *liwat* (sodomy and/or sex between men), *musahaqah* (sex between women) and sex against the order of nature charges are read together with the section on attempts on offences,²⁰ raising concerns over increased arbitrariness in the law. Case in point, two persons who were charged for attempt and *musahaqah* in Terengganu were sentenced to six strokes of the cane and fines. Meanwhile, a few men who were charged with attempt and sexual intercourse against the order of nature under the Selangor syariah laws²¹ were sentenced to multiple strokes of the cane, imprisonment and fines.²² In both cases, the judges justified the severe sentence as a form of deterrence and to teach others a lesson. Both cases were sensationalised in the media, resulting in prejudicial speeches and wider violations of human rights of the individuals with impunity. For example, some of the men in the Selangor case faced job losses, interpersonal tensions and increased mental health burden, among others.

¹⁸ *Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity. (May 2020). Report on conversion therapy.*

<https://www.ohchr.org/EN/Issues/SexualOrientationGender/Pages/ReportOnConversiontherapy.aspx>

¹⁹ *Negeri Sembilan.org. (2019, May 1). Enakmen Jenayah Syariah (Negeri Sembilan) diperkasa.*

<https://www.negerisembilan.org/01-mei-2019-1>

²⁰ *Section 28 of the Selangor Syariah Criminal Offences Enactment. The same provision can be found in other state syariah laws. For example, Section 59 of the Terengganu Syariah Criminal Offences Enactment and Section 30 of the Kedah Syariah Criminal Offences Enactment.*

²¹ *Queer Lapis. (2019, Nov 8). Conviction for attempts of sex acts points to increasing hostility towards LGBTIQ persons In Malaysia. <https://www.queerlapis.com/conviction-for-attempts-of-sex-acts-points-to-increasing-hostility-towards-lgbtq-persons-in-malaysia/>*

²² *Berita Harian. (2019, Nov 7). Terbabit pesta seks songsang, 5 lelaki dihukum penjara, sebat. <https://www.bharian.com.my/berita/kes/2019/11/625969/terbabit-pesta-seks-songsang-5-lelaki-dihukum-penjara-sebat>*

- LGBTIQ issues were used as scapegoats, in particular in reinforcing the notion that PH was a liberal government or LGBT-friendly administration, which invited more tensions from the usual as well as new detractors. LGBTIQ issues were also used to dampen progress of human rights in relation to ratification of related treaties.^{23,24}
- The state actions and calls for action against LGBTIQ persons was at an all-time high, as evidenced in the following incidents:
 - removal of portraits of two human rights defenders from an arts festival.²⁵
 - multiple calls for stern actions against LGBTIQ persons. In the Dewan Rakyat session between 11 March and 11 April, at least eight MPs made such calls.
 - In March 2019, organisers of the Women’s March were subjected to a police investigation under the Sedition Act and Peaceful Assembly Act because of visible participation of LGBTIQ persons.²⁶
 - the raid of a venue frequented by LGBTIQ persons, with state encouragement for more complaints against such venues.²⁷
- **Marriage and family relations**—Although some states are reviewing their Syariah laws following discussions initiated by the NGO Sisters in Islam with the PH government on reform of Islamic Family Laws, no substantive areas of law have been amended.²⁸
 - In March 2019, the then minister for religious affairs Dr Mujahid Yusof Rawa proposed a special court for *hadhanah* (child custody) and *nafkah* (maintenance) to protect and strengthen the rights of women in family, marriage and divorce matters.²⁹ This court had been expected to be operational in May 2019. The special court for *nafkah* was reported to have started operating in Kuala Lumpur in September 2019. Sufficient information is not yet available to ascertain the effectiveness of this court. *Hadhanah* courts are not yet operational, according to available information.

²³ *The Malay Mail*. (2019, Apr 27). Rome Statute is not about LGBT or against Islam.

<https://www.malaymail.com/news/malaysia/2019/04/27/rome-statute-is-not-about-lgbt-or-against-islam-forum-told/1747582>

²⁴ *New Straits Times*. (2018, Nov 22). PAS: All Muslims have a duty to oppose ICERD.

<https://www.nst.com.my/news/nation/2018/11/433566/pas-all-muslims-have-duty-oppose-icerd>

²⁵ *The Malay Mail*. (2018, Aug 8). LGBT activists’ portraits removed from George Town Festival exhibition. <https://www.malaymail.com/news/malaysia/2018/08/08/lgbt-activists-portraits-removed-from-george-town-festival-exhibition/1660198>

²⁶ *Malaysiakini*. (2019, Mar 14). Cops investigating Women's March organisers under Sedition Act. <https://www.malaysiakini.com/news/467955>

²⁷ *The Malay Mail*. (2018, Sept 6). After Blue Boy FT Ministry says public complaints welcome for more gay club raids. <https://www.malaymail.com/news/malaysia/2018/09/06/after-blue-boy-ft-ministry-says-public-complaints-welcome-for-more-gay-club/1670012>

²⁸ A review of the discriminatory effects of these laws was submitted for consideration of the High-Level Panel on the Administration of Islam (a panel of advisors appointed by the Conference of Rulers), the Council of Eminent Persons and the prime minister himself.

²⁹ *The Star*. (2019, Mar 18). Special marriage court starts in May.

<https://www.thestar.com.my/news/nation/2019/03/18/special-marriage-court-starts-in-may>

- On the issue of maintenance, there has been no further engagement after Sisters in Islam submitted paperwork to Deputy Minister Hannah Yeoh in December 2019, calling for the need to establish a federal child support agency that would evaluate, administer, enforce and monitor the payment of child support to children who are affected, regardless of their religion or beliefs.
- Section 13 of The Law Reform (Marriage and Divorce) Act 1976 governing the age of marriage for non-Muslims still allows for solemnisation of marriages for 16-year-old girls with a licence granted by the Chief Minister, despite stating that the age of marriage should be 18 years old for both.

The “Refugees, asylum seekers and stateless persons” cluster lobbied for the right to work, affordable healthcare and education for the refugees in the country. In September and November 2019, CSOs Beyond Borders and Tenaganita ran capacity-building and media advocacy workshops for the community leaders from ReAct (Refugee Action for Change). ReAct suggested that the PH government could use the IMM13, an existing framework under the Immigration Act allowing refugees their work rights and, based on that framework, the right to affordable healthcare and structured education could also be incorporated. Further, by fulfilling its election promise, PH would also be fulfilling its obligations under the Universal Declaration of Human Rights (UDHR), including the right to seek asylum.

ReAct, with the support of Beyond Borders and Tenaganita, also embarked on an initiative to advocate its policy suggestions through a position paper to the PH government via progressive lawmakers; one who agreed to work with ReAct was Democratic Action Party (DAP) MP Charles Santiago, who also chairs the ASEAN Parliamentarians for Human Rights. The Klang MP has repeatedly said that refugees should be given the right to work. However, with the collapse of the PH government and the COVID-19 pandemic, that initiative has been temporarily halted.

During the PH administration, the “Education” cluster had many engagements with the relevant authorities and submitted several recommendations, as well as participated in town-hall meetings and focus group discussions. However, there was no engagement in 2020, be it with PH or PN, especially during the MCO period.

Among the follow-ups that the cluster had hoped to see was the final document from the focus group discussion on National Education Policy, organised by the Education Performance and Delivery Unit in November 2019: The cluster wanted schooling to centre on character-building and multi-cultural education. The cluster had also been awaiting the implementation of a Consultative Council for People’s Harmony³⁰ and the enactment of a National Harmony legislation to ensure equality, eliminate discrimination, and criminalise racial and religious hatred. Nothing came of PH’s promise to review and improve the implementation of Sekolah Amanah (Trust Schools) and to take significant steps to reduce teachers’ administrative burden by creating a teaching assistant post. On the promise to recognise the United Examination Certificate (UEC) as an entry requirement for public higher learning institutions

³⁰ *Buku Harapan*, 116.

(IPTAs) provided that applicants have a credit in Bahasa Melayu for their Malaysian Certificate of Education (SPM),³¹ a Policy Taskforce on UEC was established.³² This taskforce engaged with 406 stakeholders for input and data, and was said to have completed its report. However, the full report was never tabled or made public.³³

In the current pandemic, online distance- and home-based learning is suddenly in demand, hence the PN government must improve access to internet in the schooling ecosystem and increase learning opportunities, like the Massive Online Open Course³⁴ for higher education students propounded by PH. Another critical need during these trying times is to increase the number of school counsellors to provide more social and emotion-coping skills among our children.

The “Health” cluster paid courtesy visits to the then Health Minister Dr Dzulkefly Ahmad and Deputy Minister Dr Lee Boon Chye. The cluster did not make any explicit demands. However, some members did call for more financial allocation for the public health sector, the spotlight on brain drain and an urgent solution to the lack of permanent positions for housemen, and ensuring non-discriminatory and universal access to healthcare for migrant communities.

The 4% gross domestic product (GDP) allocation from the government budget for the MOH was a major promise, and it was badly required, but the minister caved in and did not push for it after just one year in office, blaming it on the current economic situation, as well as the debt and liabilities from the previous government.³⁵ That was a major disappointment.

There was some progress in other major promises in the Buku Harapan, though still far from addressing the core issues, the biggest of which was support (not just financially) for the measures to tackle non-communicable diseases, rare diseases and mental health issues.

The “Electoral reform” cluster made good progress with the PH government. Several key personnel of BERSIH 2.0 are in the Electoral Reform Committee (ERC) to assist in reforming the elections: the chairperson is the head of the voter registration cluster in the ERC and the executive director is in the cluster on conduct of election. A tribunal on misconduct of commissioners was established for the first time in history, though it did not proceed after the issue was deemed to be academic following the resignation of the commissioners in question. BERSIH 2.0 organised a national workshop on “Establishing a unique address registration in Malaysia” to resolve this long-standing issue that is the source of substantial

³¹ *Ibid*, 107.

³² *Ministry of Education*. (2019, Mar 31). *Penubuhan Pasukan Petugas Dasar UEC*. <https://www.moe.gov.my/pemberitahuan/kenyataan-media/kenyataan-media-penubuhan-pasukan-petugas-dasar-unified-examination-certificate-uec>

³³ *Malaysiakini*. (2020, July 20). *Pasukan petugas khas tunggu masa sesuai serah laporan kajian UEC*. <https://www.malaysiakini.com/news/535292>

³⁴ *Buku Harapan*, 108.

³⁵ *Malaysiakini*. (2019, May 2). *Public hospitals lack funds, staff but have the best experts—minister* <https://www.malaysiakini.com/news/474462>

data error and fraud in the electoral rolls.³⁶ BERSIH 2.0 is now in the last stage of organising a consultation with the ERC and all stakeholders to amend the Election Offences Act 1954.

The “Anti-corruption” cluster noted that questions remained on actual implementation and structural reforms of the PH government’s anti-corruption efforts. For instance, the setting up of the parliamentary select committees is commendable, but these mechanisms have not been fully utilised in many cases, such as on the appointment of politicians to positions, which continue to be questioned. The other two areas that PH did not fulfil its promises were to introduce a transparent political financing/funding and also the governance concern related to GLCs and agencies. Some initiatives could not take place as they require legislative changes—for instance, the recommendation for the appointment of the MACC chief.

The “Government-linked companies reform” cluster found Promise 22 a poorly attempted one by PH. The prospects of any significant reform for the government-linked companies (GLCs) in Malaysia appeared to be limited as there was a lack of strategic execution and policing to reduce the influence that GLCs hold. Moreover, no review was done for the role of GLCs. GLCs were sustained over the years by the government to help alleviate socio-economic failures, but there is less evidence that this function is still relevant today. Even if this function is relevant, having an absurd number of GLCs is not necessarily the solution.

On the promise to reform political appointments in GLCs, the PH government stated its commitment to end this on several occasions,³⁷ but no concrete measures were made to permanently change the dynamic of GLCs—a number of politicians still occupied senior positions within GLCs during their governance.

The promised parliamentary committee did not materialise. The committee that was established during the PH governance only oversaw general public appointments; none oversaw the appointment of GLC leadership positions, thus suggesting that the government was not committed to implementing this particular sub-promise.

The promise to make the drug and medical equipment procurement system more competitive was not carried out; instead, the MOH gave the largest Malaysian pharmaceutical company, Pharmaniaga, a 25-month interim period for the procurement of drugs after its concession ended on 30 Nov 2019.

It was the same with the promise for more GLC educational scholarships, particularly to the B40 and M40 groups. No specific scholarship schemes were introduced. The Ministry of Education (MOE) discussed with the Public Service Department to provide incentives for teachers who decide to further their studies, but there was no follow-up action.

³⁶ BERSIH 2.0. (2019, Nov 24). *Addressing the address problem in Malaysia, once and for all.* <http://www.bersih.org/11971-2/>

³⁷ *Malaysiakini.* (2019, Oct 31). *Lim: GLCs run professionally under Harapan, far fewer political appointments* <https://www.malaysiakini.com/news/498035>

The “Sustainable Development Goals” cluster is committed to helping the government realise the 17 Sustainable Development Goals (SDGs) that the United Nations General Assembly agreed to in September 2015.

Overall though, the PH government’s engagement with CSOs had been ad hoc and not in observance of the partnership model promoted in the SDGs. The National SDG Steering Committee, which saw the participation of CSOs, met only once on 15 Oct 2019. The CSO Platform also failed to meet the Economic Affairs Minister, who was in charge of SDGs, for a dialogue despite many attempts to seek an appointment.

The PH government did not release the National SDG Roadmap after obtaining various stakeholders’ input. The lack of information had impacted the effective delivery of SDGs at the local levels. PH did not institutionalise some of what had been expected, such as a balance between economic growth and environment matters at the federal, state and local levels.

Little progress was made elsewhere. For example, in enforcing the UN Declaration on the Rights of Indigenous Peoples, there was a promise to recognise land rights of Orang Asal and to gazette Native Customary Rights, but states such as Perak were even seen to go against this undertaking.

However, PH had shown greater resolve to safeguard the rights of the Orang Asal even though measures were not up to expectations, and the PN government appears to be continuing this commitment, even if progress is slow.

It is significant to note that the PH government had invited the UN Special Rapporteur on Poverty, Prof. Philip Alston, to Malaysia. Alston made his visit between 13 and 23 Aug 2019. Members of the Malaysian CSO SDG Alliance participated in the dialogues and made presentations. The early report was released on 23 Aug 2019. In the report, the Special Rapporteur questioned the Poverty Line Income measurement, indicating that it was too low and that it needed to be reviewed to capture the reality of poverty.³⁸ He noted the issues with access to poverty data for independent academic review, and the insufficiently addressed issues faced by a number of poverty groups, including migrants, non-citizens, disabled people, indigenous people, urban poor and women. In turn, the Economic Affairs Minister Azmin Ali expressed the disappointment of the government, saying that the Special Rapporteur’s report was “misconceived, erroneous and clearly lacks empirical evidence...”^{39 40}

³⁸ Philip Alston (2019). *Statement by Prof. Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights, on his visit to Malaysia, 13-23 Aug 2019.*

<https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24912&LangID=E>

³⁹ The Star. (2019, Aug 24). *Azmin disputes UN poverty claims.*

<https://www.thestar.com.my/news/nation/2019/08/24/azmin-disputes-un-poverty-claims>

⁴⁰ In July 2020, after the UN released the final Poverty Report, Azmin’s successor, the new minister for the Economic Planning Unit (EPU) Mustapha Mohamed, announced that the government is readjusting the Poverty Line Income from RM980 to RM2,208. The government also released the new median household income figures. Furthermore, the minister said that “the government can also design more appropriate, dynamic and pragmatic approaches for each target group” in the Twelfth

On the environmental and sustainability record of the different administrations, in terms of governance, there had been some consistency in policy approach vis-à-vis changes in the institutional framework with the different administrations.

The commitment to have all oil palm certified under the Malaysian Sustainable Palm Oil (MSPO) certification by 2020, introduced by the BN government, was continued by the subsequent administrations. Additional policy commitments were also made to improve on sustainability measures in the industry. The pledge to maintain 50% of land under forest cover by previous administrations was also reiterated several times, while marine-protected areas increased in continuation of efforts that had already been undertaken.

There was also progress by the PH government on energy transition with a target of 20% of the energy mix being renewable by 2025, without including large-scale hydro power; and no nuclear power. Additionally, focus was given to managing single-use plastics, while efforts to curb species loss, especially tigers, were enhanced. This period also saw the involvement of the police to combat wildlife crime. The consistency in these policy thrusts is expected to continue with the PN administration.

In terms of institutional arrangements, the Department of Marine Parks, which was established during the BN administration, was downgraded to a division of the Fisheries Department by the PH government. When PN took over, the marine parks division was further downgraded to a unit. The PH government created a ministerial portfolio for climate change; however, the PN administration has reverted to the previous institutional arrangement of embedding it within the Environment Ministry.

Finally, in the post-COVID-19 economic stimulus efforts, there was no consideration on aligning the stimulus towards growing a green economy through job reskilling and tiered incentives for sustainable enterprises.

Malaysia Plan (2021—2025). See <https://www.thestar.com.my/news/nation/2020/07/10/govt-revises-poverty-line-income-from-rm980-to-rm2208>

PART I:

22 months of Pakatan Harapan in power (May 2018 – February 2020)

A. Demands proposed to the Pakatan Harapan government based on the Buku Harapan

1. Freedom of expression

The Freedom of expression cluster supports the implementation of the following pledges made by Pakatan Harapan in its Buku Harapan election manifesto:

- 1.1 **Ratify international human rights treaties**⁴¹—in particular the International Covenant on Civil and Political Rights (ICCPR).
- 1.2 **Abolish repressive laws**⁴²—specifically Sedition Act 1948, PPPA, POCA.
- 1.3 **Abolish repressive provisions in laws**⁴³—Penal Code (1936, rev. 1997), especially on peaceful assembly and activities harmful to democracy; CMA; SOSMA; Peaceful Assembly Act; POTA.
- 1.4 **Promote media freedom**⁴⁴
 - a. Ensure that the media has the freedom to check and balance the administration.
 - b. Review all laws and regulations related to the media to guarantee media freedom.
 - c. Improve the independence and professionalism of government media such as Radio Televisyen Malaysia (RTM) and national news agency Bernama.
- 1.5 **Set up of a media council**⁴⁵
- 1.6 **Promote the right to information**⁴⁶
 - a. Enact a Freedom of Information bill, with financial provisions for implementation.
 - b. Revise the OSA, Whistleblower Protection Act 2010 and the Witness Protection Act 2009.
- 1.7 **Promote academic freedom**⁴⁷—specifically revoke the UUCA.
- 1.8 **Promote freedom of association**⁴⁸
 - a. Create a simple and better structure for the setting up of welfare bodies, foundations and legitimate non-governmental organisations.
 - b. A more transparent process for welfare bodies to get tax exemptions.
 - c. Establish a Commission on Charities and Non-Profit Organisations.

⁴¹ Promise 26.

⁴² Promise 27.

⁴³ Promise 27.

⁴⁴ Promise 27.

⁴⁵ Promise 27.

⁴⁶ Promise 14.

⁴⁷ Promise 28.

⁴⁸ Promise 54.

2. Access to justice, rule of law and human rights defenders

The CSOs' demands in this area revolved around law, policy and institutional reform, focusing on the first. These were the relevant promises made by PH:

- Under **Promise 27**, PH vowed to abolish unjust laws, specifically the Sedition Act 1948, POCA, UUCA, Printing Presses and Publications Act 1984, National Security Council Act 2016 and mandatory death by hanging. PH also promised to abolish oppressive sections in the Penal Code 1997, especially on peaceful gatherings and actions that are detrimental to democracy; CMA; SOSMA; Peaceful Assembly Act; and POTA. Additionally, it will revoke all clauses that prevent the courts from reviewing decisions of the government or the laws introduced by the government (ouster clauses).
- **Promise 20** addressed the establishment of Independent Police Complaints and Misconduct Commission, and the issue of custodial deaths.
- **Promise 52** looked into reform of drug-related offences by using the rehabilitation and harm-reduction approach.
- **Promise 19** talked about reforming the judicial and legal institutions.
- **Promise 15**, on separating the office of the Attorney General from the Public Prosecutor, was one of the items on which immediate steps were to be taken.
- **Promise 11** was to restore the dignity of the Malays and Malay institutions.
- **Promise 45** referred to the thorny problem of statelessness.
- **Promise 59** mentioned the ratification of the 1951 International Convention on Refugees, while Promise 35 looked into allowing refugees to work legally.
- **Promise 54** was concerned with strengthening, among others, civil society.

The CSOs were also championing the rights of asylum seekers, abolition of torture, prison policy reform and ratification of the Rome Statute of the International Criminal Court, although PH made no promises about them.

3. Harmony

Working towards a harmonious society, the CSOs were focused on the following promises in the Buku Harapan:

- **Promise 33**: Set up an Equal Opportunity Commission—The CSOs wanted the PH government to lead intense public awareness mass campaigns, especially through the formal education system, to promote and instil civic consciousness as well as eradicate racism and discrimination at all levels of society. MPs and state assembly persons, senior politicians, and all civil servants holding senior positions in government departments and enforcement agencies must be involved. The government in collaboration with CSOs must continue to monitor them to ensure zero tolerance for policies and practices of racism and any forms of religious discrimination at all levels of governance. To ensure a harmonious country and safeguard the special position of the Malays, the PH government promised to establish, on a permanent

basis, a Consultative Council for People's Harmony, similar to what was once set up by the late Tun Abdul Razak Hussein. This would have fostered better racial and religious relations within the framework of the Federal Constitution.

- The government must be willing to impose, without fear or favour, heavy legal sanctions in accordance with established laws as well as international human rights norms, on any individual or group that exhibit racist and religious discrimination through speech and action.

- The government must continue to engage the people in implementing these recommendations. There may be a need for a National Harmony Act which takes into account all fundamental liberties in accordance with our constitutions and the prevailing ethnic-religious situation and cultural sensitivities.

- **Promise 26: Make our human rights record respected by the world—**The National Human Rights Blueprint must be improved and implemented in full. The blueprint that was submitted prior to PH coming into power was not agreed upon by the CSOs. The CSOs' recommendation to the IRC was to review the blueprint towards improving Malaysia's UPR to be on par with global standards. The government should uphold all promises and declarations to eliminate all forms of intolerance, discrimination and incitement of hatred based on religion and belief, as per Malaysia's international and regional commitments, including the ASEAN Human Rights Declaration. Some of the recommendations from the third UPR were:⁴⁹
 - **Recommendation 131 (Freedom of religion, religious intolerance)**
 - ✓ Guarantee freedom of religion or belief to all, stemming racial and religious intolerance, including against the Christian community (Croatia).
 - ✓ Take the necessary measures to ensure that all persons are free to exercise their right to freedom of religion and belief, especially the right to change their religion without fear of judicial sanction. In particular, amend the National Registration Act to remove all references to religion on identity cards (Haiti).
 - **Recommendation 130 (Interethnic, interreligious interaction)**
 - ✓ Continue the implementation of measures aimed at strengthening inter-ethnic and inter-religious interaction in the country (Belarus).
 - **Recommendation 9 (Human rights treaties)**
 - ✓ Speed up its deliberations on the signature and ratification of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), ICCPR, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, International Covenant on Economic, Social and Cultural Rights and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Turkey).

⁴⁹ Pusat KOMAS. (2019). *Pusat KOMAS Malaysia Racial Discrimination report 2019*. https://komas.org/download/Malaysia_Racial_Discrimination_Report_2019.pdf

4. Sustainable Development Goals

The Buku Harapan had very strong socio-economic commitment, including for democratic reforms. In relation to the SDGs, there were strategies to address poverty, inequality, health, education, employment and housing. There were three specific references to sustainability:

- **PILLAR 3:** Spur sustainable and equitable economic growth—PH stated its belief in uplifting the socioeconomic status and sharing the country's wealth in a fair and equitable manner, and the importance of reducing inequality.
- **Promise 39:** Balancing economic growth with environmental protection—PH vowed to adhere to the principles of sustainability and sustainable development, and be an environmentally friendly government.
- **Promise 54:** Empowering societal institutions, civil society and social entrepreneurship—Among other reforms, a Commission on Charities and Non-Profit Organisations will take over the responsibilities of the Registrar of Societies and Companies Commission of Malaysia to ensure that welfare bodies are free from political interference especially with regard to applications for tax exemptions.

5. Women

Though not an exhaustive list, the following represent some of the critical areas of the proposed demands to the PH government:

- a. **Constitutional and legislative framework**—Ensure that the legal system protects women's rights.⁵⁰
- b. **National machinery/policies for advancement of women**—Gender-responsive budgeting.⁵¹
- c. **Female genital mutilation (FGM)**—Though this was not addressed in the Buku Harapan, it was one of the demands of the CSOs, based on the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) Concluding Observations.⁵²
- d. **Gender-based violence**—Ensure that urban/rural planning accounts for the safety of women/girls.⁵³
- e. **Women's participation in political and public life**—Democratise the political system to create more female leaders.^{54,55}
- f. **Nationality**—Though barely addressed in the Buku Harapan, it was one of the demands by the CSOs, based on the CEDAW Concluding Observations.⁵⁶

⁵⁰ *Buku Harapan*, 140.

⁵¹ *Ibid*, 137.

⁵² CEDAW/C/MYS/CO/3-5. (2018, Mar 9). Paragraph 22.

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/MYS/CO/3-5&Lang=En

⁵³ *Buku Harapan*, 139.

⁵⁴ *Ibid*, 140.

⁵⁵ *Ibid*, 44.

⁵⁶ CEDAW/C/MYS/CO/3-5. Paragraph 34.

- g. **Education**—Integrate gender understanding in the education syllabus at all levels.⁵⁷
- h. **Employment**—Strengthen women’s employment rights by fixing maternity leave at 90 days; ensuring the legal system protects women's rights and dignity by introducing a Sexual Harassment Bill; and implementing policies and programmes that will optimise women's capacity and increase their employment rate.⁵⁸
- i. **Health**—Improve women’s health outcomes, including improving reproductive health awareness programmes among women so that they can protect themselves from risks.⁵⁹
- j. **Refugee women**—Ratify the UN refugee convention and grant refugees the right to work.⁶⁰ This was also covered under the access to justice and refugees clusters.
- k. **LGBTIQ**—LGBTIQ rights were not addressed in the Buku Harapan, but this was one of the Cluster’s demands, based on the CEDAW Concluding Observations.⁶¹
- l. **Marriage and family relations**—Establish a Family Law Improvement Committee to amend the law on divorce, maintenance and child custody, and to ensure a more efficient and fairer solution to women.⁶² Introduce a law that sets 18 as the minimum age of marriage.⁶³

6. Child

These were priority gaps to be addressed by key stakeholders—the Women, Family and Community Development Ministry, police, hospitals, NGOs. The CSOs’ demands were:

- An immediate overhaul of the Child Protection System. The number of reported cases of child maltreatment, especially abuse, sexual abuse and exploitation, has been increasing sharply over the past three years. A significant number of cases of violence against children go unreported every year, resulting in serious harm and death to children that could have otherwise been prevented. Child trafficking, sale of babies, baby dumping were ongoing problems. The Child Protection System was not clearly defined, with overlapping stakeholder duties and lack of inter-agency cooperation in handling cases from end to end. Long-term prevention strategies were not in place; instead, the system was still in fire-fighting mode. There were gaps in the implementation of protection mechanisms on the ground, not enough trained, gazetted child protectors to provide care and protection, and insufficient assistant child protectors within communities. The Care Centres Act 1993 had not been adequately implemented: centres were not functioning as transition homes for children in need.
- Reactivate Childline 15999, currently parked under 15999 Talian Kasih, as an independent confidential, dedicated helpline for children, with trained call operators, and ensure that it complies with international child helpline standards. Children have

⁵⁷ *Buku Harapan*, 139.

⁵⁸ *Ibid*, 137.

⁵⁹ *Ibid*, 138.

⁶⁰ *Ibid*, 78 and 121.

⁶¹ CEDAW/C/MYS/CO/3-5. Paragraph 48.

⁶² *Buku Harapan*, 140.

⁶³ *Ibid*.

no avenue to report abuse themselves. Supported by UNICEF and Child Helpline International, the CSOs' proposal had been submitted to the Women, Family and Community Development Minister and had been awaiting a response.

- Reactivate the online child protection task force with more grassroots NGO representation as well as better monitoring of sexual abuse imagery of children online. In 2019 alone, close to 20,000 IP addresses in Malaysia downloaded and uploaded visuals and photographs of child pornography in Southeast Asia.⁶⁴ In 2019, the US National Center for Missing & Exploited Children Cyber Tipline reported that Malaysia had 183,407 uploads of suspected child sexual exploitation materials.⁶⁵
- Remove reservations to the Convention on the Rights of the Child (CRC). Some reservations have been lifted, but not the following five core articles: Articles 2, 7, 14, 28(1)(a) and 37.⁶⁶ Further, despite lifting the reservation to Article 1, multiple contradictory definitions of the child under both civil and Syariah laws remained. Little has also been done to realise the practical intent of Articles 13 and 15 of the CRC, and the policies and realities on the ground have remained unchanged.
- End caning and other forms of corporal punishment.
- Legislate childcare centre regulations.
- Establish an early childhood care and education task force to transform childcare, and make amendments to Child Act 2001 and Sexual Offences Against Children Act 2017.

7. Refugees, asylum seekers and stateless persons

The ratification of the 1951 International Convention on Refugees, under Promise 59, was also pursued by the CSOs focused on the issues of access to justice, rule of law, human rights defenders and women. Promise 35 acknowledged the large refugee population in Malaysia and was about enabling them to work legally.⁶⁷ There were almost 180,000 refugees and asylum seekers registered under the United Nations High Commissioner for Refugees (UNHCR) in Malaysia, with the Rohingya making the highest number at almost 102,000,⁶⁸ but activists say there were at least 200,000 Rohingya and 500,000 refugees in total. In 2019, around 40,000 refugees still did not have UNHCR cards.⁶⁹ They could not work and did not

⁶⁴ UNICEF. (2019, Apr 24). *Working together for better online child protection*.

<https://www.unicef.org/malaysia/press-releases/working-together-better-online-child-protection>

⁶⁵ National Center for Missing & Exploited Children. 2019 Cyber Tipline reports by country.

<https://www.missingkids.org/content/dam/missingkids/pdfs/2019%20CyberTipline%20Reports%20by%20Country.pdf>

⁶⁶ *Convention on the Rights of the Child*. Accessed 1 Sept 2020.

<https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

⁶⁷ *Ibid*, 78.

⁶⁸ UNHCR. 2020. *Figures at a glance In Malaysia*. Accessed 1 Sept 2020. <https://www.unhcr.org/en-my/figures-at-a-glance-in-malaysia.html>

⁶⁹ Eileen Chew. (2019, Feb 1). *Seeking refuge in Malaysia*. *New Naratif*.

<https://newnaratif.com/journalism/seeking-refuge-in-malaysia/share/xuna/2fe37bd25993870f5a38563dd25b1d05/>

have access to affordable healthcare or structured education.⁷⁰ Although refugees still worked based on humanitarian grounds, the non-recognition by the Malaysian government meant that there was no legal framework to protect them.⁷¹

8. Education

The CSO demands were not only based on the Buku Harapan but also in accordance with the targets set by the Global Goals for Sustainable Development (SDGs) on the key areas to ensure quality education for an inclusive and sustainable society.

1. Free, equitable and quality primary and secondary education

a. *Resources and funds*: Currently, excessive resources and funds are allocated to high-performing and cluster schools rather than under-performing schools. This must be reversed as a fundamental step to address issues of inequity and inequality affecting the lower-income and marginalised groups of children.

b. *Multicultural education*: Instead of focusing on national schools as the school of choice to foster a common national identity and unity, the MOE should promote the value and contribution of a multicultural education and adhere to the principle of mother-tongue education in primary and secondary education.

c. *Food programme*: Free, equitable and quality education should also include food programmes for students from marginal and lower-income groups.

d. *Tamil schools*: The MOE must abolish the Dual Language Programme in Tamil schools and, instead, implement the policy framework as outlined in the Upholding the Malay Language and Strengthening the Command of English policy, known by its Malay initials as MBMMBI.

e. *Remove class*: The effectiveness of the transitional remove class in secondary schools for students from Chinese- and Tamil-medium primary schools should be reviewed. Remedial steps should include enrolment of more students of minority groups in government-run technical and vocational education and training (TVET) courses and institutes, with emphasis on acquisition of skills and technology rather than language mastery.

f. *Pre-primary education*: The MOE should place all early childhood education institutions under one agency to regulate the establishment and operation of early childhood care and education institutions towards equal access to quality pre-primary education.

⁷⁰ Ajay Madhukar. (2018, May 25). *The Refugee Convention guarantees refugees in M'sia these rights-if they're legally recognised. Jireh's Hope.* <https://www.jirehshope.com/posts/1789/refugee-convention-guarantees-refugees-msia-rights-theyre-legally-recognised>

⁷¹ Chew. *Seeking refuge in Malaysia.*

2. Equal access to affordable technical, vocational and higher education

a. TVET

- Set up a National TVET Council led by the Human Resources Minister to study, oversee and coordinate TVET policies, quality, certifications and programmes.
- Introduce programmes that produce skilled workers in the era of the Fourth Industrial Revolution (e.g. data science, automation, virtual reality, logistics and artificial intelligence) and meet the needs of local industries.
- Encourage industrial engagement among TVET instructors to ensure that relevant knowledge and the latest practical skills are transferred to the students.
- Provide tax incentive for industry players to set up laboratories or incubators within the premises of public TVET institutions, as opposed to the current National Dual Training System that emphasises on-the-job training at company premises.

b. Quality and equitable higher education

- To tackle unemployment problems, the MOE should be more concerned with producing better quality graduates and having quality as a target indicator instead of producing a large number of graduates who do not meet employment standards.
- Foreign student recruitment needs to be reviewed in regards to over-supply and its impact on the quality of education and other socio-economic issues.
- Local private higher education has become unaffordable, particularly for those from the B40 and M40 categories, due to incessant fee increases. Thus, the fees charged need to be reviewed and controlled.

3. Elimination of all forms of discrimination in education

- ### **a.**
- Children of foreign workers and refugees as well as undocumented children who do not have access to the current education system in Malaysia should be enrolled in schools and given formal education. In line with the MOE's aspiration to foster greater unity, and bearing in mind Malaysia's ever-expanding foreign labour force, the inclusion of foreign workers' children in government schools is vital.

4. Education for sustainable development and global citizenship

- ### **a. Smart partnerships:**
- The MOE should formulate new policies on education for sustainable development, which should encompass the establishment of smart partnerships across the ministry and sectors of societies, and harness the network of higher-learning institutions, research institutes, environmental and social NGOs.

b. Curriculum reform:

- **Character education:** In line with the aspiration to promote gender equality, a culture of peace and non-violence, appreciation of cultural diversity and human rights, curriculum reforms should include a review of Moral and Civic Studies to enhance character education and promote a humanistic approach in education. Further, interfaith studies and

comparative studies of religions can be introduced to promote an inclusive society.

- History curriculum: The representativeness of the History curriculum should cover the multi-ethnic struggles and contributions toward the making of Malaysian history, and provide an extensive perspective of world history.
- Comprehensive Sexuality Education: A child's rights to education about her/his body, relationships and sexuality is necessary so that she/he can make informed decisions on those issues.

5. Inclusive and safe schools

- a. Include special education needs students as an integral part of all national schools; not all schools take in special education needs students, either because the environment is not disabled-friendly or due to other reasons.
- b. Make technical and vocational education more inclusive for special education needs students.

6. Qualified and quality teachers in national schools

- a. Increase the number of well-trained English teachers.
- b. Set up an Education Ombudsman consisting of people's representatives to monitor the implementation of education policies and to help promote academic freedom, especially in higher education.

9. Health

There was no concrete demand or proposal to the PH government on this issue, though the CSOs could broadly agree with some of the policy directions/ideas proposed in the Buku Harapan, e.g. higher budget allocation for the MOH, more (but careful) public-private partnership, and seriously tackling non-communicable diseases and mental health issues in the community.

10. Electoral reform

Promise 17 in the Buku Harapan gave an assurance of transparency and robustness in the electoral system. Thus, the CSOs wanted PH to:

- a. Remove the Election Commission (EC) from the Prime Minister's grip and have it report directly to Parliament, with EC members selected through a Parliamentary Select Committee.
- b. Lower the voting age limit to 18 years old and introduce automatic voter registration.
- c. Establish a Parliamentary Select Committee on elections.
- d. Clean up the electoral roll to remove dubious voters.

- e. Establish a Royal Commission of Inquiry (RCI) to look into the reform of the electoral system, particularly with regard to changing the first-past-the-post system (FPTP) to proportional representation or mixed electoral system.
- f. Establish an RCI into misconduct of the 14th General Election.
- g. Enact political financing legislation to curb corruption in political parties.

11. Government-linked companies reform

Reform of GLCs as promised by PH specifically falls under Promise 22 in the Buku Harapan: Make the governance of all our GLCs world-class, at par with international standards.⁷²

Under **Promise 22**, there were seven sub-promises:

- a. GLCs will operate in sectors that suffer from market failure and are not to compete against private companies;
- b. GLCs will be instructed to galvanise the efforts to increase Bumiputera equity holding in the country;
- c. The government will ensure that the appointment of state and national GLC Board Members will be made based on merit and professionalism, not based on politics;
- d. The amount of allowances received by board members of national and state GLCs will be published annually in a format that can be easily checked by the public;
- e. All GLCs will be required to create a Bumiputera vendor development programme;
- f. The government will adopt international standards, such as the OECD (Organisation for Economic Co-operation and Development) Guidelines on Corporate Governance of State-Owned Enterprises, to improve the overall governance of our GLCs;
- g. A Parliamentary Committee will be set up to receive regular reports from the Government Investment Division at the Ministry of Finance on the performance of GLCs.

There were other promises related to the role of GLCs:

- **Promise 44** mentions that GLCs will be asked to contribute to upgrade healthcare infrastructure, hospital buildings, clinics and educational facilities;
- **Promise 49** includes GLCs increasing their number of education scholarships, particularly for B40 and M40 groups.

⁷² *Buku Harapan*, 69.

B. Pakatan Harapan's achievements and shortcomings

1. Freedom of expression

The PH government's list of achievements in this area is unfortunately short. It:

- passed the Peaceful Assembly (Amendment) Bill 2019, which shortens the notice period, allows street protests, and makes failure to notify the authorities about any gathering a compoundable offence instead of a criminal one.⁷³
- imposed a moratorium on the Sedition Act in October 2018.⁷⁴ However, it was lifted in December 2018 and subsequently used by police to investigate human rights defenders.⁷⁵ In October 2019, then Deputy Home Minister Aziz Jamman said that the government was still looking into abolition of the act to ensure that adequate laws remain to deal with sensitive matters.⁷⁶
- removed section 15(2)(c) of the UUCA that barred students from taking part in political activities within university grounds.⁷⁷
- abolished the Anti-Fake News Act 2018 on 9 October 2019.⁷⁸
- propelled Malaysia to its highest ever ranking in the World Press Freedom Index, at 101 in 2020.⁷⁹ There was a general sense amongst media practitioners of less editorial interference from the PH government, and this was reflected in a more open tone in reporting by traditional news outfits.

2. Access to justice, rule of law and human rights defenders

PH made some progress in certain priority areas. For example, it introduced a moratorium on the death penalty, though that is still short of the promise to revoke mandatory death by

⁷³ *The Star*. (2019, July 5). *Peaceful Assembly Bill passed*.

<https://www.thestar.com.my/news/nation/2019/07/05/peaceful-assembly-bill-passed>

⁷⁴ *The Star*. (2018, Oct 11). *Cabinet agrees to impose moratorium on Sedition Act*.

<https://www.thestar.com.my/news/nation/2018/10/11/cabinet-agrees-to-impose-moratorium-on-sedition-act/>

⁷⁵ *Malaysiakini*. (2018, Dec 6). *SUARAM chief probed under Sedition Act over article on rulers*.

<https://www.malaysiakini.com/news/455011>

⁷⁶ *Free Malaysia Today*. (2019, Nov 21). *We won't rush into abolishing Sedition Act, says deputy home minister*. <https://www.freemalaysiatoday.com/category/nation/2019/11/21/we-wont-rush-into-abolishing-sedition-act-says-deputy-home-minister/>

⁷⁷ *New Straits Times*. (2018, Dec 10). *UUCA amendment passed, allows students' political involvement on-campus*. <https://www.nst.com.my/news/government-public-policy/2018/12/439333/uuca-amendment-passed-allows-students-political>

⁷⁸ *Al Jazeera*. (2019, Oct 10). *Malaysia Parliament scraps law criminalising fake news*.

<https://www.aljazeera.com/news/2019/10/malaysia-parliament-scraps-law-criminalising-fake-news-191010024414267.html>

⁷⁹ *Bernama*. (2020, Apr 22). *Malaysia rises 22 spots to 101 in 2020 press freedom index*.

<https://www.bernama.com/en/news.php?id=1834769>

hanging in all laws. And on establishing an Independent Police Complaints and Misconduct Commission (IPCMC), a draft bill⁸⁰ had been underway.

In most areas, though, progress was sluggish. Draconian laws were not abolished despite promises to do so. In fact, PH backtracked on its own manifesto.⁸¹ The move to ratify the Rome Statute of the International Criminal Court was eventually retracted⁸² due to public pressure.

All in all, CSO engagement with the PH government was better because the doors had been open since the coalition was the opposition, and both stakeholders shared some common goals. The PH government responded positively to almost all the promises on this issue monitored by the CSO Platform.

3. Harmony

Although the PH government did not start work on most of the promises, due credit must be given as it was more inclusive than the BN government before it. There were many engagements with various stakeholders on improving policy and law. One of these engagements was on the enactment of a National Harmony and Reconciliation Commission Bill, a pilot project by Gabungan Bertindak Malaysia (GBM)—a non-partisan, multi-ethnic, multi-faith coalition of CSOs—to work with B40 communities towards peaceful co-existence and community empowerment.

4. Sustainable Development Goals

One of the first improvements the PH government made was to host, via the Ministry of Foreign Affairs, several engagements with CSOs on this issue. The government even appointed a representative of the Malaysia CSO SDG Alliance to the Foreign Policy Advisory group alongside a number of other CSO leaders.⁸³ However, as the Ministry of Economic Affairs was the lead agency in the group, the CSO SDG Alliance representative's role there was limited to representation at UN meetings and not the monitoring of domestic implementation.

⁸⁰ *The Malay Mail*. (2019, July 18). *Who watches the watchers? IPCMC Bill finally reaches Parliament after 14 years*. <https://www.malaymail.com/news/malaysia/2019/07/18/who-watches-the-watchers-ipcmc-bill-finally-reaches-parliament-after-14-yea/1772662>

⁸¹ *Human Rights Watch*. (2019, Apr 19). *Malaysia: Backtracking on abusive security law*. <https://www.hrw.org/news/2019/04/10/malaysia-backtracking-abusive-security-law>

⁸² *The Star*. (2019, Apr 6). *'Govt forced to retract treaty'*. <https://www.thestar.com.my/news/nation/2019/04/06/govt-forced-to-retract-treaty>

⁸³ *Ministry of Foreign Affairs*. (2018). *The establishment of the Consultative Council on Foreign Policy*. <http://bit.ly/CCFP2018>

The Mid-Term Review of the Eleventh Malaysia Plan in October 2018 provided more details and a clearer incorporation of the national development plans with the SDGs.

CSOs were also represented at the SDG National Summit hosted by the Economic Affairs Ministry and the UN Country Team from 6 to 7 Nov 2019, where the Malaysian SDG Academic Network was launched.

A major breakthrough in the localising of SDGs was when Parliament in October 2019 approved the establishment of an All-Party Parliamentary Group on SDGs (APPGM-SDG), with the Malaysian CSO SDG Alliance as the secretariat; Petaling Jaya Selatan MP Maria Chin Abdullah was elected as the chairperson.⁸⁴ The Ministry of Finance allocated RM2 million from the 2020 Budget for a pilot study of 10 parliamentary constituencies to look at local issues, SDG solutions and preparation of SDG policy papers for parliamentary review. This is an agenda for localising SDGs and is a bipartisan effort among MPs as SDG local champions.

There was some progress on the environmental front. Efforts were made to review the Environmental Quality Act 1974 and replace it with a new Environment Protection Act. This was done through a few public consultation sessions. A decision was made to enact a Malaysian law on transboundary haze pollution; a technical study was commissioned and a public consultation was conducted on 21 Mar2020.

5. Women

The PH government's achievements were thus:

a. **Constitutional and Legislative Framework**

- **Gender Equality Act Special Project Team**—In April 2019, the Ministry of Women, Family and Community Development announced the formation of a special project team comprising representatives from the government, NGOs, and academics to discuss and prepare a draft gender equality law.⁸⁵ The team later agreed to delay the bill while it focused on a Sexual Harassment Bill.
- **Sexual Harassment Bill**—The ministry drafted a Sexual Harassment Bill in collaboration with civil society through a special project team. The bill was to have been tabled in March, according to a January 2020 announcement by the then Deputy Prime Minister Dr Wan Azizah Wan Ismail.⁸⁶

⁸⁴ Denison Jayasooria. (2020, Jan 3). A small spark of hope for bipartisan cooperation in SDGs. *Malaysiakini*. <https://www.malaysiakini.com/news/505817>

⁸⁵ *New Straits Times*. (2019, April 9). Special projects team set up to ensure gender equality laws. <https://www.nst.com.my/news/nation/2019/04/477645/special-projects-team-set-ensure-gender-equality-laws>

⁸⁶ *The Star*. (2020, Jan 30). Ministry focusing on Sexual Harassment Bill this year. <https://www.thestar.com.my/news/nation/2020/01/30/ministry-focusing-on-sexual-harassment-bill-this-year>

- **Anti-Stalking Law**—The government announced plans to enact an anti-stalking law⁸⁷ and formed a committee under the Legal Affairs Division to draft the bill. The multi-stakeholder committee comprised representatives from the Women, Family and Community Development Ministry, police, the Attorney General's Chambers, Department of Social Welfare, the Communications and Multimedia Commission, the Ministry of Home Affairs, the Bar Council and Women's Aid Organisation. A proposed law was drafted.
- **Amendment of Employment Act 1955**—Draft amendments to the law included 90 days of maternity leave; anti-discrimination provisions, including on the basis of gender; flexible working hours; weekly one-day paid leave for domestic workers; and three days of paternity leave (the Human Resources Minister had planned to propose seven days of paternity leave prior to the change of government).^{88,89}
- b. **National machinery/policies for advancement of women**
 - **A Parliamentary Special Select Committee on Gender Equality and Family Development** was formed as a checks-and-balances mechanism and to improve and give more legitimacy to government policies.⁹⁰ The Department of Statistics had indicated in the Initial Assessment of SDG Indicators 2018, the availability/non-availability of data, including gender-related data.⁹¹
 - **Budget 2020**—Positive commitments included the Women@Work incentives to encourage and enable women to return to work, a tax exemption for childcare fees and increased funding for welfare services.⁹²
- c. **Gender-based violence**
 - **National Domestic Violence Committee**—The ministry established a multi-stakeholder National Domestic Violence Committee in 2019, which

⁸⁷ *The Star*. (2019, Jan 24). Govt may enact anti-stalking law.

<https://www.thestar.com.my/news/nation/2019/01/24/govt-may-enact-anti-stalking-law/>

⁸⁸ Women's Aid Organisation. (2019, May 30). Amend the Employment Act to Ensure Rights for Parents. <https://wao.org.my/amend-the-employment-act-to-ensure-rights-for-parents/>

⁸⁹ Ask Legal. (2019, Dec 2). Malaysian fathers may finally be getting paternity leave. Here's why it's taking so long. <https://asklegal.my/p/paternity-leave-implemented-malaysia-parliament-employment-annual-leave-unpaid>

⁹⁰ *The Star*. (2019, Oct 17). Four new Parliament Special Select Committees formed.

<https://www.thestar.com.my/news/nation/2019/10/17/four-new-parliament-special-select-committees-formed>

⁹¹ Department of Statistics Malaysia. (2018). *The Initial Assessment of The Sustainable Development Goals Indicators for Malaysia 2018*.

https://www.dosm.gov.my/v1/uploads/files/4_Portal%20Content/2_%20Statistics/SDG/HTML/The%20Initial%20Assessment%20of%20The%20SDG%20Indicators%20for%20Malaysia%202018.pdf

⁹² *The Malaysian Insight*. (2019, Oct 11). Positive move for women's needs in Budget 2020, says activist group. <https://www.themalaysianinsight.com/s/189587>

- is a platform for relevant entities to engage in dialogue and put forward policies around domestic violence response.⁹³
- **National Strategy Plan in Handling the Causes of Child Marriage**—In January 2020, the Deputy Prime Minister announced a five-year plan to address the causes of child marriage in Malaysia, including poverty, lack or absence of access to sexual reproductive health education, and lack of access to education.⁹⁴
 - d. **Women’s participation in political and public life**—More women held top positions than ever before. Besides the second-highest post in the cabinet, there were important ministry portfolios, and the highest posts in the judiciary and many GLCs.^{95,96}
 - e. **LGBTIQ**—In December 2019, the SUHAKAM annual report was finally presented in Parliament. The report included human rights violations faced by LGBTIQ persons. It received pushback and criticism from PAS MPs,⁹⁷ Malaysian Alliance of Civil Society Organisations in the UPR Process⁹⁸ and others. There was also continuous reprisal from non-state actors against Numan Afifi, an LGBTIQ human rights defender, for his civil society intervention at the UN Human Rights Council during the third UPR cycle last year, in which he mentioned that a number of state-funded activities, including JAKIM’s Mukhayyam programme, amounted to state-sponsored violence against them. The state maintains that it is the LGBT persons’ religious rights to be rehabilitated and “guided to the right path,”⁹⁹ despite the call for a global ban on so-called conversion therapy.¹⁰⁰

⁹³ *Sinar Harian*. (2019, Oct 31). *KPWKM rangka jawatankuasa tangani keganasan rumahtangga*. <https://www.sinarharian.com.my/article/54931/BERITA/Nasional/KPWKM-rangka-jawatankuasa-tangani-keganasan-rumah-tangga-Wan-Azizah>

⁹⁴ *The Malaysian Reserve*. (2020, Jan 14). *National strategic plan to address underage marriage*. <https://themalaysianreserve.com/2020/01/14/national-strategic-plan-to-address-underage-marriage/>

⁹⁵ *New Straits Times*. (2019, Dec 6). *Women's groups laud government's move to appoint more women judges*. <https://www.nst.com.my/news/nation/2019/12/545619/womens-groups-laud-governments-move-appoint-more-women-judges>

⁹⁶ *The Malaysian Reserve*. (2019, Apr 8). *Women leading roles in new Malaysia*. <https://themalaysianreserve.com/2019/04/08/women-leading-roles-in-new-malaysia/>

⁹⁷ *Malaysiakini*. (2019, Dec 5). *LGBT part in SUHAKAM report irrelevant*. <https://www.malaysiakini.com/news/502554>

⁹⁸ *The Malaysian Alliance of Civil Society Organisations in the UPR Process*. (2019, Dec 6). *Concerns and commendations for SUHAKAM over its 2018 annual report*. Facebook. <https://zh-cn.facebook.com/MACSA2018/posts/press-statement-concerns-and-commendations-for-suhakam-over-its-2018-annual-repo/3038072216203178/>

⁹⁹ *Department of Islamic Development Malaysia (JAKIM)*. (2019, Apr 21). *Program Mukhayyam JAKIM bantu LGBT jalani kehidupan*. Facebook. <https://sw-ke.facebook.com/MyJAKIMmalaysia/posts/program-mukhayyam-jakim-bantu-lgbt-jalani-kehidupanputrajaya-21-april-jabatan-ke/2377260102324545/>

¹⁰⁰ *UN News*. (2020, June 21). *Global ban needed on bogus ‘conversion therapy’, argues UN rights expert*. <https://news.un.org/en/story/2020/06/1066652>

The LGBTIQ group had two engagements with the Minister in the Prime Minister's Department for racial unity and social well-being. The initial engagement was between the ministry and the LGBTQ community, during which the minister and his staff recorded the issues faced by LGBTQ persons in Malaysia. The findings from the engagements were to have been shared with a broader council. This was followed by a SUHAKAM-hosted engagement with line ministries and government agencies organized by the Ministry. This meeting was not productive, as all our experiences and documentation were seen as isolated incidents. Further, the methodology and format of the meeting did not foster understanding and openness.

Firstly, there was no levelling-off on sexual orientation, gender identity, gender expression and sex characteristic (SOGIESC), as well as the issues faced by LGBTIQ persons. Despite having published a study on the human rights of transgender persons in the areas of employment, education, healthcare, housing and dignity, the engagement did not include a presentation of the findings and recommendations for the line ministries by SUHAKAM.

Secondly, the meetings were too big, not focused and the duration was too short. The line ministries were required to provide updates, cases or relevant information. The line ministries largely felt that there were no issues or discrimination against LGBTIQ persons, and this relates to the earlier point on the lack of levelling-off. Further, the line ministries did not have a gender and SOGIESC lens and a framework on discrimination. The CSOs proposed that future meetings be focused and thematic so that the engagement could be deeper and more productive.

Thirdly, LGBTIQ representation and participation were limited in terms of numbers, roles and contribution. While SUHAKAM had increased its coverage of LGBTIQ-related issues, its coverage might still fall short of international human rights standards. Hence, the capacity of the Commission needed to be increased. The expertise of LGBTIQ persons and groups were not fully utilised, making these processes unproductive and frustrating.

Meanwhile, the engagement with the Prime Minister's Department fell through due to the change in administration. While it is a missed opportunity, the process of engagement could have been more consultative, meaningfully involving LGBTIQ groups and persons at all levels of the process, among others.

As LGBTIQ groups' participation was limited to the consultations, it was difficult to gauge how the gathered information was used or discussed, especially against the backdrop of criminalisation and government efforts that promote rehabilitation of LGBTIQ persons.

6. Child

PH had shown commitment to enacting a Social Workers Profession law, which is necessary to ensure child protection is carried out by skilled practitioners. This reform had bipartisan support and was to have been tabled in the Dewan Rakyat in December 2019.¹⁰¹ As of 2 Sept 2020, the proposed law has not been tabled in Parliament.

The government also moved quickly to revamp the Child Protection System and implemented several proposals. It created a sexual offenders registry, through which organisations can run background checks on potential staff. However, the process was still cumbersome.

There was some progress in establishing a Children's Department to better coordinate related policies, programmes and issues.

The government had been preparing to submit the CRC Country Report to the Committee on the Rights of the Child, which has been outstanding since 2006.¹⁰²

However, the dedicated helpline Childline 15999 had not been operational since 2015.

The PH federal government terminated the Sarawak Special Committee on Citizenship without notice in July 2019, before the state could set up an alternative system. This resulted in a more complicated process in citizenship application for stateless children and parents in Sarawak.

7. Refugees, asylum seekers and stateless persons

PH put in place a slew of reforms in this area, but did not expand them to include giving work rights or ratifying the UN refugee convention despite promises made in the Buku Harapan to do so. In September 2018, Rohingya activist Ziaur Rahman wrote a letter to the then Prime Minister Dr Mahathir Mohamad, petitioning him to honour PH's election pledge to give work rights to refugees with UNHCR cards. This did not go down well with Malaysians, who slammed Ziaur Rahman for pushing the newly minted government. This reaction prompted Rohingya community leaders to lash out at Ziaur Rahman, who then apologised to the general public and his people.¹⁰³ Less than a year later, there has been no improvement on this issue; the then Human Resources Minister M. Kulasegaran said that the government had not decided whether to give refugees work rights.¹⁰⁴

¹⁰¹ *The Malay Mail*. (2019, Oct 9). *New Bill granting social workers professional status set for Dec tabling*. <https://www.malaymail.com/news/malaysia/2019/10/09/new-bill-granting-social-workers-professional-status-set-for-dec-tabling/1798594>

¹⁰² *The Sun*. (2019, Dec 20). *Report on status of children's rights in M'sia at final stage: Hannah Yeoh*. <https://www.thesundaily.my/local/report-on-status-of-children-s-rights-in-m-sia-at-final-stage-hannah-yeoh-KG1811158>

¹⁰³ *Chew*. *Seeking Refuge in Malaysia*.

¹⁰⁴ *The Star*. (2019, Aug 5). *Kula: Govt yet to decide on allowing refugees to work*. <https://www.thestar.com.my/news/nation/2019/08/05/kula-govt-yet-to-decide-on-allowing-refugees-to-work>

8. Education

PH promised to reduce inequalities,¹⁰⁵ improve TVET skills,¹⁰⁶ among others, and relook into the direction of the education system towards making national schools the people's choice.

Education Minister Dr Maszlee Malik was not the first choice for the post; Dr Mahathir had wanted the post for himself but was thwarted by public pressure pointing out the discrepancy with the *Buku Harapan*.

It was back to one ministry for the school and higher education sectors. Dr Maszlee was the first and only PH minister to quit before the usual term, having inadvertently courted media controversies and drawn public ire; he resigned on 2 January 2020, and Dr Mahathir took over as interim minister.

The PH government started work on fulfilling its promises in this area with the establishment of a National Education Advisory Council,¹⁰⁷ chaired by former education director-general Dr Wan Mohd Zahid Mohd Noordin. The council had been mentioned in the Education Act 1996¹⁰⁸ but nothing was done by the previous government to bring it to existence.

The PH government also established a National Education Policy Review Committee and was tasked with improving the curricula and education system from preschool to university level by incorporating civic and ethics education. Chaired by Prof. Emeritus Dr Ibrahim Ahmad Bajunid, the committee had a short period to complete its task, from October 2018 to April 2019. It also looked into the Malaysia Education Blueprint 2013—2025 and the Malaysia Education Development Plan 2015—2025, with the collaboration of the National Education Advisory Council.

These two councils played an important role in collecting data via town-hall meetings with various stakeholders around the country and giving recommendations to the government based on their findings. Their report, submitted to the MOE in May 2019,¹⁰⁹ may be a game changer in education policy reform.

Most of the successfully implemented major reforms were in the schools sector, but the reforms in the higher education sector were crucial for university autonomy and student empowerment. Examples of the latter were the establishment of student unions in IPTAs, a

¹⁰⁵ *Buku Harapan*, 66, 90, 131.

¹⁰⁶ *Ibid*, 67, 71, 83, 104, 107, 129, 133, 146.

¹⁰⁷ *Ibid*, 104.

¹⁰⁸ *Laws of Malaysia, Act 550.*

<http://www.agc.gov.my/agcportal/uploads/files/Publications/LOM/EN/Act%20550.pdf>

¹⁰⁹ *Free Malaysia Today*. (2019, May 3). *National Education Policy Review Committee submits report.*

<https://www.freemalaysiatoday.com/category/nation/2019/05/03/national-education-policy-review-committee-submits-report/>

review of the UUCA, Private Higher Educational Institutions Act 1996, Educational Institutions (Discipline) Act 1976, Companies Act (for the International Islamic University Malaysia) and the law governing the Institute of Teacher Education, and replace all related laws with a new and comprehensive act.¹¹⁰ However, the reviews were never revealed to the public.

PH took major steps to promote an inclusive education (School for All) for the B40s, Orang Asal, disabled persons (OKUs) and undocumented children. The government allocated a 60% intake quota for B40s, Orang Asal and OKUs in boarding schools—fully residential schools (SBP) and Mara Junior Science College (MRSM)—and, starting from 2019, in IPTAs. Undocumented children could enrol in national schools beginning 2019, thanks to a “zero-reject policy”.¹¹¹ By the end of 2019, Dr Maszlee Malik announced that 90% of 534 poor schools had been repaired, including those in Sabah and Sarawak,¹¹² which was a remarkable achievement.

To enhance the quality of schools, the government allocated from the 2019 Budget, RM50 million to Chinese, Tamil, boarding schools, MRSM, tahfiz schools and religious schools on government assistance, as well as RM25 million for registered sekolah pondok, RM15 million for conforming schools and RM12 million for independent Chinese schools (SMPC).^{113 114} These allotments were unprecedented and enabled these schools to improve their infrastructure considerably.

The MOE was the first ministry under the PH government to present its report card for 2019, producing quite a number of success stories.¹¹⁵ However, throughout the 22 months it was in power, many hot-button issues on education kept popping up to undermine the success stories. Given a public that has been conditioned to look into polemic and tension-inducing narratives, with additional help from netizen-produced false news, negative reporting from mainstream and social media, together with poor media strategy from the government’s side—it all resulted in Dr Maszlee Malik’s quitting in December 2019.¹¹⁶ These were among

¹¹⁰ *The Malay Mail*. (2019, Nov 30). *Five public universities to set up student unions next year to promote student empowerment*. <https://www.malaymail.com/news/malaysia/2019/11/30/five-public-universities-to-set-up-student-unions-next-year-to-promote-stud/1814881>

¹¹¹ *Berita Harian*. (2019, Apr 1). *Pendidikan berkualiti untuk anak B40, miskin--Dr Maszlee*. <https://www.bharian.com.my/berita/nasional/2019/04/547656/pendidikan-berkualiti-untuk-anak-b40-miskin-dr-maszlee>

¹¹² *Sinar Harian*. (2019, Dec 12). *90 peratus sekolah daif sudah dibaik-pulih kata Maszlee*. <https://www.sinarharian.com.my/article/61556/BERITA/Nasional/90-peratus-sekolah-daif-sudah-dibaik-pulih-kata-Maszlee>

¹¹³ *Buku Harapan*, 105.

¹¹⁴ *The Malay Mail*. (2018, Nov 2). *Budget 2019: Over RM60b for education*. <https://www.malaymail.com/news/malaysia/2018/11/02/budget-2019-over-rm60b-for-education/1689367>

¹¹⁵ *Ministry of Education*. (2019). *Pencapaian KPM 2019*. <https://www.moe.gov.my/pemberitahuan/pengumuman/pencapaian-kpm-2019>

¹¹⁶ *Berita Harian*. (2020, Jan 10). *PM pangku jawatan menteri pendidikan*. <https://www.bharian.com.my/berita/nasional/2020/01/645554/pm-pangku-jawatan-menteri-pendidikan>

the issues that lasted months—some have been brewing for years during the BN administration—and influenced public sentiment much of the PH era:

1. The introduction of black shoes for school children.¹¹⁷
2. The Prime Minister's intention to reintroduce the teaching and learning of science and mathematics in English (PPSMI).¹¹⁸
3. Recognising the UEC¹¹⁹.
4. Allocations to SMPCs and Universiti Tunku Abdul Rahman.¹²⁰
5. The polemic of national schools' turning into religious schools.^{121 122}
6. Learning Jawi in national-type schools.¹²³
7. The promise related to the National Higher Education Fund and its chairperson's failure to fulfil it.¹²⁴
8. Discontinuing the 1BestariNet programme by YTL Corp.¹²⁵
9. Government plans to provide free breakfast in schools.¹²⁶
10. The non-Bumiputera quota in the matriculation programme.¹²⁷

¹¹⁷ *Malaysiakini*. (2018, July 20). *Berita palsu 'kasut hitam' berlegar di sosial media*.

<https://www.malaysiakini.com/news/435175>

¹¹⁸ *Berita Harian*. (2019, July 16). *Kerajaan kaji perkenal semula PPSMI*.

<https://www.bharian.com.my/berita/nasional/2019/07/585532/kerajaan-kaji-perkenal-semula-ppsmi>

¹¹⁹ *Sinar Harian*. (2019, Apr 3). *Pengiktirafan UEC: Kejayaan pertama DAP*.

<https://www.sinarharian.com.my/article/21494/BERITA/Nasional/Pengiktirafan-UEC-Kejayaan-pertama-DAP>

¹²⁰ *Free Malaysia Today*. (2019, Oct 12). *Give up control of UTAR, TAR UC to get RM30 mil funding, Lim tells MCA*. <https://www.freemalaysiatoday.com/category/nation/2019/10/12/give-up-control-of-utar-tar-uc-to-get-rm30-mil-funding-lim-tells-mca/>

¹²¹ *Astro Awani*. (2018, Dec 21). *'Sekolah kebangsaan telah berubah jadi sekolah agama'--Tun Dr Mahathir*. <http://www.astroawani.com/berita-malaysia/sekolah-kebangsaan-telah-berubah-jadi-sekolah-agama-tun-dr-mahathir-194183>

¹²² *Malaysiakini*. (2019, Dec 24). *Education Ministry refutes 'Islamisation' in schools after YADIM letter leaked*. <https://www.malaysiakini.com/news/504785>

¹²³ *Berita Harian*. (2019, Aug 5). *12 pertubuhan tak setuju tulisan khat untuk murid SJK, SJKT*.

<https://www.bharian.com.my/berita/nasional/2019/08/592977/12-pertubuhan-tak-setuju-tulisan-khat-untuk-murid-sjkc-sjkt>

¹²⁴ *Berita Harian*. (2018, Nov 10). *Pengerusi PTPTN mohon maaf gagal tunai janji*.

<https://www.bharian.com.my/berita/nasional/2018/11/496474/pengerusi-ptptn-mohon-maaf-gagal-tunai-janji>

¹²⁵ *The Malaysian Insight*. (2019, June 29). *Kenapa khidmat internet 1BestariNet ke sekolah tidak disambung*. <https://www.themalaysianinsight.com/bahasa/s/164158>

¹²⁶ *Astro Awani*. (2019, Aug 26). *Sarapan percuma buat pelajar sekolah rendah mulai Januari 2020--Maszlee Malik*. <http://www.astroawani.com/berita-malaysia/sarapan-percuma-buat-pelajar-sekolah-rendah-mulai-januari-2020-maszlee-malik-215947>

¹²⁷ *Astro Awani*. (2019, Apr 24). *Isu matrikulasi kuota bukan bumiputera kekal bilangan pelajar ditambah*. <http://www.astroawani.com/berita-malaysia/isu-matrikulasi-kuota-bukan-bumiputera-kekal-bilangan-pelajar-ditambah-205836>

11. The rumours about shutting down 21 campuses of the Institute of Teacher Education.¹²⁸
12. The Prime Minister's intention to be MOE Minister and his self-appointment as interim minister.¹²⁹

9. Health

PH's performance as government with regard to health should be evaluated by looking at not only the Buku Harapan manifesto promises but also the policies implemented and practices cultivated by the Minister and Deputy Minister concerned.

On the Buku Harapan, observations are summarised in the following table:

	Promise	Status	Remark/Comment
1.	Ensure that financial allocation for the Ministry of Health is increased to 4% of GDP by the first term of administration.	F	The 2019 and 2020 Budgets tabled for the MOH are equivalent to an (estimated) 1.89% and a (forecast) 1.90% of GDP, respectively. Though the real sum has increased for both years, the magnitude of the percentage increase was marginal. Even if PH had continued to be the government, given the magnitude of increase for the subsequent three financial years, it is quite unlikely that it would have been able to uphold its promise.
2	Introduce the healthcare scheme, "Skim Peduli Sihat".	F?	The government did not implement the model as stipulated in the Buku Harapan and was in practice in Selangor. However, it rolled out "MySalam" ¹³⁰ and "PeKaB40" ¹³¹ programmes, which were rather different in design and purpose.
3	Pursue closer collaboration between government health centres with private clinics.	A/ I	Yes, evidently through the PeKaB40 health screening programme, two-thirds ¹³² of the participating clinics were in the private sector.
4	Increase budget allocation and provide incentives to tackle rare diseases.	A/ I	The government set aside RM50 million ¹³³ for treating rare diseases and other health conditions in the 2019 Budget. Since the sum is shared with other disease

¹²⁸ *Berita Harian*. (2019, Sept 11). 21 IPG disyor tutup mulai tahun depan.

<https://www.bharian.com.my/berita/nasional/2019/09/605989/21-ipg-disyor-tutup-mulai-tahun-depan>

¹²⁹ *Malaysiakini*. (2020, Jan 5). Laporan: Mahathir utus surat minta Maszlee undur.

<https://www.malaysiakini.com/news/505951>

¹³⁰ *MySalam official portal*. (Accessed: 31 Aug 2020). <https://www.mysalam.com.my/b40/info/>

¹³¹ *PeKaB40 official portal*. (Accessed: 31 Aug 2020). <https://www.pekab40.com.my/eng>

¹³² *Berita Harian*. (2020, Jan 11). Health care scheme for B40 group a 'game changer' – Dzulkefly.

<https://www.malaysiakini.com/news/506734>

¹³³ *New Straits Times*. (2018, Nov 2). 2019 Budget: RM50m allocated to treat rare diseases, Hepatitis C. <https://www.nst.com.my/news/nation/2018/11/427586/2019-budget-rm50m-allocated-treat-rare-diseases-hepatitis-c>

			areas, the amount for rare diseases is smaller and never sufficient.
5	Focus on non-communicable diseases.	A/ I	The government carried on and implemented some items in the policy proposal ¹³⁴ planned under the previous administration on non-communicable diseases: i) excise tax on sugar-sweetened beverages ¹³⁵ ii) health screening service for B40 under PekaB40 ¹³⁶ programme iii) designating all food and beverage outlets in Malaysia as smoke-free areas. ¹³⁷
6	More government resources will be channelled to mental health care.	A/ I	A higher budget allocation for mental health was allocated in both 2019 and 2020, ¹³⁸ though the sum was still small. ¹³⁹
7	Provide compulsory pneumococcal vaccination for all children under the age of two years.	A/ I	Announced in the 2020 Budget speech, the government would provide free pneumococcal vaccines ¹⁴⁰ for children. Toward this end, a budget had been allocated. The program was supposed to have been implemented in June.
8	Provide incentives for the establishment of the palliative care centres across the country.	F	There is no easily accessible published evidence to suggest that the government has done this. However, by the Health Minister's own indirect 'open admission' in his speech, ¹⁴¹ he seemed to suggest that the available palliative care in the country was insufficient.

¹³⁴ MIMS Today. (2018, Jan 18). Malaysia implements 13 health policies, sparking national debate. <https://today.mims.com/malaysia-implements-13-health-policies-sparking-national-debate>

¹³⁵ Official portal of Royal Malaysian Customs Department. (Accessed: 31 Aug 2020). Sugar sweetened beverages. http://www.customs.gov.my/en/pg/Pages/pg_mainssb.aspx

¹³⁶ PeKaB40 official portal. (Accessed: 31 Aug 2020). <https://www.pekab40.com.my/eng>

¹³⁷ New Straits Times. (2019, Dec 30). Smoking ban at all eateries comes into force on Wednesday. <https://www.nst.com.my/news/nation/2019/12/551849/smoking-ban-all-eateries-comes-force-wednesday>

¹³⁸ Code Blue. (2019, Oct 25). MOH gets tiny mental health 2020 Budget raise. <https://codeblue.galencentre.org/2019/10/25/moh-gets-tiny-mental-health-2020-budget-raise/>

¹³⁹ New Straits Times. (2020, Feb 17). Mental health costs Malaysia RM14.46bil or over one per cent of its GDP. <https://www.nst.com.my/news/nation/2020/02/566428/mental-health-costs-malaysia-rm1446bil-or-over-one-cent-its-gdp>

¹⁴⁰ Malay Mail. (2020, Jan 3). Pneumococcal vaccination starts in June with 2020 babies, says deputy minister. <https://www.malaymail.com/news/malaysia/2020/01/03/pneumococcal-vaccination-starts-in-june-with-2020-babies/1824316>

¹⁴¹ Borneo Post. (2020, Jan 12). Country's palliative care less than satisfactory—Dr Dzulkefly. <https://www.theborneopost.com/2020/01/12/countrys-palliative-care-less-than-satisfactory-dr-dzulkefly/>

9	MOH to solve the problems faced by younger doctors or "housemen".	A/ I	Fewer working hours ¹⁴² at one stretch to reduce overwork; shorter training programme ¹⁴³ (the compulsory service had been reduced from 24 months to 18 months) and more positions created ¹⁴⁴ to reduce the waiting period for housemanship.
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Indicator: Achieved (A), Started and (was) In progress (I), Failed (F)

Both the Health Minister and the Deputy Health Minister were actively engaging with health-related stakeholders and media, issued statements or held press conferences frequently to clarify policies and/or incidents. Examples of various town-hall meetings (but not exhaustive) with the stakeholders included: private general practitioners, pharmacists, Muslim groups (*Maqasid Syariah*) and the pharmaceutical industry sector¹⁴⁵ (twice).

The then Health Minister Dr Dzulkefly Ahmad also set up a seven-member Health Advisory Council¹⁴⁶ on 27 March 2019, which consisted of academics, private hospital specialists and public health experts, to advise the MOH on healthcare delivery, performance and reform. This led to the presentation of the “National health reform: Impetus, principles and pillars” at the National Institutes of Health (NIH) on 15 Aug 2019, and the incorporation of the ideas in the Sihat Bersama 2030 proposal,¹⁴⁷ which had been ready for Cabinet approval. The proposal is a policy to revamp the health financing system, it was highly controversial and the details of the proposal are not available in the public domain.

However, PH’s medicine price-regulation policy proposal was (and is still) a challenging one for the ministry, which engaged in more than 40 closed-door meetings with various stakeholders. There is huge resistance, especially from the pharmaceutical industry, private hospitals and some pharmacist organisations. The intention of the medicine price-regulation policy is a matter of public interest—to ensure fair and affordable pricing for medicine required by patients. The disagreement between the MOH and the private sector can be also

¹⁴² *The Sun Daily*. (2019, Apr 22). Fewer work hours for housemen.

<https://www.thesundaily.my/local/fewer-work-hours-for-housemen-BY809245>

¹⁴³ *The Star*. (2018, Sept 22). Excellent trainee doctors to have shorter course to reduce wait for housemanship training. <https://www.thestar.com.my/news/nation/2018/09/22/excellent-trainee-doctors-to-have-shorter-course-to-reduce-wait-for-housemanship-training>

¹⁴⁴ *The Malay Mail*. (2019, Nov 8). Health Ministry pushing for 10,000 additional slots for medical officers, says minister. <https://www.malaymail.com/news/malaysia/2019/11/08/health-ministry-pushing-for-10000-additional-slots-for-medical-officers-say/1808220>

¹⁴⁵ Information Department. (2019, Aug 7). Jemputan media ke "sesi town hall YB Datuk Seri Dr. Dzulkefly Ahmad Menteri Kesihatan Malaysia bersama industri farmaseutikal siri II". http://epress.penerangan.gov.my/epress/epress/view_acara.php?evt=14553

¹⁴⁶ *The Star*. (2019, Mar 27). Health Advisory Council set up with seven panellists to advise ministry. <https://www.thestar.com.my/news/nation/2019/03/27/health-advisory-council-set-up-with-seven-panellists-to-advise-ministry>

¹⁴⁷ *Malaysiakini*. (2020, Jan 1). Cabinet to get healthcare reform proposal by month-end: Dzulkefly. <https://www.malaysiakini.com/news/505543>

observed in other policy proposals such as the separation of dispensary¹⁴⁸ and the reimbursement amount¹⁴⁹ for the private general practitioners in the PeKaB40 programme. Political will from both the minister and deputy minister was strong to withstand the pressure, especially when the smoke-free zone in eateries was first implemented. In addition, Dr Dzulkefly Ahmad had a strong conviction for setting up a national electronic medical records (EMR)¹⁵⁰ system in all MOH hospitals and clinics in different phases.

On the Pharmaniaga concession issue,¹⁵¹ the minister initially made the tough call of not extending the contract with the pharmaceutical company, and this won applause from the public. However, those who are long-term observers of the medical supply distribution operation deemed that this decision could be too drastic and implicate Pharmaniaga in engaging in inefficiencies, whereas the latter had actually performed well to meet the MOH's expectations.¹⁵² In the following week, the minister announced that the concession will be extended for another 25 months¹⁵³ to allow a soft landing for both sides, as the MOH was also too reliant on the Pharmaniaga set-up.

The credit to controlling the first wave of the COVID-19 pandemic in Malaysia has to be given to both the Health Minister and Deputy Health Minister of the PH government, although the professional and competent bureaucrats in the MOH brought strong leadership to the government's response to the pandemic. However, the same cannot be said about the handling of the influenza outbreak at end-2019 (and beginning of 2020). The government was reacting too slow, too little, and it could have ended up a more costly affair. On 30 December 2019, the health director-general denied¹⁵⁴ the gravity of the outbreak, and it took another two weeks before the situation stabilised.¹⁵⁵

¹⁴⁸ *Free Malaysia Today*. (2019, June 13). Raise doctors' fees before taking out dispensary, says think tank. <https://www.freemalaysiatoday.com/category/nation/2019/06/13/raise-doctors-fees-before-taking-out-dispensary-says-think-tank/>

¹⁴⁹ *The Malay Mail*. (2019, Jan 30). Doctors shun Health Ministry's 'take it or leave it' health screening scheme. <https://www.malaymail.com/news/malaysia/2019/01/30/doctors-shun-health-ministrys-take-it-or-leave-it-health-screening-scheme/1717833>

¹⁵⁰ *The Edge Markets*. (2019, July 2). Electronic medical record system for all M'sian hospitals, clinics to cost up to RM1.5b, says minister. <https://www.theedgemarkets.com/article/electronic-medical-record-system-all-msian-hospitals-clinics-cost-rm15b-says-minister>

¹⁵¹ *The Star*. (2019, Oct 31). Dzulkefly: Health Ministry ending Pharmaniaga's concession for medical supply distribution. <https://www.thestar.com.my/news/nation/2019/10/31/dzulkefly-health-ministry-ending-pharmaniaga039s-concession-for-medical-supply-distribution>

¹⁵² Loh Foon Fong. (2019, Nov 1). Mixed views over medicine prices. *The Star*. <https://www.thestar.com.my/news/nation/2019/11/01/mixed-views-over-medicine-prices>

¹⁵³ *The Star*. (2019, Nov 8). Pharmaniaga's concession to end in the next 25 months, says minister. <https://www.thestar.com.my/news/nation/2019/11/08/pharmaniaga039s-concession-to-end-in-the-next-25-months-says-minister>

¹⁵⁴ *New Straits Times*. (2019, 31 Dec). Influenza infections still within normal parameters, says Health DG. <https://www.nst.com.my/news/nation/2019/12/552217/influenza-infections-still-within-normal-parameters-says-health-dg>

¹⁵⁵ *New Straits Times*. (2020, 13 Jan). Influenza situation under control. <https://www.nst.com.my/news/nation/2020/01/556067/influenza-situation-under-control>

10. Electoral reform

The first year of PH's tenure saw progress in this area on these issues:

1. Several experts with integrity were appointed commissioners of the EC in 2018.
2. Parliament passed the amendment to Article 119(1) of the Federal Constitution to lower the voting age from 21 years to 18. Article 47 was also amended to enable automatic registration.¹⁵⁶ According to the EC, automatic registration will be ready in 2021.¹⁵⁷
3. The EC is no longer under the Prime Minister's Office (PMO) and reports directly to Parliament, though this change is not codified as yet.
4. A Parliamentary Select Committee for Election, as proposed by BERSIH 2.0, was established on 17 Oct 2019.¹⁵⁸ However, BERSIH's demand for disclosure of the terms of reference for the committee was never met.¹⁵⁹
5. A perennial demand of BERSIH 2.0 from the moment it was established was for the electoral roll to be cleaned up. During the PH era, the EC checked the legitimacy of voters who were 90 years old and above, and removed deceased voters from the electoral roll. More than 60,000 names were expunged.¹⁶⁰
6. On studying the possibility of changing the FPTP system to proportional representation or mixed system, PH partially fulfilled this demand as it only managed to establish an ERC to work on this, which had proposed a change to proportional representation.¹⁶¹
7. A tribunal to investigate the alleged misconduct of the EC members who were in office before GE14 was set up.¹⁶² However, before the tribunal could convene, all the EC members resigned.¹⁶³

¹⁵⁶ *The Star*. (2019, July 16). Dewan Rakyat passes Bill to amend Federal Constitution to lower voting age to 18. <https://www.thestar.com.my/news/nation/2019/07/16/federal-constitution-amended-to-lower-voting-age-to-18/>

¹⁵⁷ *The Malaysian Insight*. (2020, May 9). Automatic voter registration, lowering voting age, ready by June 2021. <https://www.themalaysianinsight.com/s/244291>

¹⁵⁸ *Berita Harian*. (2019, Oct 17). Dewan Rakyat tubuhkan 4 lagi Jawatankuasa Pilihan Khas. <https://www.bharian.com.my/berita/nasional/2019/10/618891/dewan-rakyat-tubuhkan-4-lagi-jawatankuasa-pilihan-khas>

¹⁵⁹ BERSIH 2.0. (2019, Oct 18). Structure and mandate of the PSC on election need to be clarified. <http://www.bersih.org/bersih-2-0-media-statement-18-october-2019-bersih-2-0-structure-and-mandate-of-the-psc-on-election-need-to-be-clarified/>

¹⁶⁰ *Malaysiakini*. (2018, Nov 30). SPR tumpu keluarkan nama pengundi hantu, meninggal dunia. <https://www.malaysiakini.com/news/454064>

¹⁶¹ *Malaysiakini*. (2019, Dec 30). ERC cadang ganti sistem pilihan raya dengan sistem 'perwakilan berkadar'. <https://www.malaysiakini.com/news/505337>

¹⁶² *Free Malaysia Today*. (2019, Jan 24). Tribunal to meet Monday on alleged misconduct of ex-EC members. <https://www.freemalysiatoday.com/category/nation/2019/01/24/tribunal-to-meet-monday-on-alleged-misconduct-of-ex-ec-members/>

¹⁶³ *Berita Harian*. (2019, Jan 28). Tribunal siasat 6 bekas ahli SPR belum putuskan untuk diteruskan atau dihentikan. <https://www.bharian.com.my/berita/kes/2019/01/524965/tribunal-siasat-6-bekas-ahli-spr-belum-putuskan-untuk-diteruskan-atau>

- PH had planned to introduce a Political Funding Act to ensure funding of politics is transparent and to curb corruption. Its minister for law said the Act was to be tabled in 2020.¹⁶⁴

11. Anti-corruption

Among the first measures taken by the PH government was to investigate the 1Malaysia Development Bhd (1MDB) scandal, and rehabilitate and restructure financial institutions such as Lembaga Tabung Haji and the Federal Land Development Authority.¹⁶⁵ It also established:

- the National Anti-Corruption Plan 2019—2023, an anti-corruption policy to promote the transparency, accountability and integrity culture in every Malaysian;¹⁶⁶
- the National Centre for Governance, Integrity and Anti-Corruption to coordinate and monitor all activities related to governance, integrity and combating graft;
- a special Cabinet Committee on Anti-Corruption; and
- the National Anti-Financial Crime Centre.

In 2019, Malaysia improved its ranking in Transparency International's Corruption Perception Index (CPI) by 10 spots from 61 in 2018 to 51.¹⁶⁷

Some of the other key accomplishments included arrests of several political figures for corruption and money laundering, the setting up of parliamentary select committees, whose members comprise MPs from government and the opposition, such as the Budget Committee and the Major Public Appointments Committee.¹⁶⁸ A policy on the declaration of assets by administrative and parliamentary members had also begun to be put in place.¹⁶⁹ A number of key agencies originally under the Prime Minister's Department now report to Parliament, and it includes the Malaysian Anti-Corruption Commission (MACC) and National Audit Department.

¹⁶⁴ *The Malay Mail*. (2019, Oct 29). Bill on political funding for tabling next year.

<https://www.malaymail.com/news/malaysia/2019/10/29/bill-on-political-funding-for-tabling-next-year/1804916>

¹⁶⁵ *Bernama*. (2019, April 30). Tabung Haji rescue mission is Pakatan Harapan's biggest achievement. <https://www.theedgemarkets.com/article/tabung-haji-rescue-mission-pakatan-harapans-biggest-achievement>

¹⁶⁶ For further information, please refer to https://www.pmo.gov.my/wp-content/uploads/2019/07/National-Anti-Corruption-Plan-2019-2023_.pdf

¹⁶⁷ *Free Malaysia Today*. (2020, Jan 23). Malaysia jumps 10 spots in corruption perception index. <https://www.freemalaysiatoday.com/category/nation/2020/01/23/malaysia-jumps-10-spots-in-corruption-perception-index/>

¹⁶⁸ *New Straits Times*. (2018, Dec 4). Six new parliament standing committees announced. <https://www.nst.com.my/news/nation/2018/12/437067/six-new-parliament-standing-committees-announced>

¹⁶⁹ For further information, please refer to <https://mydeclaration.sprm.gov.my/>

12. Government-linked companies reform

The promise on GLC reform was important for four reasons.¹⁷⁰ Firstly, it may contribute to the preexisting government resources, as GLCs are not meant to compete against private companies but to function as a vehicle to address market failures such as unemployment and underdeveloped sectors. Secondly, it reduces inequality in the labour market by increasing the pool of Bumiputera entrepreneurs therefore improving the social welfare of our country. Thirdly, it ensures effectiveness, integrity and good governance. Fourthly, it curbs the culture of corruption and cronyism adopted in most GLCs. PH had been adamant in wanting to resolve the main issue of political appointments in GLCs, a common practice during the BN governance.

Projek Pantau¹⁷¹ by the Institute for Democracy and Economic Affairs (IDEAS) reviewed and analysed PH's adherence to Buku Harapan throughout its term. A scorecard¹⁷² was introduced, in which each sub-promise was evaluated based on three aspects: political commitment; policy direction; and implementation. A verdict would be made after the evaluation: Achieved; Failed; On track; Not started; In trouble; Compromise; Aspiration.

IDEAS established that three sub-promises were not advancing—namely on assuming the principles of social market economy, merit-based board appointments and setting up a parliament committee; three yet to be started—annual publication of board allowances, the development of Bumiputera vendor development programmes, adoption of international corporate governance standards; and one remained an aspiration—increasing Bumiputera equity holding. The details of this lack of progress have already been given in the introduction of this report.

In short, the attempts of PH to reform and reconfigure GLCs, especially on appointment of senior positions, did not meet the expectations of CSOs. PH only managed to lessen political appointments.

¹⁷⁰ *JanjiPakatan.org. Promise 22. (2019, Dec 5). <https://janjipakatan.org/promise-22/>*

¹⁷¹ *IDEAS Projek Pantau Report Card No. 3. (2019, Dec).*

http://www.ideas.org.my/wp-content/uploads/2019/12/PantauProjek_No.3_V5-1.pdf

¹⁷² *Ibid, 84–6.*

PART II:

100 days of Perikatan Nasional in power (March 2020 – June 2020)

A. Observations and critical analysis of the PN governance

1. Freedom of Expression

The PN government's record in this area is showing an alarming trend. Within the first 100 days of its coming to power, there were already crackdowns and restrictions on freedom of speech and expression, particularly against media and civil society activists.

1.1 Social media—There were high-profile probes and even an arrest made over social media posts.

- **6 May 2020:** *South China Morning Post* News Correspondent Tashny Sukumaran was investigated under section 504 of the Penal Code and section 233 of the CMA in relation to her tweets regarding immigration raids on migrants.¹⁷³
- **9 May 2020:** actor and radio personality Patrick Teoh was investigated and subsequently charged under section 233 of the CMA for allegedly insulting Johor Crown Prince Tunku Ismail Sultan Ibrahim in a Facebook post.¹⁷⁴

1.2 Media access—The media have also faced significant obstacles in accessing information crucial for reporting on the COVID-19 pandemic. At times, press conferences have been limited to certain media outlets.

- **11 April 2020:** Two days after a Twitter dispute between journalist Melissa Goh and Defence Minister Ismail Sabri, the latter threatened stern action against any online media portals that publish “untrue and inaccurate” news, particularly regarding government statements.¹⁷⁵
- **5 May 2020:** Media were barred from court proceedings involving Nurulhidayah Ahmad Zahid, whose father is United Malays National Organisation (UMNO) President Ahmad Zahid Hamidi, and her husband, Saiful Nizam Mohd Yusoff.¹⁷⁶
- **8 May 2020:** De facto law minister Takiyuddin Hassan stated that media access to the 18 May Parliament meeting would be restricted to official government media.¹⁷⁷

¹⁷³ *Malaysiakini*. (2020, May 6). *Cops question journo over immigration raid tweets, says lawyer*. <https://www.malaysiakini.com/news/524467>

¹⁷⁴ *The Star*. (2020, June 14). *Patrick Teoh charged with insulting Johor crown prince*. <https://www.thestar.com.my/news/nation/2020/06/14/patrick-teoh-charged-with-insulting-johor-crown-prince>

¹⁷⁵ *Malaysiakini*. (2020, Apr 11). *Tough action on portals reporting 'confusing, inaccurate' news—minister*. <https://www.malaysiakini.com/news/520085>

¹⁷⁶ *The Malay Mail*. (2020, May 5). *Media group questions why reporters barred from covering Zahid's daughter, son-in-law's MCO violation proceedings*. <https://www.malaymail.com/news/malaysia/2020/05/05/media-group-slams-move-to-bar-reporters-from-covering-zahids-daughter-and-s/1863351>

¹⁷⁷ *The Malay Mail*. (2020, May 8). *Minister announces 15-day parliament meet in July, insists government not afraid*. <https://www.malaymail.com/news/malaysia/2020/05/08/minister-announces-15-day-parliament-meet-in-july-insist-government-not-af/1864314>

- **11 May 2020:** The one-day Malacca State Assembly initially prohibited all media from covering the meeting but later allowed only government-owned mainstream media.¹⁷⁸
- **11 May 2020:** Media were barred from covering or photographing immigration raids at the Selayang Wholesale Market.¹⁷⁹
- **12 May 2020:** The Perak State Assembly only allowed government media Bernama and RTM to cover the one-day meeting, although a notice had been sent to all media.¹⁸⁰

1.3 Legal reform—The PN government has practically expunged some of PH’s promises about abolishing certain repressive laws. Some ministers have also made vague statements about being open to “improving” some of the repressive laws in Malaysia, without making any concrete commitments about legal reform thus far.

- **Ratification of international human rights treaties**—Given that UMNO and PAS, key parties in the government, mounted huge resistance to the ratification of ICERD,¹⁸¹ and also protested the signing of the Rome Statute of the International Criminal Court,¹⁸² it is unlikely that the PN government will be taking steps towards ratifying any international human rights treaties.
- **Repressive laws:**
 - a. **Sedition Act**—Home Minister Hamzah Zainudin said in May that the authorities will not hesitate using all existing legal provisions, including the Sedition Act and section 233 against those spreading “fake news that was seditious in nature.”¹⁸³
 - b. **PPPA and CMA, section 233**—Section 233 of the CMA has been regularly utilised since PN took power, including against those critical of the government.¹⁸⁴ Communications and Multimedia Minister Saifuddin Abdullah tweeted on 3 May that he will look into the act, when asked whether the section would be reviewed or repealed.

¹⁷⁸ *Malaysiakini* (2020, May 12). *Chaos in Malacca assembly and 9 news from yesterday*. <https://www.malaysiakini.com/news/525180>

¹⁷⁹ *Bernama*. (2020, May 11). *Immigration Department raids KL wholesale market*. <https://www.bernama.com/en/general/news.php?id=1840431>

¹⁸⁰ *The Malay Mail*. (2020, May 11). *Citing CMCO, coverage of Perak state assembly tomorrow limited only to govt media*. <https://www.malaymail.com/news/malaysia/2020/05/11/citing-cmco-coverage-of-perak-state-assembly-tomorrow-limited-only-to-govt/1865225>

¹⁸¹ *The Star*. (2018, Dec 4). *PAS and UMNO claim half a million people will attend anti-ICERD rally*. <https://www.thestar.com.my/news/nation/2018/12/04/pas-and-umno-claim-half-a-million-people-will-attend-anti-icerd-rally/>

¹⁸² *Nabihah Hamid and Sheridan Mahavera*. (2019, May 5). *Anti-Rome Statute rally part of UMNO-PAS bid to retake Putrajaya*. *The Malaysian Insight*. <https://www.themalaysianinsight.com/s/152283>

¹⁸³ *Bernama*. (2020, May 14). *262 investigation papers on disseminations of fake news opened—Hamzah*. <https://www.bernama.com/en/region/news.php?id=1841632>

¹⁸⁴ *Malaysiakini* (2020, June 6). *CIJ blasts continued use of Sec 233 of the CMA despite Saifuddin's pledge*. <https://www.malaysiakini.com/news/528994>

- c. **SOSMA, POCA and POTA**—The government has not given any indication of amending or abolishing POCA or POTA.
- d. **Anti-Fake News Act**—The Communications and Multimedia Minister said in March that he will look into the possibility of repealing the Anti-Fake News Act.¹⁸⁵

1.4 Media freedom—Communications and Multimedia Minister Saifuddin Abdullah stated in May 2020 that the government is committed to ensuring press freedom in the country, however it must run in line with the principles of truth and justice.¹⁸⁶ The report of the pro-tem committee on the media council was submitted to his ministry on 3 August, and the committee is yet to meet with the minister to discuss the report.

1.5 Right to information—In March 2020, Saifuddin Abdullah said that the government will continue to pursue the enactment of Freedom of Information bill.¹⁸⁷ On a positive note, the Legal Affairs Division in the Prime Minister’s Department has continued to engage CSOs on the move towards adopting a right to information law. However, the current administration has not reiterated its commitment to repealing the OSA.

1.6 Academic freedom—The PN government has not given any indication that it will repeal the UUCA and replace it with a better law for institutional autonomy and academic freedom.

1.7 Freedom of association—The PN government has not shown any intention to amend the Societies Act or of simplifying the process of registration or applying for tax exemptions for societies or organisations.

2. Access to justice, rule of law and human rights defenders

In the first four months of PN’s taking over the reins from the elected coalition of PH, it issued very few comments, let alone statements, pertaining to reforms. For example, there was only one Facebook post by the Minister in the Prime Minister’s Department in charge of parliament

¹⁸⁵ *The Sun*. (2020, Mar 12). Govt will study the repeal of the Anti-Fake News Act: Saifuddin. <https://www.thesundaily.my/local/govt-will-study-the-repeal-of-the-anti-fake-news-act-saifuddin-EG2118710>

¹⁸⁶ *Bernama*. (2020, May 3). Press freedom should be in line with principles of truth, justice—Saifuddin. <https://www.bernama.com/en/general/news.php?id=1837927>

¹⁸⁷ *The Malay Mail*. (2020, Mar 12). ‘Still-the-same’ Saifuddin Abdullah vows to keep media free, uphold freedom. <https://www.malaymail.com/news/malaysia/2020/03/12/still-the-same-saifuddin-abdullah-vows-to-keep-media-free-uphold-freedom/1845668>

and law, Takiyuddin Hassan, which merely mentioned that the IPCMC 2019 Bill will be reviewed.¹⁸⁸

There was also a surge of police arrests of and investigations on human rights defenders, journalists etc. PH's failure to repeal these draconian laws when it was in power has led to these laws being used now to expand immigration powers of the government, potentially exacerbating human rights violations against vulnerable persons.

3. Harmony

The political machination that resulted in PN coming to power has exacerbated not only the uncertainty in the electoral mandate and governance but also intra-Malay dynamics. The general perception now is that the PN government is a champion of old-style, Malay-centric, majoritarian-nationalistic politics along with the more conservative advocates of an Islamic state/polity. This has consequences to ethnic-religious relations and the broader aim of national unity.

Within this intra-Malay dynamics, there exists a coterie of Malay-Muslims who are increasingly recognising that the UMNO-driven political-economic formula of special rights and privileges will only give rise to discontent not only among non-Malays but also among the Malays themselves. There is an increasing gap that sees a perennial clash in intra-Malay politics between "conservative and liberal forces," as termed by a Malay political leader.¹⁸⁹ This complexity extends further, considering there exists a more varied dynamics in terms of interpretive faith and Islamic traditions that inform a diverse socio-political vision and strategy in the interest of the Malay-Muslim community. This state of affairs presents a formidable challenge for the PN government as to the best consensual approach to meet the needs and interests of the whole Malay-Muslim community. Consequently, this will impact its relations with those who are non-Malays and outside the Islamic faith on a host of overlapping issues such as political interest, legitimacy, place in society and the broader conception of national unity.

The unexpected COVID-19 pandemic and its impact have seen a further marginalisation of huge segments of Malaysian society. This includes the indigenous peoples, migrant workers and refugees. Many have felt disenfranchised, suffered losses, were disadvantaged and left behind. The common vision for a collective national identity premised on unity in diversity with respect to ethnic and religious relations in a post-COVID-19 era is no longer an option but a necessity if Malaysians are to sustain an inclusive society of peace and goodwill to all humans. The urgent task is how (i.e. the process) to strive for a more inclusive, peaceful and

¹⁸⁸ *The Star*. (2020, Mar 19). Govt to review IPCMC.

<https://www.thestar.com.my/news/nation/2020/03/19/govt-to-review-ipcmc>

¹⁸⁹ Ahmad Fauzi Abdul Hamid. (2020, Apr 25). *The return of old-style Malay-centric politics?* East Asia Forum

Economics, Politics and Public Policy in East Asia and the Pacific.

<https://www.eastasiaforum.org/2020/04/25/the-return-of-old-style-malay-centric-politics/>

harmonious society, given the political realities, the challenges faced by the PN government in its early months of governance and the dynamical tensions within the Malaysian society now.

Specifically, the CSO Platform raised the following issues (non-exhaustive but requiring immediate attention) that should have been addressed by the PN government in its first 100 days of governance with respect to the agenda of national unity, peace and harmony:

a. Institutional structure

- The government has yet to finalise membership of the Committee to Promote Inter-Faith Understanding and Harmony Among Adherents (JKMPKA), for 2020—2021. Its term expired at the end of 2019 and new appointments are due. This is an important committee for the promotion of harmony among interreligious groups;
- With the formation of the new Ministry of National Unity as a standalone ministry, its relationship with the National Unity and Integration Department (JPNIN) is unclear as to its scope, function and relationship with the public;
- The PH government had committed to enact a National Harmony and Reconciliation Commission Bill, which will provide for a compulsory mediation mechanism and process to resolve ethnic-religious disputes. It is unclear if the PN government will do likewise.

b. Policy and practices

- The PH government had in principle adopted the UN Agenda 2030 for Sustainable Development with the motto “leave no one behind”, which explicitly focuses on social inclusion and the well-being of all peoples and all segments of society. It is still unclear after 100 days if the PN government would do the same and, in particular, adopt the SDG16 agenda for national unity, peace and harmony;
- A national policy on national unity towards an inclusive society that has as its goal the peaceful co-existence and harmonious relations of all ethnic-religious groups irrespective of their majority or minority status is not forthcoming. There has been talk that the new Ministry of National Unity will produce such a policy but that is yet to be seen;
- The PH government had strived for a more “inclusive society” by giving space in terms of autonomy to minority groups such as the Orang Asli, and taking cognizance of the more marginalised within society such as the migrant workers’ and refugees’ access to public goods, public health and overall well-being. The same cannot be said of the PN government during its first 100 days of governance. It is necessary to have a clear policy statement and articulation on this with respect to the agenda of national unity, peace and harmony.

- In relation to ethnic contestation and inequality, we should be a move away from general assumptions and perceptions based on the urban-rural divide to actual comparison of household incomes and needs. Such a manner of determination is unhealthy and will not promote national unity but only exacerbate racial distinction for self-generated political interest and support.
- There has been talk about re-tabling the 355 Bill (RU355) to amend the Syariah Courts (Criminal Jurisdiction) Act 1965 to expand the court's jurisdiction. This pertains eventually to debate on our dual legal system and its purpose, as it impinges on the right to freedom of religion and belief, and Islam as the religion of the Federation. A clear policy statement is needed to avoid manipulation for political self-interest and mobilisation at the expense of peaceful co-existence and harmonious inter-religious relations.

4. Sustainable Development Goals

Between June and August 2020, the Malaysian CSO SDG Alliance, as secretariat of the APPGM-SDG, had 11 engagements with the EPU minister, deputy minister and EPU senior officials on the pilot project on localising SDGs, the formulation of the post-COVID-19 economic recovery plans, the SDG agenda in the Twelfth Malaysia Plan (2021–2025) and the review of the UN poverty report. While this could be considered a very high level of participation in the policy formulation process, it is still an engagement that is consultative rather than a collaboration of partners as per SDG 17. The CSO aspiration is to be true partners with the government in planning, implementation, including decision making and resource allocation, review and impact assessment, with access to data and information.

On localising SDGs, both the ministers, who is the Jeli MP, and the deputy, the Pensiangan MP, were directly involved, as they were part of the pilot study involving 10 parliamentary constituencies. Having both minister and deputy minister as SDG champions along with eight other MPs was a major breakthrough.

The Malaysian CSO SDG Alliance has conducted field studies in nine parliamentary constituencies between January and July 2020, namely P089 Bentong (Pahang), P165 Tanjung Piai (Johor), P097 Selayang (Selangor), P195 Kuching (Sarawak), P175 Papar (Sabah), P200 Batang Sadong (Sarawak), P182 Pensiangan (Sabah), P105 Petaling Jaya (Selangor) and P011 Pendang (Kedah). The final visit is scheduled for August 2020 in P030 Jeli (Kelantan).

The total APPGM-SDG grant for SDG projects in the 10 parliamentary constituencies is RM1,288,000. The APPGM-SDG Committee has reviewed and approved 17 capacity-building activities (valued at RM61,800) and 25 solutions projects (valued at RM846,245) for 8 of the 10 parliamentary constituencies. By September 2020, the remaining projects will be approved.

With the change of the Speaker of Dewan Rakyat, the APPGM-SDG met Azhar Azizan Harun on two occasions. On the first occasion, on August 14, Maria Chin (the chair of APPGM-SDG) and Prof. Dr Denison Jayasooria (head of APPGM-SDG Secretariat) briefed him on the progress made so far. They were informed that, according to the rules of the APPGM-SDG, the chairperson must be an MP from the ruling party and it was advised that Cabinet members not be members of the committee. The APPGM-SDG meeting held on Aug 17 discussed this matter and made the appropriate changes with Batang Lupar MP Hajjah Rohani Abdul Karim as the chair and Chin as the deputy. The second meeting with the Speaker on 26 Aug conveyed the decision of the committee, which was accepted by the Speaker with his confirmation of support for the bipartisan initiative. The CSOs are also seeking additional funding for 2021 via the 2021 Budget to enlarge the localising of SDGs to more parliamentary constituencies. Another request is for greater mention of SDGs in the Twelfth Malaysia Plan and for the SDGs to be incorporated in the Shared Prosperity Agenda, where there will be a stronger emphasis for a balance in the development agenda between economic, social and environmental thrust in development planning. More effective strategies for addressing poverty and inequality, gender equity, environment and indigenous peoples must be put in place to ensure no one is left behind.

5. Women

Positive observations

- There has been collaboration on anti-trafficking efforts between CSOs and the Anti-Trafficking Council of the Ministry of Home Affairs. The national anti-slavery network, Joining Hands Against Modern Slavery (JHAMS), has developed the National Guidelines on Human Trafficking Indicators together with the Council for Anti-Trafficking in Persons (MAPO), which will be included in the standard operating procedures (SOPs) of all MAPO agencies. JHAMS will also be conducting a gender-responsive-approach training for all MAPO/Ministry of Home Affairs agencies in September 2020.
- While the first round of the stimulus package of COVID-19 left out many women, the next round (Penjana Stimulus Package) included some gender-responsive components, including childcare subsidies, flexible work arrangement incentives and cash transfers for single mothers.¹⁹⁰

Critical analysis

- At the start of the MCO, the Women, Family and Community Development Ministry suspended the Talian Kasih hotline, only to reactivate this essential service immediately after public outcry.¹⁹¹

¹⁹⁰ Women's Aid Organisation. (2020, June 6). *Commentary: Penjana Stimulus Package positive for women's empowerment, but four further reform items needed*. <https://wao.org.my/commentary-penjana-stimulus-package-is-positive-for-womens-empowerment-but-four-further-reform-items-needed/>

¹⁹¹ The Star. (2020, Mar 18). *Ministry reactivates Talian Kasih hotline after public flak*. <https://www.thestar.com.my/news/nation/2020/03/18/ministry-reactivates-talian-kasih-hotline-after-public-flak>

- The minister, Rina Mohd Harun, and deputy minister, Siti Zailah Mohd Yusoff, have issued policies and communication/public service addresses that are derogatory and discriminatory towards women.¹⁹²
- While the MCO was implemented, the federal government did not publicly issue any guidelines related to exemptions to the MCO measures for domestic violence (DV) survivors nor take steps to include DV shelters within the scope of essential services, or to set up temporary shelters.¹⁹³
- It is unclear whether the government plans to follow through on the five-year National Strategy Plan in Handling the Causes of Child Marriage that was introduced by the former DPM.¹⁹⁴
- National Population and Family Development (LPPKN) clinics—which provide reproductive healthcare, subsidised mammograms, and other services—were closed during the MCO period, hindering women’s access to contraception.¹⁹⁵
- There has been egregious online and offline gender-based violence towards female politicians through verbal attacks, including against MPs Nurul Izzah Anwar¹⁹⁶ and Kasthuri Patto.¹⁹⁷
- The dismissal and resignation of several highly qualified women with long-standing experience from GLCs and agencies has taken the country off track in its commitment to gender equality.¹⁹⁸
- There is no commitment from the PN government to follow through on the Gender Equality/Anti-Discrimination Against Women Bill, which was the output of the special project team established by the previous government.

¹⁹² *The Malay Mail*. (2020, Mar 31). *Doraemon memes blow up on Twitter after ministry blasted for sexist Covid-19 shutdown advice (Video)*.

<https://www.malaymail.com/news/life/2020/03/31/doraemon-memes-blow-up-on-twitter-after-womens-ministry-blasted-for-sexist/1852095>

¹⁹³ *The Rakyat Post*. (2020, June 9). *WAO: Calls to domestic abuse hotline tripled during MCO period*. <https://www.therakyatpost.com/2020/06/09/wao-calls-to-domestic-abuse-hotline-tripled-during-mco-period/>

¹⁹⁴ *The Malay Mail*. (2020, June 11). *Malaysia still missing firm plan to end child marriage, says Sisters In Islam*. <https://www.malaymail.com/news/malaysia/2020/06/11/malaysia-still-missing-firm-plan-to-end-child-marriage-says-sisters-in-islam/1874432>

¹⁹⁵ *The Malay Mail*. (2020, Apr 4). *Family planning clinics still essential during MCO, groups tell Putrajaya*. <https://www.malaymail.com/news/malaysia/2020/04/14/family-planning-clinics-still-essential-during-mco-groups-tell-putrajaya/1856400>

¹⁹⁶ *Joint Action Group for Gender Equality*. (2020, June 19). *JAG: Stop violence and discrimination against women politicians*. <https://wao.org.my/jag-stop-violence-and-discrimination-against-women-politicians/>

¹⁹⁷ *The Star*. (2020, June 14). *New Speaker Art Harun orders Baling MP to apologise*. <https://www.thestar.com.my/news/nation/2020/07/14/new-speaker-art-harun-orders-baling-mp-to-apologise-retract-racist-comment>

¹⁹⁸ *New Straits Times*. (2020, June 29). *Recent spate of resignations of lady chairpersons, directors derailing Malaysia's target in women representation in GLCs. BODs*. <https://www.nst.com.my/business/2020/06/604348/recent-spate-resignations-lady-chairpersons-directors-derailing-malaysias>

- The COVID-19 outbreak has heightened the vulnerability of women in transnational marriages who have been in situations of State-enforced family separation from 18 March 2020, as non-citizen children and spouses of Malaysians have been denied entry into the country because they do not hold a Long-Term Social Visit Pass (LTSVP). This has disproportionately impacted Malaysian women and has placed women and children in precarious and vulnerable situations during the pandemic. Although the government announced that spouses without LTSVP would be allowed to enter the country with the permission of the director-general of immigration, the process has been slow, and many non-citizen children and spouses are still being kept apart from their Malaysian families and locked out of their Malaysian homes.
- There has been a heavy-handed approach to criticism by civil society and journalists, and police investigations have even been launched on them. The political culture is tense and freedom of expression is in jeopardy, which may cause civil society to be guarded or even silent when violations occur.¹⁹⁹
- There is a sense that PN has to be sterner in curbing the rights of LGBTIQ individuals, who are perceived as having enjoyed ‘freedom’ under the PH administration and the leadership of its minister in charge of religious affairs, Dr Mujahid Yusof Rawa. The situation for LGBTIQ persons continued to regress, exacerbated by the COVID-19 pandemic. Some LGBTIQ persons, in particular refugees, stateless persons, elderly persons, sex workers and young persons, faced increased vulnerability in relation to access to basic needs and financial stability. Transgender rights NGOs Justice for Sisters and SEED Foundation learnt that some trans women who are stateless were not able to access aid as they were required to provide legal documents for verification. Due to existing stigma and discrimination, some trans women had also expressed that they were afraid and hesitant to access food and other forms of assistance by non-LGBTIQ groups. The use of legal documents as verification, as well as collection of personal data, also needs to be reviewed in order to ensure the aid recipients’ privacy. The lack of needs-based policies, legal gender recognition, robust and dynamic data collection and analysis further aggravated these issues.
- Several cases of harassment, intimidation by the police at roadblocks and arrests of LGBTIQ persons for travelling during the MCO were documented. Some of the cases involved people travelling to access health services, to visit family members, and in possession of drugs for personal consumption. Queer men, especially those who are gender non-conforming faced verbal abuse and their phones were checked for Grindr.
- The government showed resistance and lack of political will in meaningful engagement with LGBTIQ groups. Advocacy group Diversity faced challenges in making appointments with the key ministries such as on health, education and youth. The ‘sensitivity’ factor is often cited as a reason to decline meetings and engagements with LGBTIQ groups. LGBTIQ groups’ engagement with line ministries have been primarily via coalitions.

¹⁹⁹ *Human Rights Watch. (2020, July 8). Malaysia: Stop treating criticism as a crime. <https://www.hrw.org/news/2020/07/08/malaysia-stop-treating-criticism-crime>*

6. Child

Suspension of critical abuse reporting services: The Women, Family and Community Development Ministry under the PN government received flak even from its own party politicians after it announced that Childline under Talian Kasih would be suspended during the first MCO period from 18 to 31 March 2020. This was worrying as helplines across the world had been reporting at least 30% increase in calls. Bending to public pressure, the government revoked the suspension on the first day of the MCO.²⁰⁰

Endorsement of child marriage: The minister, Rina Harun, has made no comments on this issue and deputy minister Siti Zailah Mohd Yusoff was reported to have stated that underaged marriage is allowed in Islam and cannot be disputed for it is the guidance of Allah.²⁰¹ She also distinguished sexual offences against children, an act of violence, from child marriage, saying the latter is a blessing. The fate of the National Strategic Plan to Address the Causes of Underage Marriage, which was launched by the previous government in January 2020 remains unknown.

7. Refugees, asylum seekers and stateless persons

Refugees and migrant workers suffered the worst during the MCO, drawing xenophobic backlash from a large section of the Malaysian society. The Rohingya continue to be the biggest target. Even activists such as The European Rohingya Council's Ambassador to Malaysia Tengku Emma Zuriana Tengku Azmi, who spoke up for the refugees, were not spared from social media attacks.²⁰²

In early June 2020, Malaysia was reported to have detained close to 270 Rohingya who arrived by boat from Bangladesh. But the Malaysian Maritime Agency admitted to pushing back a second boat carrying around 300 Rohingya. Defence Minister Ismail Sabri said 22 boats have been prevented from arriving on Malaysian shores since May 2020. In the same month, the UNHCR, International Organisation for Migration (IOM) and the UN Office on Drugs and Crime released a statement saying that preventing movement of people by endangering their lives is a violation of the UN Convention on the Law of the Sea. They also called on ASEAN to protect

²⁰⁰ *The Malay Mail*. (2020, Mar 18). Minister Rina Harun lifts Talian Kasih hotline suspension after bipartisan criticism. <https://www.malaymail.com/news/malaysia/2020/03/18/minister-rina-harun-lifts-talian-kasih-hotline-suspension-after-bipartisan/1847826>

²⁰¹ *Malaysiakini*. (2020, Mar 10). Hannah concerned about deputy minister's support of child marriage. <https://www.malaysiakini.com/news/513990>

²⁰² *Reuters*. (2020, May 23). Rohingya targeted in Malaysia as Covid-19 stokes xenophobia. <https://www.reuters.com/article/us-health-coronavirus-malaysia-rohingya/rohingya-targeted-in-malaysia-as-coronavirus-stokes-xenophobia-idUSKBN22Z00K>

the most vulnerable. In response, the Malaysian government said it would not allow Rohingya boat people into the country anymore.²⁰³

In June, a Langkawi High Court sentenced 40 Rohingya to seven months in jail for entering the country illegally. Twenty-seven of them were also given a caning sentence.²⁰⁴

The government also went back on its promise to not arrest migrant workers and refugees who came forward to be tested for COVID-19. Hundreds of undocumented migrant workers and refugees, including women and children, were chained in immigration-led raids. The UNHCR and local CSOs who had been working to coax refugees and migrants to voluntarily get tested said such draconian efforts by the authorities will backfire. The UN also pointed out that the raids would only trigger fear and push people away from turning up for tests, risking a further spread of the virus. These raids happened at the height of public xenophobia against the Rohingya, during which an online petition barring Rohingya from entering the country garnered 100,000 signatures within days. However, Inspector-General of Police Abdul Hamid Bador said the raids were necessary to ensure that undocumented migrants and refugees do not sneak out across state lines and spread infections.²⁰⁵

8. Education

The PN cabinet reverted to two ministries for education: the MOE for schools, and the Ministry of Higher Education for higher learnings. The coalition took over governance at a crucial juncture when the world outside China, including Malaysia, was on the cusp of grappling with the disease. The PN government imposed an MCO on 18 March 2020, a week after the World Health Organization (WHO) declared COVID-19 a pandemic, and a day after the first fatality in the country. Around 10,000 school buildings were closed, with classes continuing via online and home-based learning. This was Malaysia's first foray into digital education at all levels, from kindergarten to university, throughout the entire country. It shook and tested everybody, from teachers to students and parents to government staff, throughout the entire learning ecosystem. School teachers managed with the Google Classroom Platform.²⁰⁶

²⁰³ Piya Sukhani. (2020, July 10). *The Shifting Politics of Rohingya Refugees In Malaysia*.

TheDiplomat.com. <https://thediplomat.com/2020/07/the-shifting-politics-of-rohingya-refugees-in-malaysia/>

²⁰⁴ *The caning sentence was subsequently overturned by the Court of Appeal. See Al Jazeera*. (2020, July 22). *Malaysian court overturns caning sentence on 27 Rohingya men*. <https://www.aljazeera.com/news/2020/07/malaysian-court-overturns-caning-sentence-27-rohingya-men-200722051045653.html>

²⁰⁵ VOA News. (2020, May 3). *Malaysia rounds up hundreds of undocumented migrants amid coronavirus fears*. <https://www.voanews.com/east-asia-pacific/malaysia-rounds-hundreds-undocumented-migrants-amid-coronavirus-fears>

²⁰⁶ *Berita Harian*. (2019, June 28). *3 syarikat ISP bekas perkhidmatan talian internet ke sekolah mulai 1 Julai*. <https://www.bharian.com.my/berita/nasional/2019/06/578757/3-syarikat-isp-bekal-perkhidmatan-talian-internet-ke-sekolah-mulai-1>

Education Minister Dr Mohd Radzi Md Jidin announced that the UPSR (Primary School Achievement Test) and PT3 (Form Three Assessment) were cancelled, while SPM, SVM (Malaysian Vocational Certificate) and STAM (Malaysian Higher Religious Certificate) examinations would be postponed and rescheduled to 2021.²⁰⁷ The cancellation was unprecedented and a huge disruption to the prevalent examination-oriented mindset and culture. It may be the start of a future of schooling that is focused not on examinations but character building and learning experiences.

Worryingly, there has not been any commitment from the PN government to continue with the reforms started by the previous government. Further, this administration has shown a lower level of engagement with CSOs compared with its predecessor. Even its engagement with IPTA student leaders was seen as disempowering. The regression is obvious when university students were not consulted regarding the problems they were facing during the MCO period.^{208 209}

9. Health

As the PN government is new, a major period of its governance has been under the Movement Control Order. In general, the new Health Minister, Dr Adham Baba, and two deputy ministers, Dr Noor Azmi Ghazali and Aaron Ago Dagang, could have shown stronger leadership during this health crisis. However, the MOH, under director-general Dr Noor Hisham Abdullah, continues to excel, although he attributes the success to the MOH team and the leadership of the Prime Minister who acted on the professional advice given by MOH. Within the unique circumstances of this period of crisis, the success that can be credited solely to the PN political leaders in managing the pandemic is unclear. Notably, the government took the advice of the MOH and director-general of health seriously²¹⁰ and implemented and coordinated various measures.

Measures related to migrant workers or undocumented persons were less coherent. The crackdown, arrest²¹¹ and deportation of these groups of people are not aligned with good

²⁰⁷ *New Straits Times*. (2020, Apr 15). 2020 UPSR, PT3 cancelled.

<https://www.nst.com.my/news/nation/2020/04/584583/2020-upsr-pt3-cancelled>

²⁰⁸ Ahmad Farhan Rosli. (2020, Apr 9). Menteri bantulah siswa bukan ajak tik tok. *Projek MM*.

<https://www.projekmm.com/news/pendapat/2020/04/09/menteri-bantulah-siswa-bukan-ajak-tik-tok-ahmad-farhan-rosli/1855230>

²⁰⁹ Bernama. (2020, May 26). COVID-19: PKPIM gesa KPT kurangkan yuran pengajian universiti.

<https://www.bernama.com/bm/am/news.php?id=1844979>

²¹⁰ *The Star*. (2020, Jul 22). PM played key role, says Health DG.

<https://www.thestar.com.my/news/nation/2020/07/22/pm-played-key-role-says-health-dg>

²¹¹ *South China Morning Post*. (2020, May 1). Coronavirus: hundreds arrested as Malaysia cracks down on migrants in Covid-19 red zones. <https://www.scmp.com/week-asia/politics/article/3082529/coronavirus-hundreds-arrested-malaysia-cracks-down-migrants>

public health practice and policy. The manifestation of eight clusters²¹² in the immigration detention depots (DTIs), including a few large clusters (such as the Bukit Jalil DTI²¹³), could be attributed to the lack of adherence to good public health practice, which was in contrast to many countries that suspended immigration detention in the wake of the pandemic²¹⁴. These measures led to many undocumented migrants going into hiding and going hungry.²¹⁵

The Health Minister also made a few unsubstantiated remarks, such as “drinking warm water²¹⁶ can kill the virus,” while his deputy was caught for violating the MCO SOP.²¹⁷

10. Electoral reform

The PN government showed no urgency to reform the electoral system. The voters’ mandate that was given in the previous elections was not respected as many MPs and state assembly persons jumped from PH to PN. MPs were given positions in GLCs and government agencies as a means for the Prime Minister to consolidate his power.

11. Anti-corruption

The acquittal of former Chief Minister of Sabah, Musa Aman, of 46 corruption and money-laundering charges²¹⁸ has raised concerns. Nevertheless, a 100-day period is too short to gauge the direction of PN’s anti-corruption efforts.

²¹² *New Straits Times*. (2020, July 12). 8 immigration detainees test positive for Covid-19. <https://www.nst.com.my/news/nation/2020/07/607997/8-immigration-detainees-test-positive-covid-19>

²¹³ *Malaysiakini*. (2020, May 26). 187 new cases; Bukit Jalil depot is second-largest Covid-19 cluster. <https://www.malaysiakini.com/news/527348>

²¹⁴ *Magda Majkowska-Tomkin*. (2020, Apr 29). Countries are suspending immigration detention due to coronavirus. Let’s keep it that way. *Euronews*. <https://www.euronews.com/2020/04/29/countries-suspending-immigration-detention-due-to-coronavirus-let-s-keep-it-that-way-view>

²¹⁵ *Free Malaysia Today*. (2020, Apr 22). With no help from embassy, thousands of Rohingya to go hungry in Selayang. <https://www.freemalaysiatoday.com/category/nation/2020/04/22/with-no-help-from-embassy-thousands-of-rohingya-to-go-hungry-in-selayang/>

²¹⁶ *The Star*. (2020, Mar 20). Health Minister’s ‘warm water method’ to kill coronavirus questioned. <https://www.thestar.com.my/news/nation/2020/03/20/health-minister039s-039warm-water-method039-to-kill-coronavirus-questioned>

²¹⁷ *The Star*. (2020, Apr 28). Noor Azmi, Razman plead guilty to violating MCO. <https://www.thestar.com.my/news/nation/2020/04/28/noor-azmi-and-razman-arrive-at-gerik-magistrate039s-court>

²¹⁸ *New Straits Times*. (2020, June 9). Musa Aman freed of all 46 corruption, money laundering charges. <https://www.nst.com.my/news/crime-courts/2020/06/599078/musa-aman-freed-all-46-corruption-money-laundering-charges>

12. Government-linked companies reform

The government's ownership of GLCs is denoted as decentralised by the OECD. Government-linked investment companies (GLICs) remain the major shareholders of multiple GLCs, thus accountability measures are held through the respective ministerial reporting line.²¹⁹ However, note that the vetting of independent appointment of directors rests on the nominations of the board (of respective GLCs), which is similar to how it is done in privately owned companies.

Under the governance of PN, the Ministry of Economic Affairs was demobilised, therefore merging all institutions under it with the PMO. This gives Prime Minister Muhyiddin Yassin more control over corporate enterprises such as Khazanah Nasional Berhad and Permodalan Nasional Berhad (PNB). Within these two companies, multiple GLICs such as Maybank Berhad, CIMB, Axiata, Petronas and Tenaga Nasional Berhad are affiliated as shareholders, giving the PMO an expansive autonomy in decision-making.

PH (October 2018 - March 2020)		PN (March 2020 – Present)	
Hasnita Hashim (Chairman)	Chairman of Maybank Asset Management Group	Azizah binti Mohd Dun (Chairman)	Beaufort MP (Bersatu)
Syed Tamim Ansari Syed Mohamed	Chairman of Maybank Life Assurance	Kamal Nasharuddin Mustapha	Vice-Chancellor of UNITEN
Tengku Mahaleel Tengku Ariff	Former CEO of Proton	Mohamed Farid Mohamed Zawawi	Chairman of Kowamas Holidays
Nungsari Ahmad	Chairman of Malaysian Aviation Commission (MAVCOM)	Zainal Abidin Kidam	Central committee member (PAS)
Zakri Mohd Khir	CEO of Allianz Malaysia	Md. Alwi Che Ahmad	State assemblyman for Kok Lanas, Kelantan (UMNO)
Jamelah Jamaluddin	Chairman of Scomi Energy Malaysia Berhad	Jamelah Jamaluddin (remain)	Chairman of Scomi Energy Malaysia Berhad
Ameer Ali Mydin	Managing Director of Mydin Mohamed Holdings	(vacant as of 15 May 2020)	
Ahmad Bazlan Che Kassim	Principal Advisor of Enervive	(vacant as of 15 May 2020)	

MARA's non-civil service board members, PH (Oct 2019—March 2018) and PN (March 2020—present)²²⁰

The table above shows a brief overview of political appointment changes made for Majlis Amanah Rakyat (MARA) during the transition between PH and PN governance this year.

²¹⁹ Brief IDEAS. (2020, June 30). Vol. 22, 8. <http://www.ideas.org.my/brief-ideas-no-22-making-sense-of-complexity-in-statutory-body-governance-a-case-study-of-mara/>

²²⁰ Brief IDEAS. Vol. 22, 11, Table 3.

Other appointments made by PN²²¹ include, but are not limited to:

- Muhyiddin Yassin as chairman of Khazanah;
- Tengku Zafrul Aziz (Finance Minister) as a board member of Khazanah;
- Shahbudin Yahaya (BERSATU—Tasek Gelugor)— Federal Land Consolidation and Rehabilitation Authority (FELCRA)
- Ahmad Johnie Zawawi (Parti Pesaka Bumiputera Bersatu Sarawak—Igan) non-executive Chairman of Indah Water Konsortium (IWK)

A total of 82.3% of 113 PN MPs are appointed in either the Cabinet, deputy ministerial posts, top GLC positions or as special diplomats.

Prime Minister Muhyiddin Yassin and Senior Minister Azmin Ali critiqued the abuse of GLCs during Najib's administration. In Muhyiddin's first national address, he promised to increase administrative integrity and management as well as fight corruption and the abuse of power.²²² However, these pledges were undermined by the appointment of MPs as GLC directors. A claim recently made by Minister in the Prime Minister's Department, Takiyuddin Hassan, who is also PAS secretary general,²²³ shows that PN needs to be more transparent and accountable for decisions made in regard to GLCs. Political analyst Associate Prof. Dr Awang Azman Awang Pawi views the appointment of politicians as not a matter of national law and constitution, but there should be accountability over the transparency, integrity and quality of appointments.²²⁴

Malaysians are to expect the return of politicians as GLC seniors. As the PN coalition continues attempting to consolidate its power with other MPs, political appointments remain a vital tool to sustain and attract party support instead of to serve organisations that rectify market failures. PN made major changes to the leadership in GLCs since taking over from PH. This caused public scrutiny over the agenda behind the appointments—the rise in the number of political appointments created concerns over the quality of public governance.²²⁵ Why was Hasnita Hashim, former MARA chairman who was the chairman of Maybank Asset Management Group replaced with a BERSATU Beaufort MP Azizah Mohd Dun? A minister from UMNO had been consecutively appointed to oversee MARA until the general elections in 2014 when PH took power. Henceforth the *rakyat* can observe the return of this practice when BERSATU became the dominant Malay political party in the PN government.

²²¹ *The Star*. (2020, Apr 18). *The Star: Who's in and who's out?*

<https://www.thestar.com.my/business/business-news/2020/04/18/whos-in-and-whos-out>

²²² Terence Gomez. (2020, Apr 18). *GLCs in crisis & Muhyiddin's fine balance*. *Focus Malaysia*.

<https://focusmalaysia.my/opinion/glcs-in-crisis-and-muhyiddins-fine-balance/>

²²³ "I understand that all government MPs will be given the responsibility to manage GLCs."-- Takiyuddin Hassan. Retrieved from *The Star: Who's in and who's out?*

²²⁴ *New Straits Times*. (2020, Apr 20). *Economists are against appointments of MPs as GLC heads*. <https://www.nst.com.my/business/2020/04/585870/economists-against-appointments-mps-glc-heads>

²²⁵ *Brief IDEAS*. vol. 22, 6.

The appointments in wholly owned GLCs and statutory bodies continue to be practised in a non-accountable, non-transparent method. This issue is prevalent when multiple board members are either replaced or have resigned due to the shift in governance. The concentration of political and corporate power has contributed significantly to the abuse of various institutions and bodies such as 1MDB, Tabung Haji and MARA over the past few decades.²²⁶

²²⁶ Terence Gomez. (2020, Apr 11). *How Muhyiddin consolidates power through GLC appointments.* <https://www.malaysiakini.com/news/520044>

Recommendations

Based on the performance of both governments, according to the findings of the monitoring by the various clusters in the CSO Platform, these are the recommendations for improvement to the government of the day, in the immediate, short and medium terms:

Immediate term

1. End attacks on human rights defenders and activists. Stop the crackdown on media and take steps to ensure a free, independent and diverse media environment, in particular through clear regulatory frameworks that ensure self-regulation and independence for the online, print and broadcasting sectors.
2. Impose an immediate moratorium on the use of repressive legislation, including section 233 of the CMA, the Sedition Act, SOSMA, POCA and POTA, to prevent these laws from being utilised arbitrarily to stifle speech and expression.
3. Make public the reform-related reports, plans and policies that were completed, but not released, by the PH government following consultations with civil society—for instance, on the ERC’s concerns on the conduct of elections and the electoral system, the report of the Policy Taskforce on UEC, the report and action plan of the National Policy on Women and Gender Mainstreaming in Government, and the National SDG Roadmap.
4. Table to the intended recipients the findings, recommendations and bills by the various reform task forces and committees that had been started under the PH administration but left in limbo due to the change of government. For instance:
 - a. The amendments to the Whistleblower Protection Act.
 - b. The amendments to the Employment Act with regard to women’s rights.
 - c. The amendments to the EC law that will make the commission operationally independent in terms of budget and staff appointments, to put it under the purview of Parliament instead of the Prime Minister’s Department, and to empower it to act on election offences.
 - d. The Sexual Harassment Bill.
 - e. The Gender Equality/Anti-Discrimination Against Women Bill.
 - f. The Political Financing Bill.
 - g. The Government Procurement Bill.
 - h. Anti-stalking laws.
5. Move beyond consultation and input gathering to multi-stakeholder partnership in analysis, planning and delivery of all government plans, including impact assessment. Formalise the engagement mechanism with civil society and NGOs with a clear focal point at Putrajaya, especially on the SDGs. Without consensus-building and encouragement for local participation and ownership, no action plan will be beneficial or successful.
 - a. For instance, the Ministry of National Unity announced in the Dewan Rakyat plans for roadshows from 1 August to September on the National Unity Action Plan 2021—2025. The news caught civil society by surprise and it was only later that the ministry invited public feedback.²²⁷ Even so, details of the plan were scant. As immediate first

²²⁷ Ministry of National Unity. (2020, Aug 22). *Kenyataan media: Sesi maklumbalas rakyat berhubung Pelan Tindakan Perpaduan Negara 2021-2025 sepanjang bulan Ogos hingga September menyasarkan*

- steps, we urge the government to share the details ahead of the roadshows, and the Ministry of National Unity to host dialogues with civil society regarding the plan.
- b. On citizenship applications for children, engage with civil society on the SOPs that were issued by the Ministry of Home Affairs under the PH administration, as well as on the special task force established.²²⁸
 - c. As for meeting the SDGs, there needs to be a transparent accreditation process, including access to information and data. State clearly the government strategies and roadmap to implement SDGs in the Shared Prosperity Agenda and Twelfth Malaysia Plan (2021—2025).
6. Reactivate crucial task forces and committees that are clearly needed. For instance:
 - a. The task force for Online Child Protection under the Ministry for Women, Family and Community Development. As more children are going online, their digital safety and privacy must be protected.
 - b. The Sarawak Special Committee on Citizenship. Because of the complexities and vastness of Sarawak, a local focal point is essential to expedite the processing of citizenship applications in the Bornean state.
 - c. The special projects team under the Women, Family and Community Development Ministry to complete the draft Gender Equality/Anti-Discrimination Against Women Act.
 - d. A committee similar to the Special Select Committee on Major Public Appointments, created during PH’s administration, to vet for leadership appointments in wholly owned GLCs and statutory bodies.²²⁹
 7. Provide greater transparency in tenders concerning public projects.

Short term

1. Submit the relevant reports to fulfil Malaysia’s international obligations, for instance, the long-overdue CRC Country Report and the CEDAW mid-term report.
2. Activate the parliamentary select committees with a mandate to oversee the relevant ministers in formulation of policies, including the expenditures under the ministerial budget; for instance, a parliamentary select committee to specifically monitor the GLCs.
3. Proceed with the enactment of bills that have started being drafted, such as the IPCMC and Freedom of Information bills, and repeal or amend the OSA in tandem with the latter.
4. Take steps to repeal or amend repressive legislation, including section 233 of the CMA, the Sedition Act, SOSMA, POCA and POTTA so that any restriction is narrowly defined. The Film Censorship Act should also be abolished, and prior censorship of films replaced with a self-regulated and independent mechanism (similar to the Content Code and Content Forum formed under the CMA for dealing with multimedia content).

penglibatan 10,000 rakyat di seluruh negara.

<https://www.perpaduan.gov.my/admin/files/perpaduan/assets/image/perpaduan/pdf/maklumbalas-22082020.pdf>

²²⁸ *The Star*. (2019, Dec 29). Move to resolve citizenship application issues.

<https://www.thestar.com.my/news/nation/2019/12/29/move-to-resolve-citizenship-application-issues>

²²⁹ *Brief IDEAS*. Vol. 22, 9.

5. Establish a media council as an independent self-regulatory body that would enhance the credibility of news organisations and provide an avenue for the resolution of complaints against the media, and take steps to repeal the PPPA before that.
6. Implement the CEDAW concluding observations and UPR recommendations in relation to:
 - a. LGBTIQ persons and end all forms of targeting of LGBTIQ persons to rehabilitate, arrest, intimidate LGBTIQ persons.
 - b. The prevention of FGM.
 - c. A legal framework for asylum seekers and refugees.
 - d. Women's rights in marriage and family.
7. Synergize the government's COVID-19 recovery plans and SDGs, focusing on the needs of the most vulnerable groups such as urban poor, single mothers and indigenous communities.
8. On the issue of nationality, temporarily grant citizenship to all children born overseas to a Malaysian parent during the COVID-19 pandemic until full equality to women is enshrined in Malaysian citizenship laws.
9. On the issue of refugees, the Ministry of Human Resources should:
 - a. Ensure refugees are given the right to work using existing legal frameworks such as the IMM13 under Immigration Act in collaboration with the Ministry of Human Resources, Ministry of Home Affairs (MOHA) and National Security Council (NSC). This should then be expanded to include the right to affordable healthcare and structured education.
 - b. Allow UNHCR refugee card holders to work in sectors selected by the refugees.
 - c. Set up a task force to engage with refugee community representatives and the concerned CSOs to ensure that their aspirations are incorporated into future policies.
 - d. Provide rights and protection for refugees as stipulated under the Employment Act 1955, including access to the Social Security Organisation.
10. On women's health, take measures to ensure access of women and girls to specialised healthcare services, including allocating adequate funding for the continued and consistent operation of LPPKN clinics and One Stop Crisis Centres around the country.
11. Establish a vetting process for the appointment of GLC directors, starting with the formation of an independent committee to oversee the appointment mechanism within GLCs. This vetting method also warrants a distribution of power, breaking the unilateral control that the PMO holds over the decision-making process. Regardless of whether the potential candidate is a politician or a corporate figure, a screening process will enable objective decisions and foster public confidence in the appointments.
12. COVID-19 has shown that the public healthcare sector plays the most crucial role in protecting people's health, especially during a crisis. The deteriorating economic situation in the country has also led to many members of the public's resorting to public healthcare, and demand is expected to rise in the coming months and years. Therefore, it is crucial that the government of the day provides a significant increase in financial resources to the MOH in the 2021 Budget.

Medium term

1. To combat corruption and abuse of power, the government needs to:
 - a. Embark on holistic reforms of institutions by strengthening those responsible for maintaining checks and balances over political power, and ensure their ability to operate at a federal and state level without intimidation. For instance:
 - MACC must be independent from any interference from the government.
 - The prosecutorial and advisory functions of the AG's Chambers must be separated so as to place public prosecution under an independent office, in line with the practice in other Commonwealth countries.
 - b. Establish a culture and process of transparency by introducing access to information law at the federal level.
 - c. Improve the transparency of corporate governance within GLCs. This includes (though is not limited to) the following:
 - Better governance of government-linked entities by independent vetting of the top appointments. There is a chance of government intervention for major decision-making in GLCs—this may lead to a hazard of decisions that are not commercially or ethically sound, such as the appointment of a politically influenced chairperson, who may open the door to contracts or projects being awarded to other political figures. There is also the problem of scandalously high pay and bonuses for the directors of GLCs even when the enterprises are making losses.²³⁰
 - Communication of their respective companies' activities to raise public confidence;
 - Publishing detailed annual reports that declare executive pay levels, which are linked to public funds;
 - Annual evaluation of roles of not only the senior management but also the company's role in the market—is there a necessity for the government to sustain entities that do not serve their initial purpose?
 - d. Create an anti-corruption culture:
 - by introducing an education syllabus on anti-corruption.
 - by working with the private sector to develop anti-corruption programmes to enhance business integrity.
 - e. Adapt to technological changes to prevent corruption with effective tools.
2. The framework for realising rights must be people-driven, and their aspirations included in the plans, especially for refugees and their right to work, and LGBTIQ persons. On the refugee issue, it is recommended that the government embark on a nationwide campaign to create awareness about the unfolding crisis. The LGBTIQ issue is beset by a similar problem of lack of openness and information, hence the government should introduce comprehensive gender sexuality education into the school curriculum, while SUHAKAM should undertake a human rights impact assessment of the current state-funded activities and policies in relation to LGBTIQ persons.

²³⁰ Mark Rao. (2019, July 3) *The highest-paid remunerations for CEOs. The Malaysian Reserve.*
<https://themalaysianreserve.com/2019/07/03/the-highest-paid-remunerations-for-board-members-at-glcs>

3. On making it better for women, the government should:
 - a. Roll out the National Policy on Women and Action plan for 2021—2030, with a clear mandate for gender mainstreaming across government sectors.
 - b. Ensure systematic collection/dissemination of sex-disaggregated data to implement effective, evidence-based policies.
 - c. Incorporate gender responsive budgeting at all levels of government.
 - d. Undertake regular gender training across ministries.
 - e. Encourage women’s participation in political and public life, implement a zero-tolerance policy towards gender-based violence and discrimination by amending the parliamentary standing orders.
 - f. Amend Article 14 of the Federal Constitution to grant Malaysian women equal rights to pass on citizenship to their children born overseas.
 - g. Treat Malaysian mothers as equal guardians during the visa application/ renewal process irrespective of the nationality of the child.
 - h. Allow non-citizen children of Malaysian parents to remain in the country on LTSVP and grant them permanent residence irrespective of the presence of the foreign father.
4. Towards a harmonious society, the government should establish a Consultative Council for People’s Harmony or a similar kind of people’s ombudsman.
5. To ensure that Malaysia is on track to fulfil the SDGs:
 - a. Capacity building for government must be incorporated into the development agenda, especially in agencies at the federal, state and local levels.
 - b. SDGs as an agenda for delivery and implementation should be localised, including grassroots accountability.
 - c. The government of the day can demonstrate a strong commitment to the environment and SDGs through comprehensive and holistic initiatives to promote sustainability in current government plans like the Twelfth Malaysia Plan, Economic Reform, Shared Prosperity Agenda implementation and Budget 2021,
6. To reform GLCs, their role needs to be reviewed. The state has moral responsibilities to address market failures, but it must also reassess whether it can and should resolve these failures. Additionally, if there is an existing market failure, are GLCs the best solution in the industry, or can private corporations act as a better agent instead? Privatisation of GLCs has proven to add value to the enterprises—Proton sold half of its shares (49.9%) to Geely in 2017, therefore allowing Proton to sustain themselves in the market. The government must also take measures to ensure GLCs’ market competitiveness. Regulations play a vital role in market competitiveness. The conflict of state-owned assets is the difficulty in subjecting them to market forces as much as possible to condition them to lessen their dependence on state ownership. Yet, the wholesale privatisation of Telekom Malaysia in 1990 produced better market outcomes for the company after gaining multiple investments in 1994.

Conclusion

The PH government appeared to have scored highest in civil society engagement. Various entities were set up at different levels to encourage civil society feedback on policy and legislative reform—among them were the National Education Advisory Council, National Education Policy Review Committee, National Domestic Violence Committee, and Policy Taskforce on UEC. Such engagements had resulted in outputs such as the National Strategy Plan in Handling the Causes of Child Marriage and Budget 2020 provisions for the benefit of ‘working’ women.

The engagement was greatest in electoral reform efforts, which saw BERSIH 2.0’s direct participation in some key government processes, though the momentum appeared to have slowed in the second year. In the first half, under new leadership, the EC started the process of cleaning up the electoral rolls, improving the conduct of elections, and allowing election observers to observe eight by-elections in a transparent manner. An expected outcome in this area is automatic voter registration by 2021.

Another major breakthrough for civil society was in localising the SDG goals, despite the ad hoc engagement model with the government. Also showing progress was the education sector, where major reforms were implemented in the schools sector, though it must also be said that the higher education sector was neglected in this regard.

However, PH’s civil society engagement faltered when it came to sharing the results of their public-participatory studies and draft policies. The CSO Platform noted in the recommendations of this report that this shortcoming can be immediately rectified by the current government by releasing these documents in the public domain.

Another PH misstep was in the termination of the Sarawak Special Committee on Citizenship, further complicating citizenship applications for stateless children and parents in Sarawak.

In the international arena, the PH government had shown some attempt to fulfil its obligations—for example, Malaysia’s long-overdue CRC report to the Committee on the Rights of the Child had been in the works.

On ensuring the autonomy of public watchdog institutions, the PH government managed to set free the EC, the MACC and National Audit Department from the Prime Minister’s Department, putting them under the purview of Parliament instead. Further, to improve the function of Parliament, six new select and special committees were formed—on election, gender equality and family development (though it had been initially called the Rights and Gender Equality Committee), consideration of bills, budget, major public appointments, defence and home affairs, and federal—state relations. Though the effectiveness of these fledgling committees remained in question, such efforts managed to build some public confidence, as reflected in Malaysia’s improved ranking in Transparency International’s CPI from 61 in 2018 to 51 in 2019.

Malaysia's press freedom ranking also improved significantly in 2020, rising to a best score of 101 from the mid-140 level before 2019.²³¹ The PH government made positive strides, such as agreeing to enact a right to information bill, setting up a pro-tem committee for the media council, abolishing the Anti-Fake News Act, and amending laws such as the UUCA and the Peaceful Assembly Act. However, it did not move swiftly to abolish repressive laws such as the Sedition Act and the PPPA, or amend section 233 of the CMA. It also lifted the moratorium on the use of repressive laws.

As for measures to prevent corruption, PH established the National Anti-Corruption Plan 2019—2023; the National Centre for Governance, Integrity and Anti-Corruption; a special Cabinet Committee on Anti-Corruption; and the National Anti-Financial Crime Centre. A policy on the declaration of assets by administrative and parliamentary members had also begun to be put in place.

On access to justice, rule of law and human rights defenders, PH made some progress in certain priority areas. In most areas, though, progress had been sluggish. The biggest let-down was in its not repealing the draconian laws that had hung over civil society for decades, and its backtracking of the promise to ratify the Rome Statute.

However, some legislative reform had been forthcoming. New laws that were to have seen the light of day were the Sexual Harassment Act, Political Funding Act, and Social Workers Profession Act, while drafts were being done for gender equality, anti-stalking, and amendments to the Employment Act benefiting 'working' women.

With regard to the promotion of women in political and public life, although the number of women in top Cabinet and government posts was the highest in history, it did not reach the 30% quota established by the UN Economic and Social Council, as the national bar was low to begin with, set by the previous government. Despite having a responsive ministry under the PH government, there was little reform in issues such as FGM, the nationality of foreign wives and Malaysian women's spouses, and Islamic Family Laws.

As for reforming the health sector, the PH government ticked many promises laid out in the Buku Harapan although these promises did not address the structural issues. However, it still scored poorly for not allocating sorely needed funds to the Ministry of Health—funding being the biggest indicator of political will.

In meeting its SDGs commitment, despite the encouraging localising of goals, the PH did not ensure a balance between economic growth and environment matters at the federal, state and local levels.

The reform of GLCs is possibly the PH government's most badly kept promise, with no parliamentary committee, no strategic execution and policing of its role. Further, no review

²³¹ *Reporters Without Borders. (2020). Malaysia: Fresh air but archaic laws endure. Accessed on 18 Sept 2020. <https://rsf.org/en/malaysia>*

of its role had been done. Most companies are publicly funded and their initial purpose was to rectify the social inequalities in Malaysia. The problem is not the political appointments in itself but when they are baseless and meritless. It leaves room for the public to question the government's decision-making, and it becomes a long-term cost when there are cases such as abuse of power and mismanagement of funds, as the CSO Platform had observed before.

As for the PN government, whilst it is observed that engagements on some reforms have begun, a lot more can and needs to be done on the reform agenda. The fact that this government came into power without a manifesto should not be used as an excuse not to embark on reforms in critical areas. It would be unfortunate if it decides to limit the space for engagement with civil society, as compared with the PH government. Most alarmingly lacking is its commitment to fundamental freedoms, especially freedom of expression. It has not made any clear pledges to abolish any of the broadly worded, repressive laws that allow the government to arbitrarily take action against dissenters. Instead, it has taken action against journalists and those seen to be critical of the government, further curtailing freedom of expression, discouraging individuals from speaking out, and compromising other human rights as well. While some ministers have stated that they are open to improving certain repressive laws, it remains to be seen what these improvements would look like.

Both governments fared poorly in some common areas. It has been observed that both lacked the political will to include refugees into the Malaysian society and create an enabling environment for them. While PH was focused on institutional reforms, PN is only concerned about political longevity and the return to power with a mandate. This is clear in the fact that there has been no leadership on the ongoing xenophobia and hate against migrants and refugees. We have yet to see the Prime Minister or his cabinet's sending a strong message to the public asking them to stop the backlash. In fact, the opposite happened, with the Defence Minister demanding an apology from Al Jazeera to all Malaysians for its 'controversial' report about the plight of migrant workers during the MCO, and senior officials justifying the derogatory treatment of migrants and refugees. Without government intervention for migrant workers and refugees, the backlash against them will continue.

Another clear blight on both governments is the criminalisation of LGBTIQ persons under multiple federal and state Syariah laws. In addition, there have been state-funded and sponsored LGBT-related activities and programmes that promote rehabilitation or suppression of sexual orientation, gender identity and gender expression of LGBT persons since 2011. These activities include JAKIM's voluntary treatment and rehabilitation programme, *Ilaj Wa Syifa*; the *Mukharyyam* programme under the National Strategic Plan to End AIDS 2016—2030,²³² a rehabilitation camp²³³ targeting Muslim trans women, which was

²³² HIV and AIDS Data Hub for Asia Pacific. (2015). *National Strategic Plan for ending AIDS 2016--2030*. Accessed: 27 July 2020. <https://www.aidsdatahub.org/resource/malaysia-national-strategic-plan-for-ending-aids-2016-2030>

²³³ *The Star*. (2014, Nov 10). *JAKIM to transgenders: Come to our rehab camps*. <https://www.thestar.com.my/news/nation/2014/11/10/jakim-invites-transgenders-to-attend-rehab-programmes>

denounced by the Malaysian AIDS Council²³⁴ for its harmful effects; and various seminars and programmes targeting students, school counsellors, parents, volunteers, health staff and representatives of Muslim NGOs. JAKIM claimed it has helped more than 2,000 LGBT people between 2006 and 2014 to return to the ‘right path’.²³⁵ There is also a five-year action plan, *Pelan Tindakan Menangani Gejala Sosial Perlakuan LGBT 2017—2021* involving 22 partners, including the MOH, Ministry of Sports and Youth, Women, Family and Community Development Ministry, to proactively and efficiently curb ‘LGBT behaviours’.²³⁶ The pressure to change or suppress one’s sexual orientation and gender identity is overwhelming in Malaysia, and has resulted in low health-seeking behaviour, self-blame and self-guilt,²³⁷ and an increased number of LGBT persons seeking asylum abroad to be able to be themselves and seek opportunities. In a Dewan Rakyat response in July 2019, the then Home Affairs Minister stated that “LGBT” was one of the highest reasons cited by Malaysians who sought asylum in Australia between 2017 and 2018.

Both governments also performed poorly in the protection of children, though PH had embarked on many reforms for them in the area of education—and that too only from primary onwards—and revamped the Child Protection System, including creating a long-overdue sexual offenders registry. In most parts of the country, however, the quality of care for children is still at minimum standards. There has been very little movement in terms of initiatives and policies for the well-being of children, who form 40% of Malaysia’s population. Investment in the well-being of children has taken a backseat to other seemingly more pressing political and economic issues. This does not augur well for the country’s future workforce.

However, the issue of Orang Asal rights appears to be of importance to both governments, even though it is not reflected in action, given the lack of enforcement of the UN Declaration on the Rights of Indigenous Peoples, and the failed promise to gazette Native Customary Rights.

²³⁴ *Malaysian AIDS Council. (2018, Dec 24). Malaysian AIDS Council denounces LGBT conversion therapy. Facebook. https://web.facebook.com/Malaysian.AIDS.Council/posts/read-our-statement-on-lgbts-conversion-therapymalaysian-aids-council-denounces-l/10156785950398903/?_rdc=1&_rdr*

²³⁵ *The Star. (2014, Nov 13). JAKIM and JAWI help LGBT folk to return to ‘right path’. <https://www.thestar.com.my/news/nation/2014/11/13/jakim-and-jawi-help-lgbt-folk-return-to-right-path/>*

²³⁶ *Department of Islamic Development Malaysia. (2016, July 26). Bicara Usrati Jannati & Majlis Pelancaran Portal Piswi, Pelan Tindakan Keluarga Sakinah Dan Pelan Tindakan Menangani Gejala Sosial Perlakuan LGBT.*

<http://www.islam.gov.my/berita-semasa/34-bahagian-keluarga-sosial-komuniti/629-bicara-usrati-jannati-majlis-pelancaran-portal-piswi-pelan-tindakan-keluarga-sakinah-dan-pelan-tindakan-menangani-gejala-sosial-perlakuan-lgbt>

²³⁷ *Lim Sin How et. al. (2020). “You have to keep yourself hidden”: Perspectives from Malaysian Malay-Muslim men who have sex with men on Policy, Network, Community, and Individual Influences on HIV Risk. *Journal of Homosexuality*, Vol 67, 2020—Issue 1.*

<https://www.tandfonline.com/doi/abs/10.1080/00918369.2018.1525946?journalCode=wjhm20&>

At the outset of the report, the CSO Platform had said that this is not meant to be a side-by-side comparison of the two governments on their performance in running the country; rather, it is a record, and evaluation, of two administrations by which new, higher standards can be set for the government of the day, in accordance with the aspirations of the nation as reflected in the three towering pillars that the country has committed to: SDGs, UDHR and Federal Constitution. The CSO Platform hopes to see more transparent and accountable governance, and continued engagement with civil society as equal stakeholders in the making of a better Malaysia. The government of the day must provide the leadership and strong political will for reform, and never take for granted the right to govern the country. It must always remember that the power it wields is by the people's mandate, which can be taken away if the government is shown to have failed them.

Appendix I: References

Abdul Hamid, Ahmad Fauzi. (2020, Apr 25). The return of old-style Malay-centric politics? East Asia Forum. <https://www.eastasiaforum.org/2020/04/25/the-return-of-old-style-malay-centric-politics/>

Al Jazeera. (2019, Oct 10). Malaysia parliament scraps law criminalising fake news. <https://www.aljazeera.com/news/2019/10/malaysia-parliament-scraps-law-criminalising-fake-news-191010024414267.html>

Al Jazeera. (2020, July 22). Malaysian court overturns caning sentence on 27 Rohingya men. <https://www.aljazeera.com/news/2020/07/malaysian-court-overturns-caning-sentence-27-rohingya-men-200722051045653.html>

Ask Legal. (2019, Dec 2). Malaysian fathers may finally be getting paternity leave. Here's why it's taking so long. <https://asklegal.my/p/paternity-leave-implemented-malaysia-parliament-employment-annual-leave-unpaid>

Alston, Philip (2019). Statement by Prof. Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights, on his visit to Malaysia, 13-23 Aug 2019. <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24912&LangID=E>

Astro Awani. (2018, Dec 21). 'Sekolah kebangsaan telah berubah jadi sekolah agama'--Tun Dr Mahathir. <http://www.astroawani.com/berita-malaysia/sekolah-kebangsaan-telah-berubah-jadi-sekolah-agama-tun-dr-mahathir-194183>

Astro Awani. (2019, Apr 24). Isu matrikulasi kuota bukan bumiputera kekal bilangan pelajar ditambah. <http://www.astroawani.com/berita-malaysia/isu-matrikulasi-kuota-bukan-bumiputera-kekal-bilangan-pelajar-ditambah-205836>

Astro Awani. (2019, Aug 26). Sarapan percuma buat pelajar sekolah rendah mulai Januari 2020--Maszlee Malik. <http://www.astroawani.com/berita-malaysia/sarapan-percuma-buat-pelajar-sekolah-rendah-mulai-januari-2020-maszlee-malik-215947>

Berita Harian. (2018, Nov 10). Pengerusi PTPTN mohon maaf gagal tunai janji. <https://www.bharian.com.my/berita/nasional/2018/11/496474/pengerusi-ptptn-mohon-maaf-gagal-tunai-janji>

Berita Harian. (2019, Jan 28). Tribunal siasat 6 bekas ahli SPR belum putuskan untuk diteruskan atau dihentikan. <https://www.bharian.com.my/berita/kes/2019/01/524965/tribunal-siasat-6-bekas-ahli-spr-belum-putuskan-untuk-diteruskan-atau>

Berita Harian. (2019, Apr 1). Pendidikan berkualiti untuk anak B40, miskin--Dr Maszlee. <https://www.bharian.com.my/berita/nasional/2019/04/547656/pendidikan-berkualiti-untuk-anak-b40-miskin-dr-maszlee>

Berita Harian. (2019, June 28). 3 syarikat ISP bekas perkhidmatan talian internet ke sekolah mulai 1 Julai. <https://www.bharian.com.my/berita/nasional/2019/06/578757/3-syarikat-isp-bekal-perkhidmatan-talian-internet-ke-sekolah-mulai-1>

Berita Harian. (2019, July 16). Kerajaan kaji perkenal semula PPSMI.
<https://www.bharian.com.my/berita/nasional/2019/07/585532/kerajaan-kaji-perkenal-semula-ppsmi>

Berita Harian. (2019, Aug 5). 12 pertubuhan tak setuju tulisan khat untuk murid SJK, SJKT.
<https://www.bharian.com.my/berita/nasional/2019/08/592977/12-pertubuhan-tak-setuju-tulisan-khat-untuk-murid-sjkc-sjkt>

Berita Harian. (2019, Sept 11). 21 IPG disyor tutup mulai tahun depan.
<https://www.bharian.com.my/berita/nasional/2019/09/605989/21-ipg-disyor-tutup-mulai-tahun-depan>

Berita Harian. (2019, Oct 17). Dewan Rakyat tubuhkan 4 lagi Jawatankuasa Pilihan Khas.
<https://www.bharian.com.my/berita/nasional/2019/10/618891/dewan-rakyat-tubuhkan-4-lagi-jawatankuasa-pilihan-khas>

Berita Harian. (2019, Nov 7). Terbabit pesta seks songsang, 5 lelaki dihukum penjara, sebat.
<https://www.bharian.com.my/berita/kes/2019/11/625969/terbabit-pesta-seks-songsang-5-lelaki-dihukum-penjara-sebat>

Berita Harian. (2020, Jan 10). PM pangku jawatan menteri pendidikan.
<https://www.bharian.com.my/berita/nasional/2020/01/645554/pm-pangku-jawatan-menteri-pendidikan>

Bernamea. (2019, April 30). Tabung Haji rescue mission is Pakatan Harapan's biggest achievement.
<https://www.theedgemarkets.com/article/tabung-haji-rescue-mission-pakatan-harapans-biggest-achievement>

Bernamea. (2019, May 6). Revision of harsh laws among ministry's agenda.
<https://www.bernama.com/en/general/news.php?id=1723716>

Bernamea. (2020, Jan 11). Health care scheme for B40 group a 'game changer' – Dzulkefly.
<https://www.malaysiakini.com/news/506734>

Bernamea. (2020, Jan 17). Pro-tem committee of media council established.
<https://www.bernama.com/en/news.php?id=1807196>

Bernamea. (2020, May 3). Press freedom should be in line with principles of truth, justice—Saifuddin.
<https://www.bernama.com/en/general/news.php?id=1837927>

Bernamea. (2020, May 11). Immigration Department raids KL wholesale market.
<https://www.bernama.com/en/general/news.php?id=1840431>

Bernamea. (2020, May 14). 262 investigation papers on disseminations of fake news opened—Hamzah.
<https://www.bernama.com/en/region/news.php?id=1841632>

Bernamea. (2020, May 26). COVID-19: PKPIM gesa KPT kurangkan yuran pengajian universiti.
<https://www.bernama.com/bm/am/news.php?id=1844979>

Bernamea TV. (2020, Feb 9). AUKU akan diganti dengan undang-undang lebih baik. Facebook.
https://web.facebook.com/BernameaTV/videos/auku-akan-diganti-dengan-undang-undang-lebih-baik/187229962627774/?_rdc=1&_rdr

Bernama. (2020, Apr 22). Malaysia rises 22 spots to 101 in 2020 press freedom index. <https://www.bernama.com/en/news.php?id=1834769>

BERSIH 2.0. (2019, Oct 18). Structure and mandate of the PSC on election need to be clarified. <http://www.bersih.org/bersih-2-0-media-statement-18-october-2019-bersih-2-0-structure-and-mandate-of-the-psc-on-election-need-to-be-clarified/>

BERSIH 2.0. (2019, Nov 24). Addressing the address problem in Malaysia, once and for all. <http://www.bersih.org/11971-2/>

Borneo Post. (2020, Jan 12). Country's palliative care less than satisfactory—Dr Dzulkefly. <https://www.theborneopost.com/2020/01/12/countrys-palliative-care-less-than-satisfactory-dr-dzulkefly/>

Brief IDEAS. (2020, June 30). Vol. 22, 8. <http://www.ideas.org.my/brief-ideas-no-22-making-sense-of-complexity-in-statutory-body-governance-a-case-study-of-mara/>

Buku Harapan: Rebuilding our nation, fulfilling our hopes. (2018).

CEDAW/C/MYS/CO/3-5. (2018, Mar 9). https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CEDAW/C/MYS/CO/3-5&Lang=En

Chew, Eileen. (2019, Feb 1). Seeking refuge in Malaysia. New Naratif. <https://newnaratif.com/journalism/seeking-refuge-in-malaysia/share/xuna/2fe37bd25993870f5a38563dd25b1d05/>

Chin, Christina. (2019, Oct 6). Face to face: The Little Lion of Puchong is no more. The Star. <https://www.thestar.com.my/news/nation/2019/10/06/the-little-lion-of-puchong-is-little-no-more>

Code Blue. (2019, Oct 25). MOH gets tiny mental health 2020 Budget raise. <https://codeblue.galencentre.org/2019/10/25/moh-gets-tiny-mental-health-2020-budget-raise/>

Convention on the Rights of the Child. <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

Department of Islamic Development Malaysia (JAKIM). (2019, Apr 21). Program Mukharyam JAKIM bantu LGBT jalani kehidupan. Facebook. <https://sw-ke.facebook.com/MyJAKIMmalaysia/posts/program-mukharyam-jakim-bantu-lgbt-jalani-kehidupanputrajaya-21-april-jabatan-ke/2377260102324545/>

Ibid. (2016, July 26). Bicara Usrati Jannati & Majlis Pelancaran Portal Piswi, Pelan Tindakan Keluarga Sakinah Dan Pelan Tindakan Menangani Gejala Sosial Perlakuan LGBT. <http://www.islam.gov.my/berita-semasa/34-bahagian-keluarga-sosial-komuniti/629-bicara-usrati-jannati-majlis-pelancaran-portal-piswi-pelan-tindakan-keluarga-sakinah-dan-pelan-tindakan-menangani-gejala-sosial-perlakuan-lgbt>

Department of Statistics Malaysia. (2018). The Initial Assessment of The Sustainable Development Goals Indicators for Malaysia 2018. https://www.dosm.gov.my/v1/uploads/files/4_Portal%20Content/2_%20Statistics/SDG/HTML/The%20Initial%20Assessment%20of%20The%20SDG%20Indicators%20for%20Malaysia%202018.pdf

The Edge Markets. (2019, July 2). Electronic medical record system for all M'sian hospitals, clinics to cost up to RM1.5b, says minister. <https://www.theedgemarkets.com/article/electronic-medical-record-system-all-msian-hospitals-clinics-cost-rm15b-says-minister>

Free Malaysia Today. (2019, Jan 24). Tribunal to meet Monday on alleged misconduct of ex-EC members. <https://www.freemalaysiatoday.com/category/nation/2019/01/24/tribunal-to-meet-monday-on-alleged-misconduct-of-ex-ec-members/>

Free Malaysia Today. (2019, May 3). National Education Policy Review Committee submits report. <https://www.freemalaysiatoday.com/category/nation/2019/05/03/national-education-policy-review-committee-submits-report/>

Free Malaysia Today. (2019, June 13). Raise doctors' fees before taking out dispensary, says think tank. <https://www.freemalaysiatoday.com/category/nation/2019/06/13/raise-doctors-fees-before-taking-out-dispensary-says-think-tank/>

Free Malaysia Today. (2019, Oct 12). Give up control of UTAR, TAR UC to get RM30 mil funding, Lim tells MCA. <https://www.freemalaysiatoday.com/category/nation/2019/10/12/give-up-control-of-utar-tar-uc-to-get-rm30-mil-funding-lim-tells-mca/>

Free Malaysia Today. (2019, Nov 21). We won't rush into abolishing Sedition Act, says deputy home minister. <https://www.freemalaysiatoday.com/category/nation/2019/11/21/we-wont-rush-into-abolishing-sedition-act-says-deputy-home-minister/>

Free Malaysia Today. (2020, Jan 23). Malaysia jumps 10 spots in corruption perception index. <https://www.freemalaysiatoday.com/category/nation/2020/01/23/malaysia-jumps-10-spots-in-corruption-perception-index/>

Free Malaysia Today. (2020, Apr 22). With no help from embassy, thousands of Rohingya to go hungry in Selayang. <https://www.freemalaysiatoday.com/category/nation/2020/04/22/with-no-help-from-embassy-thousands-of-rohingya-to-go-hungry-in-selayang/>

Gomez, Terence. (2020, Apr 11). How Muhyiddin consolidates power through GLC appointments. <https://www.malaysiakini.com/news/520044>

Gomez, Terence. (2020, Apr 18). GLCs in crisis & Muhyiddin's fine balance. Focus Malaysia. <https://focusmalaysia.my/opinion/glcs-in-crisis-and-muhyiddins-fine-balance/>

Hamid, Nabihah and Mahavera, Sheridan. (2019, May 5). Anti-Rome Statute rally part of UMNO-PAS bid to retake Putrajaya. The Malaysian Insight. <https://www.themalaysianinsight.com/s/152283>

HIV and AIDS Data Hub for Asia Pacific. (2015). National Strategic Plan for ending AIDS 2016--2030. Accessed: 27 July 2020. <https://www.aidsdatahub.org/resource/malaysia-national-strategic-plan-for-ending-aids-2016-2030>

Human Rights Watch. (2019, Apr 19). Malaysia: Backtracking on abusive security law. <https://www.hrw.org/news/2019/04/10/malaysia-backtracking-abusive-security-law>

Human Rights Watch. (2020, July 8). Malaysia: Stop treating criticism as a crime. <https://www.hrw.org/news/2020/07/08/malaysia-stop-treating-criticism-crime>

IDEAS Projek Pantau Report Card No. 3. (2019, Dec). http://www.ideas.org.my/wp-content/uploads/2019/12/PantauProjek_No.3_V5-1.pdf

Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity. (May 2020). Report on conversion therapy. <https://www.ohchr.org/EN/Issues/SexualOrientationGender/Pages/ReportOnConversiontherapy.aspx>

Information Department. (2019, Aug 7). Jemputan media ke "sesi town hall YB Datuk Seri Dr. Dzulkefly Ahmad Menteri Kesihatan Malaysia bersama industri farmaseutikal siri II". http://epress.penerangan.gov.my/epress/epress/view_acara.php?evt=14553

JanjiPakatan.org. (2019, Dec 5). Promise 22. <https://janjipakatan.org/promise-22/>

Jayasooria, Denison. (2020, Jan 3). A small spark of hope for bipartisan cooperation in SDGs. Malaysiakini. <https://www.malaysiakini.com/news/505817JointActionGroupforGenderEquality>. (2020, June 19). JAG: Stop violence and discrimination against women politicians. <https://wao.org.my/jag-stop-violence-and-discrimination-against-women-politicians/>

Laws of Malaysia, Act 550. <http://www.agc.gov.my/agcportal/uploads/files/Publications/LOM/EN/Act%20550.pdf>

Legal Affairs Division, Prime Minister's Department. (2019, Nov 27). National stakeholders consultation on the right to information legislation. <http://www.bheuu.gov.my/index.php/en/media/galeri-gambar/1666-27-28-november-2019-national-stakeholders-consultation-on-the-right-to-information-legislation>

Lim Sin How et. al. (2020). "You have to keep yourself hidden": Perspectives from Malaysian Malay-Muslim men who have sex with men on Policy, Network, Community, and Individual Influences on HIV Risk. *Journal of Homosexuality*, Vol 67, 2020—Issue 1. <https://www.tandfonline.com/doi/abs/10.1080/00918369.2018.1525946?journalCode=wjhm20&>

Loh Foon Fong. (2019, Nov 1). Mixed views over medicine prices. *The Star*. <https://www.thestar.com.my/news/nation/2019/11/01/mixed-views-over-medicine-prices>

Madhukar, A. (2018, May 25). The Refugee Convention guarantees refugees in M'sia these rights--if they're legally recognised. *Jireh's Hope*. <https://www.jirehshope.com/posts/1789/refugee-convention-guarantees-refugees-msia-rights-theyre-legally-recognised>

Majkowska-Tomkin, Magda. (2020, Apr 29). Countries are suspending immigration detention due to coronavirus. Let's keep it that way. *Euronews*. <https://www.euronews.com/2020/04/29/countries-suspending-immigration-detention-due-to-coronavirus-let-s-keep-it-that-way-view>

The Malay Mail. (2018, Aug 8). LGBT activists' portraits removed from George Town Festival exhibition. <https://www.malaymail.com/news/malaysia/2018/08/08/lgbt-activists-portraits-removed-from-george-town-festival-exhibition/1660198>

The Malay Mail. (2018, Sept 6). After Blue Boy FT Ministry says public complaints welcome for more gay club raids. <https://www.malaymail.com/news/malaysia/2018/09/06/after-blue-boy-ft-ministry-says-public-complaints-welcome-for-more-gay-club/1670012>

The Malay Mail. (2018, Nov 2). Budget 2019: Over RM60b for education. <https://www.malaymail.com/news/malaysia/2018/11/02/budget-2019-over-rm60b-for-education/1689367>

The Malay Mail. (2019, Jan 30). Doctors shun Health Ministry's 'take it or leave it' health screening scheme. <https://www.malaymail.com/news/malaysia/2019/01/30/doctors-shun-health-ministrys-take-it-or-leave-it-health-screening-scheme/1717833>

The Malay Mail. (2019, Apr 27). Rome Statute is not about LGBT or against Islam. <https://www.malaymail.com/news/malaysia/2019/04/27/rome-statute-is-not-about-lgbt-or-against-islam-forum-told/1747582>

The Malay Mail. (2019, July 18). Who watches the watchers? IPCMC Bill finally reaches Parliament after 14 years. <https://www.malaymail.com/news/malaysia/2019/07/18/who-watches-the-watchers-ipcmc-bill-finally-reaches-parliament-after-14-yea/1772662>

The Malay Mail. (2019, Oct 9). New Bill granting social workers professional status set for Dec tabling. <https://www.malaymail.com/news/malaysia/2019/10/09/new-bill-granting-social-workers-professional-status-set-for-dec-tabling/1798594>

The Malay Mail. (2019, Oct 29). Bill on political funding for tabling next year. <https://www.malaymail.com/news/malaysia/2019/10/29/bill-on-political-funding-for-tabling-next-year/1804916>

The Malay Mail. (2019, Nov 8). Health Ministry pushing for 10,000 additional slots for medical officers, says minister. <https://www.malaymail.com/news/malaysia/2019/11/08/health-ministry-pushing-for-10000-additional-slots-for-medical-officers-say/1808220>

The Malay Mail. (2019, Nov 30). Five public universities to set up student unions next year to promote student empowerment. <https://www.malaymail.com/news/malaysia/2019/11/30/five-public-universities-to-set-up-student-unions-next-year-to-promote-stud/1814881>

The Malay Mail. (2020, Jan 3). Pneumococcal vaccination starts in June with 2020 babies, says deputy minister. <https://www.malaymail.com/news/malaysia/2020/01/03/pneumococcal-vaccination-starts-in-june-with-2020-babies/1824316>

The Malay Mail. (2020, Mar 12). 'Still-the-same' Saifuddin Abdullah vows to keep media free, uphold freedom. <https://www.malaymail.com/news/malaysia/2020/03/12/still-the-same-saifuddin-abdullah-vows-to-keep-media-free-uphold-freedom/1845668>

The Malay Mail. (2020, Mar 18). Minister Rina Harun lifts Talian Kasih hotline suspension after bipartisan criticism. <https://www.malaymail.com/news/malaysia/2020/03/18/minister-rina-harun-lifts-talian-kasih-hotline-suspension-after-bipartisan/1847826>

The Malay Mail. (2020, Mar 31). Doraemon memes blow up on Twitter after ministry blasted for sexist Covid-19 shutdown advice (Video). <https://www.malaymail.com/news/life/2020/03/31/doraemon-memes-blow-up-on-twitter-after-womens-ministry-blasted-for-sexist/1852095>

The Malay Mail. (2020, Apr 4). Family planning clinics still essential during MCO, groups tell Putrajaya. <https://www.malaymail.com/news/malaysia/2020/04/14/family-planning-clinics-still-essential-during-mco-groups-tell-putrajaya/1856400>

The Malay Mail. (2020, May 5). Media group questions why reporters barred from covering Zahid's daughter, son-in-law's MCO violation proceedings. <https://www.malaymail.com/news/malaysia/2020/05/05/media-group-slams-move-to-bar-reporters-from-covering-zahids-daughter-and-s/1863351>

The Malay Mail. (2020, May 8). Minister announces 15-day parliament meet in July, insists government not afraid. <https://www.malaymail.com/news/malaysia/2020/05/08/minister-announces-15-day-parliament-meet-in-july-insist-government-not-afr/1864314>

The Malay Mail. (2020, May 11). Citing CMCO, coverage of Perak state assembly tomorrow limited only to govt media. <https://www.malaymail.com/news/malaysia/2020/05/11/citing-cmco-coverage-of-perak-state-assembly-tomorrow-limited-only-to-govt/1865225>

The Malay Mail. (2020, June 11). Malaysia still missing firm plan to end child marriage, says Sisters In Islam. <https://www.malaymail.com/news/malaysia/2020/06/11/malaysia-still-missing-firm-plan-to-end-child-marriage-says-sisters-in-islam/1874432>

Malaysiakini. (2018, July 20). Berita palsu 'kasut hitam' berlegar di sosial media. <https://www.malaysiakini.com/news/435175>

Malaysiakini. (2018, Nov 30). SPR tumpu keluarkan nama pengundi hantu, meninggal dunia. <https://www.malaysiakini.com/news/454064>

Malaysiakini. (2018, Dec 6). SUARAM chief probed under Sedition Act over article on rulers. <https://www.malaysiakini.com/news/455011>

Malaysiakini. (2019, Mar 14). Cops investigating Women's March organisers under Sedition Act. <https://www.malaysiakini.com/news/467955>

Malaysiakini. (2019, May 2). Public hospitals lack funds, staff but have the best experts—minister <https://www.malaysiakini.com/news/474462>

Malaysiakini. (2019, Oct 4). PM: Easy to promise, hard to implement – Harapan victim of own manifesto. <https://www.malaysiakini.com/news/494429>

Malaysiakini. (2019, Oct 31). Lim: GLCs run professionally under Harapan, far fewer political appointments <https://www.malaysiakini.com/news/498035>

Malaysiakini. (2019, Dec 5). LGBT part in SUHAKAM report irrelevant. <https://www.malaysiakini.com/news/502554>

Malaysiakini. (2019, Dec 24). Education Ministry refutes 'Islamisation' in schools after YADIM letter leaked. <https://www.malaysiakini.com/news/504785>

Malaysiakini. (2019, Dec 30). ERC cadang ganti sistem pilihan raya dengan sistem 'perwakilan berkadar'. <https://www.malaysiakini.com/news/505337>

Malaysiakini. (2020, Jan 1). Cabinet to get healthcare reform proposal by month-end: Dzulkefly. <https://www.malaysiakini.com/news/505543>

Malaysiakini. (2020, Jan 5). Laporan: Mahathir utus surat minta Maszlee undur. <https://www.malaysiakini.com/news/505951>

Malaysiakini. (2020, Mar 10). Hannah concerned about deputy minister's support of child marriage. <https://www.malaysiakini.com/news/513990>

Malaysiakini. (2020, Apr 11). Tough action on portals reporting 'confusing, inaccurate' news—minister. <https://www.malaysiakini.com/news/520085>

Malaysiakini. (2020, May 6). Cops question journo over immigration raid tweets, says lawyer. <https://www.malaysiakini.com/news/524467>

Malaysiakini (2020, May 12). Chaos in Malacca assembly and 9 news from yesterday. <https://www.malaysiakini.com/news/525180>

Malaysiakini. (2020, May 26). 187 new cases; Bukit Jalil depot is second-largest Covid-19 cluster. <https://www.malaysiakini.com/news/527348>

Malaysiakini (2020, June 6). CIJ blasts continued use of Sec 233 of the CMA despite Saifuddin's pledge. <https://www.malaysiakini.com/news/528994>

Malaysiakini. (2020, July 20). Pasukan petugas khas tunggu masa sesuai serah laporan kajian UEC. <https://www.malaysiakini.com/news/535292>

Malaysian AIDS Council. (2018, Dec 24). Malaysian AIDS Council denounces LGBT conversion therapy. Facebook. https://web.facebook.com/Malaysian.AIDS.Council/posts/read-our-statement-on-lgbts-conversion-therapymalaysian-aids-council-denounces-l/10156785950398903/?_rdc=1&_rdr

The Malaysian Alliance of Civil Society Organisations in the UPR Process. (2019, Dec 6). Concerns and commendations for SUHAKAM over its 2018 annual report. Facebook. <https://zh-cn.facebook.com/MACSA2018/posts/press-statement-concerns-and-commendations-for-suhakam-over-its-2018-annual-repo/3038072216203178/>

Malaysian Anti-Corruption Commission. Accessed 27 Aug 2020. Senarai perisytiharan harta (Asset declaration list). <https://mydeclaration.sprm.gov.my/>

The Malaysian Insight. (2019, June 29). Kenapa khidmat internet 1BestariNet ke sekolah tidak disambung. <https://www.themalaysianinsight.com/bahasa/s/164158>

The Malaysian Insight. (2019, Oct 11). Positive move for women's needs in Budget 2020, says activist group. <https://www.themalaysianinsight.com/s/189587>

The Malaysian Insight. (2020, May 9). Automatic voter registration, lowering voting age, ready by June 2021. <https://www.themalaysianinsight.com/s/244291>

The Malaysian Reserve. (2019, Apr 8). Women leading roles in new Malaysia. <https://themalaysianreserve.com/2019/04/08/women-leading-roles-in-new-malaysia/>

The Malaysian Reserve. (2020, Jan 14). National strategic plan to address underage marriage. <https://themalaysianreserve.com/2020/01/14/national-strategic-plan-to-address-underage-marriage/>

MIMS Today. (2018, Jan 18). Malaysia implements 13 health policies, sparking national debate. <https://today.mims.com/malaysia-implements-13-health-policies-sparking-national-debate>

Ministry of Education. (2019, Mar 31). Penubuhan Pasukan Petugas Dasar UEC. <https://www.moe.gov.my/pemberitahuan/kenyataan-media/kenyataan-media-penubuhan-pasukan-petugas-dasar-unified-examination-certificate-uec>

Ministry of Education. (2019). Pencapaian KPM 2019. <https://www.moe.gov.my/pemberitahuan/pengumuman/pencapaian-kpm-2019>

Ministry of Foreign Affairs. (2018) The establishment of the Consultative Council on Foreign Policy. https://www.kln.gov.my/web/guest/press-release-mfa-news-/asset_publisher/qATm4A3OuCWG/content/press-release-the-establishment-of-the-consultative-council-on-foreign-policy/pop_up?_101_INSTANCE_qATm4A3OuCWG_viewMode=print&_101_INSTANCE_qATm4A3OuCWG_languageld=en_US

Ministry of National Unity. (2020, Aug 22). Kenyataan media: Sesi maklumbalas rakyat berhubung Pelan Tindakan Perpaduan Negara 2021-2025 sepanjang bulan Ogos hingga September menyasarkan penglibatan 10,000 rakyat di seluruh negara. <https://www.perpaduan.gov.my/admin/files/perpaduan/assets/image/perpaduan/pdf/maklumbalas-22082020.pdf>

MySalam official portal. Accessed: 31 Aug 2020. <https://www.mysalam.com.my/b40/info/>

National Council of Women's Organisations Malaysia. Beijing+25 CSO Parallel Report 2019. <https://ngocsw.org/wp-content/uploads/2019/11/Malaysia-CSO-report.pdf>

NegeriSembilan.org. (2019, May 1). Enakmen Jenayah Syariah (Negeri Sembilan) diperkasa. <https://www.negerisembilan.org/01-mei-2019-1>

New Straits Times. (2018, Aug 20). CEP has ended its tenure, says Daim. <https://www.nst.com.my/news/nation/2018/08/403488/cep-has-ended-its-tenure-says-daim>

New Straits Times. (2018, Sept 29). [Speech text] Dr Mahathir at 73rd UN General Assembly. <https://www.nst.com.my/news/nation/2018/09/415941/speech-text-dr-mahathir-73rd-un-general-assembly>

New Straits Times. (2018, Nov 2). 2019 Budget: RM50m allocated to treat rare diseases, Hepatitis C. <https://www.nst.com.my/news/nation/2018/11/427586/2019-budget-rm50m-allocated-treat-rare-diseases-hepatitis-c>

New Straits Times. (2018, Nov 15). Female circumcision part of Malaysian culture, says DPM. <https://www.nst.com.my/news/nation/2018/11/431411/female-circumcision-part-malaysian-culture-says-dpm>

New Straits Times. (2018, Nov 22). PAS: All Muslims have a duty to oppose ICERD.
<https://www.nst.com.my/news/nation/2018/11/433566/pas-all-muslims-have-duty-oppose-icerd>

New Straits Times. (2018, Dec 4). Six new parliament standing committees announced.
<https://www.nst.com.my/news/nation/2018/12/437067/six-new-parliament-standing-committees-announced>

New Straits Times. (2018, Dec 10). UUCA amendment passed, allows students' political involvement on-campus. <https://www.nst.com.my/news/government-public-policy/2018/12/439333/uuca-amendment-passed-allows-students-political>

New Straits Times. (2019, April 9). Special projects team set up to ensure gender equality laws.
<https://www.nst.com.my/news/nation/2019/04/477645/special-projects-team-set-ensure-gender-equality-laws>

New Straits Times. (2019, Dec 6). Women's groups laud government's move to appoint more women judges. <https://www.nst.com.my/news/nation/2019/12/545619/womens-groups-laud-governments-move-appoint-more-women-judges>

New Straits Times. (2019, Dec 30). Smoking ban at all eateries comes into force on Wednesday.
<https://www.nst.com.my/news/nation/2019/12/551849/smoking-ban-all-eateries-comes-force-wednesday>

New Straits Times. (2019, Dec 31). Influenza infections still within normal parameters, says Health DG.
<https://www.nst.com.my/news/nation/2019/12/552217/influenza-infections-still-within-normal-parameters-says-health-dg>

New Straits Times. (2020, Jan 13). Influenza situation under control.
<https://www.nst.com.my/news/nation/2020/01/556067/influenza-situation-under-control>

New Straits Times. (2020, Feb 17). Mental health costs Malaysia RM14.46bil or over one per cent of its GDP. <https://www.nst.com.my/news/nation/2020/02/566428/mental-health-costs-malaysia-rm1446bil-or-over-one-cent-its-gdp>

New Straits Times. (2020, Apr 15). 2020 UPSR, PT3 cancelled.
<https://www.nst.com.my/news/nation/2020/04/584583/2020-upsr-pt3-cancelled>

New Straits Times. (2020, Apr 20). Economists are against appointments of MPs as GLC heads.
<https://www.nst.com.my/business/2020/04/585870/economists-against-appointments-mps-glc-heads>

New Straits Times. (2020, June 9). Musa Aman freed of all 46 corruption, money laundering charges.
<https://www.nst.com.my/news/crime-courts/2020/06/599078/musa-aman-freed-all-46-corruption-money-laundering-charges>

New Straits Times. (2020, June 29). Recent spate of resignations of lady chairpersons, directors derailing Malaysia's target in women representation in GLCs. BODs.
<https://www.nst.com.my/business/2020/06/604348/recent-spate-resignations-lady-chairpersons-directors-derailing-malysias>

New Straits Times. (2020, July 12). 8 immigration detainees test positive for Covid-19. <https://www.nst.com.my/news/nation/2020/07/607997/8-immigration-detainees-test-positive-covid-19>

PeKaB40 official portal. Accessed: 31 Aug 2020. <https://www.pekab40.com.my/eng>

Prime Minister's Office. (2019). National Anti-Corruption Plan 2019. https://www.pmo.gov.my/wp-content/uploads/2019/07/National-Anti-Corruption-Plan-2019-2023_.pdf

Pusat KOMAS. (2019). Pusat KOMAS Malaysia Racial Discrimination report 2019. https://komas.org/download/Malaysia_Racial_Discrimination_Report_2019.pdf

Queer Lapis. (2019, Nov 8). Conviction for attempts of sex acts points to increasing hostility towards LGBTQ persons In Malaysia. <https://www.queerlapis.com/conviction-for-attempts-of-sex-acts-points-to-increasing-hostility-towards-lgbtq-persons-in-malaysia/>

The Rakyat Post. (2020, June 9). WAO: Calls to domestic abuse hotline tripled during MCO period. <https://www.therakyatpost.com/2020/06/09/wao-calls-to-domestic-abuse-hotline-tripled-during-mco-period/>

Rao, Mark. (2019, July 3) The highest-paid remunerations for CEOs. The Malaysian Reserve. <https://themalaysianreserve.com/2019/07/03/the-highest-paid-remunerations-for-board-members-at-glcs/>

Rosli, Ahmad Farhan. (2020, Apr 9). Menteri bantulah siswa bukan ajak tik tok. Projek MM. <https://www.projekmm.com/news/pendapat/2020/04/09/menteri-bantulah-siswa-bukan-ajak-tik-tok-ahmad-farhan-rosli/1855230>

Reporters Without Borders. (2020). Malaysia: Fresh air but archaic laws endure. <https://rsf.org/en/malaysia>

Reuters. (2020, May 23). Rohingya targeted in Malaysia as Covid-19 stokes xenophobia. <https://www.reuters.com/article/us-health-coronavirus-malaysia-rohingya/rohingya-targeted-in-malaysia-as-coronavirus-stokes-xenophobia-idUSKBN22Z00K>

Royal Malaysian Customs Department. (Accessed: 31 Aug 2020). Sugar sweetened beverages. http://www.customs.gov.my/en/pg/Pages/pg_mainssb.aspx

Selangor Syariah Criminal Offences Enactment.

Sinar Harian. (2019, Apr 3). Pengiktirafan UEC: Kejayaan pertama DAP. <https://www.sinarharian.com.my/article/21494/BERITA/Nasional/Pengiktirafan-UEC-Kejayaan-pertama-DAP>

Sinar Harian. (2019, Oct 31). KPWKM rangka jawatankuasa tangani keganasan rumahtangga. <https://www.sinarharian.com.my/article/54931/BERITA/Nasional/KPWKM-rangka-jawatankuasa-tangani-keganasan-rumah-tangga-Wan-Azizah>

Sinar Harian. (2019, Dec 12). 90 peratus sekolah daif sudah dibaik-pulih kata Maszlee. <https://www.sinarharian.com.my/article/61556/BERITA/Nasional/90-peratus-sekolah-daif-sudah-dibaik-pulih-kata-Maszlee>

South China Morning Post. (2020, May 1). Coronavirus: hundreds arrested as Malaysia cracks down on migrants in Covid-19 red zones. <https://www.scmp.com/week-asia/politics/article/3082529/coronavirus-hundreds-arrested-malaysia-cracks-down-migrants>

The Star. (2014, Nov 10). JAKIM to transgenders: Come to our rehab camps. <https://www.thestar.com.my/news/nation/2014/11/10/jakim-invites-transgenders-to-attend-rehab-programmes>

The Star. (2014, Nov 13). JAKIM and JAWI help LGBT folk to return to 'right path'. <https://www.thestar.com.my/news/nation/2014/11/13/jakim-and-jawi-help-lgbt-folk-return-to-right-path/>

The Star. (2018, Sept 22). Excellent trainee doctors to have shorter course to reduce wait for housemanship training. <https://www.thestar.com.my/news/nation/2018/09/22/excellent-trainee-doctors-to-have-shorter-course-to-reduce-wait-for-housemanship-training>

The Star. (2018, Oct 11). Cabinet agrees to impose moratorium on Sedition Act. <https://www.thestar.com.my/news/nation/2018/10/11/cabinet-agrees-to-impose-moratorium-on-sedition-act/>

The Star. (2018, Dec 4). PAS and UMNO claim half a million people will attend anti-ICERD rally. <https://www.thestar.com.my/news/nation/2018/12/04/pas-and-umno-claim-half-a-million-people-will-attend-anti-icerd-rally/>

The Star. (2019, Jan 15). Six laws to be amended or repealed. <https://www.thestar.com.my/news/nation/2019/01/15/six-laws-to-be-amended-or-repealed-muhyiddin-msia-needs-legislation-that-balances-security-and-basic>

The Star. (2019, Jan 24). Govt may enact anti-stalking law. <https://www.thestar.com.my/news/nation/2019/01/24/govt-may-enact-anti-stalking-law/>

The Star. (2019, Mar 18). Special marriage court starts in May. <https://www.thestar.com.my/news/nation/2019/03/18/special-marriage-court-starts-in-may>

The Star. (2019, Mar 27). Health Advisory Council set up with seven panellists to advise ministry. <https://www.thestar.com.my/news/nation/2019/03/27/health-advisory-council-set-up-with-seven-panellists-to-advise-ministry>

The Star. (2019, Apr 6). 'Govt forced to retract treaty'. <https://www.thestar.com.my/news/nation/2019/04/06/govt-forced-to-retract-treaty>

The Star. (2019, July 16). Dewan Rakyat passes Bill to amend Federal Constitution to lower voting age to 18. <https://www.thestar.com.my/news/nation/2019/07/16/federal-constitution-amended-to-lower-voting-age-to-18/>

The Star. (2019, Aug 5). Kula: Govt yet to decide on allowing refugees to work. <https://www.thestar.com.my/news/nation/2019/08/05/kula-govt-yet-to-decide-on-allowing-refugees-to-work>

The Star. (2019, Aug 24). Azmin disputes UN poverty claims. <https://www.thestar.com.my/news/nation/2019/08/24/azmin-disputes-un-poverty-claims>

The Star. (2019, Oct 17). Four new Parliament Special Select Committees formed.
<https://www.thestar.com.my/news/nation/2019/10/17/four-new-parliament-special-select-committees-formed>

The Star. (2019, Oct 31). Dzulkefly: Health Ministry ending Pharmaniaga's concession for medical supply distribution. <https://www.thestar.com.my/news/nation/2019/10/31/dzulkefly-health-ministry-ending-pharmaniaga039s-concession-for-medical-supply-distribution>

The Star. (2019, Nov 6). Muhyiddin: Cabinet to consider amending SOSMA.
<https://www.thestar.com.my/news/nation/2019/11/06/muhyiddin-cabinet-to-consider-amending-sosma>

The Star. (2019, Nov 8). Pharmaniaga's concession to end in the next 25 months, says minister.
<https://www.thestar.com.my/news/nation/2019/11/08/pharmaniaga039s-concession-to-end-in-the-next-25-months-says-minister>

The Star. (2019, Nov 18). Govt to decide on allowing refugees to work in Dec.
<https://www.thestar.com.my/news/nation/2019/11/18/govt-to-decide-on-allowing-refugees-to-work-in-dec>

The Star. (2019, Dec 29). Move to resolve citizenship application issues.
<https://www.thestar.com.my/news/nation/2019/12/29/move-to-resolve-citizenship-application-issues>

The Star. (2020, Jan 30). Ministry focusing on Sexual Harassment Bill this year.
<https://www.thestar.com.my/news/nation/2020/01/30/ministry-focusing-on-sexual-harassment-bill-this-year>

The Star. (2020, Mar 18). Ministry reactivates Talian Kasih hotline after public flak.
<https://www.thestar.com.my/news/nation/2020/03/18/ministry-reactivates-talian-kasih-hotline-after-public-flak>

The Star. (2020, Mar 19). Govt to review IPCMC.
<https://www.thestar.com.my/news/nation/2020/03/19/govt-to-review-ipcmc>

The Star. (2020, Mar 20). Health Minister's 'warm water method' to kill coronavirus questioned.
<https://www.thestar.com.my/news/nation/2020/03/20/health-minister039s-039warm-water-method039-to-kill-coronavirus-questioned>

The Star. (2020, Apr 18). The Star: Who's in and who's out?
<https://www.thestar.com.my/business/business-news/2020/04/18/whos-in-and-whos-out>

The Star. (2020, Apr 28). Noor Azmi, Razman plead guilty to violating MCO.
<https://www.thestar.com.my/news/nation/2020/04/28/noor-azmi-and-razman-arrive-at-gerik-magistrate039s-court>

The Star. (2020, June 14). New Speaker Art Harun orders Baling MP to apologise.
<https://www.thestar.com.my/news/nation/2020/07/14/new-speaker-art-harun-orders-baling-mp-to-apologise-retract-racist-comment>

The Star. (2020, June 14). Patrick Teoh charged with insulting Johor crown prince. <https://www.thestar.com.my/news/nation/2020/06/14/patrick-teoh-charged-with-insulting-johor-crown-prince>

The Star. (2020, July 10). Govt revises poverty line income from RM980 to RM2,208/ <https://www.thestar.com.my/news/nation/2020/07/10/govt-revises-poverty-line-income-from-rm980-to-rm2208>

The Star. (2020, Jul 22). PM played key role, says Health DG. <https://www.thestar.com.my/news/nation/2020/07/22/pm-played-key-role-says-health-dg>

The Star. (2020, Aug 3). More than 2,400 porn sites blocked by MCMC since 2018. <https://www.thestar.com.my/news/nation/2020/08/03/more-than-2400-porn-sites-blocked-by-mcmc-since-2018>

Sukhani, Piya, (2020, July 10). The Shifting Politics of Rohingya Refugees In Malaysia. [TheDiplomat.com. https://thediplomat.com/2020/07/the-shifting-politics-of-rohingya-refugees-in-malaysia/](https://thediplomat.com/2020/07/the-shifting-politics-of-rohingya-refugees-in-malaysia/)

The Sun. (2019, Apr 22). Fewer work hours for housemen. <https://www.thesundaily.my/local/fewer-work-hours-for-housemen-BY809245>

The Sun. (2019, July 18). Freedom of Information Act in place of official Secrets Act: Dr Mahathir. <https://www.thesundaily.my/local/freedom-of-information-act-in-place-of-official-secrets-act-dr-mahathir-CD1126370>

The Sun. (2019, Dec 20). Report on status of children's rights in M'sia at final stage: Hannah Yeoh. <https://www.thesundaily.my/local/report-on-status-of-children-s-rights-in-m-sia-at-final-stage-hannah-yeoh-KG1811158>

The Sun. (2020, Mar 12). Govt will study the repeal of the Anti-Fake News Act: Saifuddin. <https://www.thesundaily.my/local/govt-will-study-the-repeal-of-the-anti-fake-news-act-saifuddin-EG2118710>

UN News. (2020, June 21). Global ban needed on bogus 'conversion therapy', argues UN rights expert. <https://news.un.org/en/story/2020/06/1066652>

UNHCR. 2020. Figures at a glance In Malaysia. Accessed 1 Sept 2020. <https://www.unhcr.org/en-my/figures-at-a-glance-in-malaysia.html>

UNICEF. (2019, Apr 24). Working together for better online child protection. <https://www.unicef.org/malaysia/press-releases/working-together-better-online-child-protection>

The US National Center for Missing & Exploited Children. 2019 Cyber Tipline reports by country. <https://www.missingkids.org/content/dam/missingkids/pdfs/2019%20CyberTipline%20Reports%20by%20Country.pdf>

VOA News. (2020, May 3). Malaysia rounds up hundreds of undocumented migrants amid coronavirus fears. <https://www.voanews.com/east-asia-pacific/malaysia-rounds-hundreds-undocumented-migrants-amid-coronavirus-fears>

Women's Aid Organisation. (2019, May 30). Amend the Employment Act to Ensure Rights for Parents. <https://wao.org.my/amend-the-employment-act-to-ensure-rights-for-parents/>

Women's Aid Organisation. (2020, June 6). Commentary: Penjana Stimulus Package positive for women's empowerment, but four further reform items needed. <https://wao.org.my/commentary-penjana-stimulus-package-is-positive-for-womens-empowerment-but-four-further-reform-items-needed/>

Appendix II: Contributing cluster groups

1. Access to Justice, Rule of Law and Human Rights Defenders

Lead: Malaysian Centre for Constitutionalism and Human Rights and Suara Rakyat Malaysia

1. Agora Society Malaysia
2. Amnesty International Malaysia
3. Asylum Access Malaysia
4. Bar Council of Malaysia
5. CIVICUS Global Alliance
6. Diversity Malaysia
7. Foreign Spouses Support Group (FSSG)
8. Justice for Sisters
9. KRYSS Network
10. Malaysian Action for Justice and Unity (MAJU)
11. Malaysian CARE
12. Malaysian Centre for Constitutionalism and Human Rights (MCCHR)
13. Malaysian Drug Policy Reform Alliance
14. PELANGI Campaign
15. Sisters in Islam (SIS)
16. Society for the Promotion of Human Rights (PROHAM)
17. Suara Rakyat Malaysia (SUARAM)
18. Teoh Beng Hock Trust for Democracy

2. Anti-corruption

Lead: Institute for Democracy and Economic Affairs, Center to Combat Corruption and Cronyism, Society for the Promotion of Human Rights

3. Child Rights Coalition Malaysia (CRCM)

Lead: Protect and Save the Children

1. Advocates for Non-Discrimination and Access to Knowledge (ANAK)
2. Asylum Access Malaysia (AAM)
3. Borneo Komrad
4. CBR Network Malaysia
5. Childline Foundation
6. Create Responsive Infants By Sharing (CRIBS Foundation)
7. Federation of Reproductive Health Associations
8. Foreign Spouses Support Group (FSSG)
9. Good Shepherd Services
10. Health Equity Initiatives (HEI)
11. Home of Peace Kuala Lumpur
12. Justice for Sisters
13. Kiwanis Malaysia
14. Majlis Kebajikan Kanak-Kanak Malaysia (MKKM)
15. Make it Right Movement (MIRM)
16. Malaysian Association of Social Workers (MASW)
17. Malaysian CARE
18. Malaysian Social Research Institute (MSRI)
19. National Early Childhood Intervention Council (NECIC)
20. Persatuan Pengasuh Berdaftar Malaysia (PPBM)
21. Pertubuhan Untuk Anak Kita (PUAK Payong)
22. Petaling Jaya Child Council
23. Pink Triangle Foundation (PT Foundation)
24. Protect and Save the Children (PSC)
25. Sabah Human Rights Centre (SHRC)
26. Sarawak Women for Women Society (SWWS)
27. SPOT
28. Toy Libraries Malaysia
29. Vanguard4Change
30. Voice of the Children
31. Women's Aid Organisation (WAO)
32. Women's Centre for Change (WCC)
33. World Vision Malaysia (WVI)
34. Yayasan Chow Kit (YCK)
35. Yayasan Hasanah
36. Yayasan Generasi Gemilang (GG)

4. Education

Lead: Radin Muhd Imaduddin bin Radin Abdul Halim; Angkatan Belia Islam Malaysia

1. Angkatan Belia Islam Malaysia (ABIM)
2. Aliran Kesedaran Negara
3. Belia Harmoni Malaysia
4. Buku Jalanan Chowkit
5. Campus Malaysia
6. Cempaka Schools Campus Malaysia
7. Centre for Malaysian Chinese Studies (Hua Yan)
8. Challenges Foundation
9. Childline Malaysia and the Child Advocate Group
10. Coalition of Malaysian Indian NGOs
11. ECCE Council
12. Foreign Spouse Support Group
13. Gabungan Persatuan Guru-Guru Sekolah Cina Malaysia (Jiao Zong)
14. Global Organisation for People of Indian Origin (GOPIO) Malaysia
15. Inisiatif Pengislahan Pendidikan Nasional (IPPN)
16. The Institute for Democracy and Economic Affairs (IDEAS)
17. Japan Graduates' Association of Malaysia (JAGAM)
18. Joint Action Group for Gender Equality (JAG)
19. KL & Selangor Chinese Assembly Hall (KLSCAH)
20. Liga Pemuda
21. LLG Cultural Development Centre (LLG)
22. Malaysian Environmental NGOs (MENGO), represented by WWF-Malaysia's Education for Sustainable Development
23. Merdeka University Education Centre
24. Mustard Seed Soup Kitchen
25. MySkills Foundation
26. National Early Childhood Intervention Council (NECIC)
27. Negeri Sembilan Chinese Assembly Hall (NSCAH)
28. SOLS 247 Malaysia
29. Persatuan Bekas Siswazah Universiti dan Kolej di China, Malaysia (LiuHua)
30. Pertubuhan Ikram Malaysia
31. ServeBetter
32. Tamil Foundation Malaysia
33. United Chinese School Alumni Associations of Malaysia (UCSAAM)

5. Electoral reform

Lead: BERSIH 2.0

1. BERSIH 2.0
2. Global Bersih
3. Malaysian Centre for Constitutionalism and Human Rights (MCCHR)
4. Rise of Sarawak Efforts
5. Tindak Malaysia

6. Freedom of Expression

Lead: Centre for Independent Journalism and ARTICLE 19 Malaysia

1. Centre for Independent Journalism (CIJ)
2. Agora Society Malaysia
3. Aliran Kesedaran Negara
4. ARTICLE 19 Malaysia
5. Amnesty International Malaysia
6. Center to Combat Corruption and Cronyism (C4 Centre)
7. CIVICUS Global Alliance
8. GERAMM (Gerakan Media Merdeka)
9. Freedom Film Network
10. Justice for Sisters
11. KRYSS Network
12. Malaysian Centre for Constitutionalism and Human Rights (MCCHR)
13. Pergerakan Tenaga Akademik Malaysia (GERAK)
14. Sinar Project
15. Sisters in Islam (SIS)
16. Suara Rakyat Malaysia (SUARAM)

7. Gender (LGBTIQ) sub-cluster

Lead: Choong Yee Shan and S. Thilaga

1. Justice for Sisters
2. Diversity Malaysia

8. Government-linked companies reform

Lead: Institute for Democracy and Economic Affairs

1. BERSIH 2.0
2. Center to Combat Corruption and Cronyism (C4 Centre)
3. G25 Malaysia
4. Global Bersih
5. Institute for Democracy and Economic Affairs (IDEAS)
6. National Human Rights Society (HAKAM)
7. Pusat KOMAS
8. Suara Rakyat Malaysia (SUARAM)

Prof. Edmund Terence Gomez and Jaswinder Singh were among those who contributed.

9. Harmony

Lead: Pusat KOMAS and Gabungan Bertindak Malaysia (GBM)

1. Suara Rakyat Malaysia (SUARAM)
2. Agora Society Malaysia
3. ARTICLE 19
4. Gabungan Bertindak Malaysia (GBM)
5. Malaysian Action for Justice and Unity (MAJU)
6. MY DGtal Consumer
7. My Petaling Jaya (MyPJ)
8. Persatuan Kesedaran Komuniti Selangor (EMPOWER)
9. Pertubuhan Ikram Malaysia
10. Projek Wawasan Rakyat (POWR)
11. Pusat KOMAS
12. Sisters in Islam (SIS)

Andrew Khoo and Adli Zakuan also contributed.

10. Health

Co-lead: Dr Sharuna Verghis (Health Equity Initiatives); Dr Lim Chee Han (Agora Society and Third World Network); Azrul Mohd Khalib (Galen Centre for Health and Social Policy)

1. Agora Society Malaysia
2. Asylum Access
3. Childline Malaysia
4. Citizens' Health Initiative (CHI)
5. Federation of Reproductive Health Associations Malaysia
6. Foreign Spouses Support Group
7. Galen Centre for Health and Social Policy
8. Justice for Sisters
9. Health Equity Initiatives (HEI)
10. Pertubuhan Ikram Malaysia
11. Malaysian CARE
12. National Cancer Society
13. National Council of Women's Organisations Malaysia (NCWO)
14. People's Health Forum
15. Persatuan Sahabat Wanita Selangor
16. Sisters in Islam (SIS)
17. Third World Network (TWN)
18. Women's Aid Organisation (WAO)

Dr Ahmad Farouk Musa, Andrew Khoo, Dr Michael Jeyakumar Devaraj, Siti Noriada Habibullah and Sivarajan Arumugam also contributed.

11. Refugees, asylum seekers and stateless persons

Lead: Mahi Ramakrishnan; Beyond Borders Malaysia

12. Sustainable Development Goals (SDGs)

Lead: Malaysian CSO SDG Alliance; Co-chair: Denison Jayasooria

1. Angkatan Belia Islam Malaysia (ABIM)—Faisal Muhammad Abdul Aziz
2. Bar Council, Environment and Climate Change Committee—Kiu Jia Yaw
3. Malaysian CSO SDG Alliance—Denison Jayasooria
4. MYPJ—Jeffery Phang
5. National Council of Women’s Organisations (NCWO)—Rashila Ramli
6. Society for the Promotion of Human Rights (PROHAM)—Dr Lin Mui Kiang
7. Society for the Promotion of SDGs—Alizan Mahadi
8. Women’s Aid Organisation (WAO)—Shanti Dairiam
9. World Wide Fund for Nature (WWF)—Lavanya Rama Iyer
10. Yayasan Kajian & Pembangunan Masyarakat—Kon Onn Sein

Listed above are just 9 organisations of the 40 members of the Alliance, all committed to localising the SDGs.

13. Women

Lead: Women’s Aid Organisation, Sisters in Islam

- | | |
|---|--|
| 1. All-Women’s Action Society (AWAM) | 9. Persatuan Kesedaran Komuniti Selangor (EMPOWER) |
| 2. Association of Women’s Lawyers (AWL) | 10. Sabah Women’s Action-Resource Group (SAWO) |
| 3. Diversity Malaysia | 11. Sisters in Islam (SIS) |
| 4. ENGENDER Consultancy | 12. Tenaganita |
| 5. Foreign Spouses Support Group (FSSG) | 13. Women’s Aid Organisation (WAO) |
| 6. Justice for Sisters | 14. Women’s Centre for Change (WCC) |
| 7. KRYSS Network | |
| 8. National Council of Women’s Organisations (NCWO) | |

About the Co-Secretariat

Pusat KOMAS is a human rights organisation in Malaysia, established in 1993. It actively promotes equality and the elimination of all forms of racial discrimination in Malaysia - #akubangsamalaysia. Since its inception, KOMAS has conducted human rights workshops, forums and conferences to promote social cohesion and national unity in Malaysia.

KOMAS leads the national campaign to ratify the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) in Malaysia. As part of its advocacy to ratify ICERD, KOMAS has been engaging the federal, state and local governments, and conducted dialogues with the grassroots to increase the knowledge and awareness on the issue of racial discrimination in Malaysia and the importance of the ratification of ICERD.

KOMAS has been in close collaboration with Jaringan Kampung Orang Asli Semenanjung Malaysia (JKOASM) since 1993. JKOASM is a network of indigenous villages in Peninsular Malaysia, that advocates the issues of the Orang Asli and empowers the communities on their ancestral rights and basic human rights.

KOMAS is always seen at the forefront along other civil society movements in the promotion and enhancement of democracy, equality and human rights in Malaysia; and has been working in collaboration with several NGO coalitions in Malaysia such as BERSIH 2.0, the Coalition of Malaysian NGO's (COMANGO) for the UPR process, Malaysian Civil Society Organizations on Sustainable Development Goals (CSO-SDG Alliance), the Ratify ICERD Working Group, and Gabungan Bertindak Malaysia (GBM).

At the regional level, KOMAS is an accredited member of Asian Forum for Human Rights and Development (FORUM-ASIA) and the ASEAN Intergovernmental Commission on Human Rights (AICHR). In addition to being a voting member of the World Alliance for Citizen Participation (CIVICUS), KOMAS is also an active participant of the ASEAN Civil Society Conference/ASEAN Peoples' Forum (ACSC/APF) and played the secretariat and co-secretariat roles in Malaysia and Timor Leste in 2015 and 2016 respectively.

SUARAM - Suara Rakyat Malaysia (SUARAM) is a non-governmental organization established in 1989 to monitor and advocate for the respect of human rights in Malaysia. Through its consistent and uncompromising work, it has established itself as one of the key human rights organisations, one to which Malaysians turn to for information and support.

The organization defends all aspects of human rights especially the right to trial, freedom from abuse of police powers and law enforcement agencies; freedom of expression and information; freedom of assembly and association; freedom of religion; the right of minorities, refugees, asylum seekers, migrants and trafficked persons and democracy.