

Malaysia has done well in SDG 1, 3, 4 and 6. Improvement is needed in SDG 5, 10, and 13, 14 & 15 (on Environment) to balance economic, social and environment interests. We lag in SDG 16, in the fight against corruption, and strengthening human rights. What steps will the Government undertake to address these issues in the Twelfth Malaysia Plan?

The policies, strategies and initiatives in the Twelfth Plan are designed to address prevailing socio-economic challenges, focusing efforts to regenerate economy, strengthen well-being and inclusiveness, as well as enhance environmental sustainability. Malaysia will continue to intensify the battle against corruption through integrated implementation of National Anti-Corruption Plan (NACP). In addition, strengthening human rights will continue to be given emphasis during the Plan period, in line with the Federal Constitution and the Universal Declaration of Human Rights.

Specific initiatives to address corruption

- Corruption is a major concern and combating it continue to be a challenge to countries globally, including Malaysia. In the pursuit to provide an efficient and effective public service delivery, focus will be on improving governance, which include strengthening the institutions, improving public service delivery and eliminating corruption. In 2018, the National Centre for Governance, Integrity and Anti-Corruption (GIACC) was established to tackle the issue of corruption.

- In order to fight against corruption, the Government has taken initiatives as follows

A. Put in place specific policy and legislation

- The National Anti-Corruption Plan (NACP), which was launched in 2019 aimed at making Malaysia a corruption-free country through 3 specific goals:
 - i. Accountability and credibility of judiciary, prosecution and law enforcement agencies;
 - ii. Efficiency and responsiveness in public service delivery; and
 - iii. Integrity in business
- The Government targets to resolve the remaining 75 per cent of NACP initiatives by 2023.
- In 2019, the Parliament has passed the Bill on the establishment of the National Anti-Financial Crime Centre (NFCC) as a centre to coordinate efforts on combating financial crime through an integrated enforcement.
- The Government is planning introduce a new provision on beneficial ownership to enhance transparency in which the law will require any person

or commercial organisation/person who benefits from a public project to disclose their beneficiary ownership.

B. Enhance transparency to deter misuse and manipulation

- Guideline for the Reporting Framework for Beneficial Ownership of Legal Person has been issued by the Companies Commission of Malaysia, which came into effect on 1 March 2020 towards greater transparency and disclosure of the beneficial ownership of corporate entities.
- The enactment of Section 17A of the MACC Act 2009 is a major development in the context of promoting good governance and transparency of corporate entities. The provision puts an emphasis on the importance of corruption prevention measures for all commercial organisations and enables legal action to be instituted against commercial organisations or associated person with the organisation for their involvement in corrupt activities.

C. Institutionalise the credibility of law enforcement agencies

- Emphasise on technology needs for law enforcement by applying digital technologies to monitor all illegal and illicit activities such as illegal immigrants, smuggling and other illicit activities at all border control and entry points into the country as per listed under initiative 5.2.4 NACP.

Steps Undertaken by Government to Strengthen Human Rights in Malaysia

- Malaysia guarantees the right to justice and legal aid for every person in Malaysia. This is enshrined under Article 5 (3) in the Malaysian constitution. The source of provision of legal aid can be either government-led or private legal aid schemes.
- The Legal Aid Centre (LAC) was established by the Malaysian Bar Council in 1982 to offer legal advice, representation and intervention to underprivileged and disadvantaged people. Additionally, the National Legal Aid Foundation was established in 2011 as a public-private partnership model in the provision of legal aid.
- The Federal Constitution of Malaysia guarantees the basic and fundamental human rights as enshrined in the Universal Declaration of Human Rights (UDHR). Malaysia is also cognizant of the need to take appropriate action and enforcement on human rights violations in the country. Thus, the Government remains committed to ensure that journalists and human rights defenders in Malaysia are able to carry out their legitimate work, including through the exercise of their right to freedom of opinion and expression, in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any kind.

- The commitment is reflected by Malaysia's continuing support of the recurrent biennial United Nations General Assembly (UNGA) Resolution on Implementing the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms¹, also known as the Declaration on human rights defenders. The renewed support of our international obligation serves to encourage Malaysia to progress on principles and guidelines stipulated in the UNGA Resolution, in an effort to create a safe environment for human rights defenders and ensure their protection.
- Malaysia's domestic legislation also takes into account the multiracial, multi-ethnic and multi-religious make-up of the country, hence, the exercise of freedoms, rights and responsibilities in the country must uphold the maintenance of social harmony, public order and national security.
- As a responsible state actor in the field of human rights, the Government maintains a good working relationship with the Human Rights Commission of Malaysia (SUHAKAM), Malaysia's National Human Rights Institution, testifying to Malaysia's continuous efforts in ensuring, promoting and protecting human rights in the country.
- SUHAKAM has been accredited with the grade 'A' status by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) in accordance with the Paris Principles on independence.
- SUHAKAM undertook many educational engagements, public complaints, press releases, publications, and international obligations, with a total of 108 commissioners to date.
- Malaysia continues to uphold the Universal Periodic Review (UPR) as a crucial platform of the United Nations (UN) Human Rights Council mechanism to promote and protect universal respect for human rights and fundamental freedoms in a constructive and collaborative way. Malaysia is currently undergoing its third UPR exercise, whereby out of total of 268 recommendations received, Malaysia has determined 148 as outright acceptance, 35 as partial acceptance and 85 as take note.
- Malaysia takes a whole-of-society approach and have institutionalised a multi-stakeholder biannual consultation involving civil society organisations, national human rights institution, the academia and the UN to make progress on actions taken on recommendations received during the Universal Periodic Review process. Malaysia has also been collaborating closely with the Office of the UN High Commissioner for Human Rights (OHCHR) and the UN in Malaysia to jointly develop a monitoring matrix that is in line with the relevant human rights conventions, the Sustainable

¹ The Resolution, bearing reference A/RES/74/146 was adopted by consensus, most recently in December 2019 at the United Nations General Assembly (UNGA).

Development Goals (SDGs), and the National Human Rights Action Plan (NHRAP). Due to this active engagement, Malaysia has been selected by the OHCHR as one of the six model countries for its "Study on Good Practices emerging from the UPR".

- As a next step, Malaysia will utilize the National Recommendations Tracking Database (NRTD) developed by OHCHR that facilitates the recording, tracking and reporting on the implementation of Human Rights recommendations. The system will allow the relevant line agencies to update indicators on the development of a recommendation under their respective purview. The NRTD also enables UPR recommendations to be linked to the achievements or targets of the SDGs and NHRAP. The NRTD can be viewed by the public and the Civil Society Organisations (CSO), which would go a long way in strengthening dialogue and the culture of human rights in the State, academia, civil society and the media.

Human Rights for Women

- As the country progresses towards achieving greater gender equality, the role of the Government has been very supportive and continuous. In particular, the Government has provided an enabling environment for the advancement of women at both the national and international levels.
- At the national level, the formulation of the National Policy on Women in 1989 marked a turning point, enunciating for the first time, clear guidelines for the effective participation of women in the country's development. It was later reviewed in 2009.
- Furthermore, the Plan of Action for the Advancement of Women outlines various programmes and projects covering 13 identified sectors - to be implemented by the government, non-governmental organizations (NGOs) and the private sector. The 13 sectors include economy; poverty; legislation; violence against women; health; education and training; science and technology; media; environment; sports; religion, culture, arts and heritage; decision-making level and politics; as well as mechanism, machinery and institution for women development.
- The National Policy on Women and the accompanying Plan of Action for the Advancement of Women reflects the Government's commitment to ensure the participation of women in achieving their full potential in the country's planning and development. In essence, the policy seeks to ensure women's equitable share in the acquisition of resources, information, opportunities and benefits from development. The policy also emphasises equality and justice in the implementation of development policies so that women can contribute to and realise their potential to the optimum; and be integrated in all sectors of development in accordance with their capabilities and needs.
- Malaysia further recognises women's equal rights as stipulated in the Article 8(2) of the Federal Constitution, which prohibits any kinds of discrimination

on the basis of gender. At the international level, the Government showed its commitment to promote the development of women by ratifying the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and being signatory to the Beijing Declaration and Platform for Action, since 1995; as well as ensuring the achievement of Goal 5: Gender Equality under the Sustainable Development Goals (SDG).