

**PELAN TINDAKAN
HAK ASASI MANUSIA
KEBANGSAAN**

2018

**NATIONAL HUMAN
RIGHTS ACTION PLAN**

nhrap
MALAYSIA



ISI KANDUNGAN

Bil.	Kandungan	Muka Surat
1.	Sekapur Sirih YAB Dato' Sri Mohd Najib bin Tun Abdul Razak Perdana Menteri Malaysia	3
2.	Sekapur Sirih YB Dato' Sri Azalina Othman Said Menteri di Jabatan Perdana Menteri	4
3.	Ringkasan Eksekutif	5
4.	Pelan Tindakan Hak Asasi Manusia Kebangsaan (National Human Rights Action Plan)	51
5.	Teras 1 : Hak Sivil Dan Politik	52
6.	Teras 2 : Hak Ekonomi Sosial dan Kebudayaan	69
7.	Teras 3 : Hak Golongan Rentan	93
8.	Teras 4 : Hak Orang Asli, Anak Negeri Sabah Dan <i>Natives Of Sarawak</i>	121
9.	Teras 5 : Kewajipan Antarabangsa	134

Sekapur Sirih
YAB Dato' Sri Mohd Najib bin Tun Abdul Razak
Perdana Menteri Malaysia



Assalamualaikum Warahmatullahi Wabarakatuh

Salam Sejahtera, Salam Sehati Sejiwa, Salam 1 Malaysia dan Salam Negaraku

Segala puji dan syukur dipanjatkan ke hadrat Allah Subhanahu Wata'ala kerana dengan limpah kurnia dan inayahNya jua Malaysia telah berhasil membangunkan Pelan Tindakan Hak Asasi Manusia Kebangsaan (*National Human Rights Action Plan-NHRAP*) buat pertama kalinya selaras dengan komitmen Negara di peringkat antarabangsa.

Saya amat berbangga dengan pencapaian ini memandangkan NHRAP yang dibangunkan merupakan suatu pelan yang komprehensif mencakupi setiap isu hak asasi manusia di negara ini. Denyut nadi serta suara rakyat di pelbagai peringkat menjadi asas utama dalam pembangunan NHRAP ini sesuai dengan matlamat dan objektifnya yang mengambil kira kepelbagaian kaum, budaya, agama dan keunikan negara yang tersendiri.

Skop hak asasi manusia adalah luas dan aplikasinya dapat dilihat melalui dasar-dasar Kerajaan yang sedia ada berkaitan pembangunan ekonomi mahupun sosial. Oleh itu, kejayaan pembangunan Pelan ini telah membuktikan kepada rakyat dan dunia akan kesungguhan Malaysia dalam mempromosi dan melindungi hak asasi manusia di negara ini melalui aspirasinya yang tersendiri.

Harapan saya agar NHRAP ini dapat dilaksanakan sebaik mungkin terutama dalam kalangan Kementerian dan Agensi Kerajaan yang bertanggungjawab sebagai agensi pelaksana terhadap tindakan-tindakan yang digariskan dalam NHRAP. Tindakan-tindakan yang digariskan dalam NHRAP ini adalah sesuai dengan aspirasi Kerajaan yang mengutamakan rakyat di semua peringkat melalui penyampaian perkhidmatan yang boleh membawa kejayaan dan keberhasilan yang mengagumkan kepada negara kita.

DATO' SRI MOHD NAJIB

Sekapur Sirih
YB Dato' Sri Azalina Othman Said
Menteri di Jabatan Perdana Menteri



Assalamualaikum Warahmatullahi Wabarakatuh
Salam Sejahtera, Salam Sehati Sejiwa, Salam 1 Malaysia dan Salam
Negaraku

Alhamdulillah syukur ke hadrat Ilahi kerana limpah, kurnia dan hidayah-Nya, buat julung-julung kalinya kita telah berjaya membangunkan Pelan Tindakan Hak Asasi Manusia Kebangsaan (*National Human Rights Action Plan-NHRAP*).

Setinggi-tinggi penghargaan dan tahniah kepada Bahagian Hal Ehwal Undang-Undang, Jabatan Perdana Menteri (BHEUU) kerana telah berjaya melaksanakan amanah sebagai agensi peneraju dalam pembangunan NHRAP sepanjang tempoh 2012 hingga 2017. Kejayaan ini tidak akan tercapai sekiranya tiada komitmen dan kerjasama daripada pelbagai pihak termasuk Kementerian/Agensi, pasukan perunding, pakar-pakar rujuk yang dilantik, dan pihak berkepentingan yang lain di peringkat domestik mahupun antarabangsa yang telah bertungkus lumus dalam membangunkan Pelan Tindakan ini.

Penghargaan khusus saya tujukan kepada Suruhanjaya Hak Asasi Manusia Malaysia (SUHAKAM) yang telah memulakan inisiatif pembangunan NHRAP di peringkat antarabangsa dan memberikan sepenuh komitmen dan sokongan di sepanjang proses Pembangunan NHRAP.

Tidak terkecuali juga pihak Pertubuhan Bukan Kerajaan (NGO) dan Persatuan Masyarakat Sivil (CSO) yang turut serta dalam memberikan input dan pandangan melalui siri rundingan awam dan perbincangan kumpulan berfokus semasa Kajian Dasar Pembangunan NHRAP dilaksanakan.

Akhir kata, saya mengharapkan sokongan yang berterusan daripada semua pihak yang berkepentingan di peringkat akar umbi sehingga peringkat tertinggi Kerajaan dapat diberi bagi memastikan NHRAP dapat dilaksanakan secara berkesan. Semoga usaha murni Kerajaan dalam menangani isu-isu hak asasi manusia melalui pelan ini dapat memberikan manfaat kepada rakyat pada masa ini dan akan datang.

RINGKASAN EKSEKUTIF



RINGKASAN EKSEKUTIF

“NHRAP diterima pakai sebagai dokumen yang boleh ditambahbaik berdasarkan perkembangan semasa. Dokumen NHRAP ini akan dikaji semula secara berkala bagi menangani jurang, cabaran dan isu-isu baharu yang timbul demi memastikan pematuhan sepenuhnya terhadap Perlembagaan Persekutuan dan piawaian hak asasi manusia antarabangsa. Di samping itu, Kerajaan komited dalam membangunkan indikator spesifik bagi NHRAP melalui rundingan dengan semua pihak berkepentingan. Ini adalah bagi memastikan pelaksanaan NHRAP akan menjurus kepada penambahbaikan terhadap keadaan hak asasi manusia di negara ini dan membawa perubahan yang bermakna kepada kehidupan penduduk di Malaysia.”

Hak asasi manusia merupakan agenda yang sering dititikberatkan oleh semua pihak sama ada di peringkat tempatan mahupun di mimbar dunia kerana ia menjadi asas kepada keharmonian dan kesejahteraan manusia. Oleh itu, Kerajaan memikul tanggungjawab yang amat besar dalam mempromosi dan melindungi hak asasi manusia rakyatnya. Salah satu indikator yang penting dalam pemeliharaan hak asasi manusia ialah kewujudan Pelan Tindakan Hak Asasi Manusia Kebangsaan atau dikenali sebagai *National Human Rights Action Plan* (NHRAP) dalam sesebuah negara.

Sehubungan itu, Malaysia telah membangunkan NHRAP yang merupakan inisiatif Kerajaan yang selari dengan persetujuan Malaysia semasa Penilaian Berkala Sejagat (*Universal Periodic Review*) pada tahun 2009 di Geneva, Switzerland bagi mempromosi dan melindungi hak asasi manusia di Malaysia. Sejajar dengan persetujuan tersebut, Kerajaan telah melantik Hazizah & Co sebagai Perunding untuk menjalankan Kajian Dasar (*baseline study*) dan seterusnya membangunkan NHRAP untuk Malaysia. NHRAP Malaysia yang telah dibangunkan merangkumi lima (5) teras yang utama iaitu:

- (a) Teras 1: Hak Sivil dan Politik
- (b) Teras 2: Hak Ekonomi, Sosial dan Kebudayaan
- (c) Teras 3: Hak Golongan Rentan (Wanita, Kanak-kanak, Warga Emas, Orang Kurang Upaya (OKU) dan Pelarian)
- (d) Teras 4: Hak Orang Asli, Anak Negeri Sabah dan *Natives of Sarawak*
- (e) Teras 5: Kewajipan Antarabangsa

Dalam membangunkan NHRAP, pelbagai pihak berkepentingan seperti kementerian, agensi, jabatan, NGO, CSO, pakar hak asasi manusia dan lain-lain telah terlibat secara ekstensif dalam beberapa kaedah kajian yang telah digunakan. Kaedah kajian yang utama ialah temu bual, soal selidik, rundingan awam, seminar hak asasi manusia dan perbincangan meja bulat.

NHRAP Malaysia yang dibangunkan mengambil kira lima aspek penting dalam pembangunan sesuatu pelan tindakan iaitu “*Specific, Measurable, Achievable, Realistic and Timely*” (SMART). Selain itu, ia juga memenuhi elemen penting yang lain, iaitu:

- (i) *action oriented*;
- (ii) strategi dan tindakan yang jelas;
- (iii) agensi pelaksana;
- (iv) jangka masa pelaksanaan;
- (v) pemantauan dan penyeliaan; dan
- (vi) penilaian pelaksanaan.

Aspek-aspek ini merupakan perkara yang perlu diberikan perhatian dalam membangunkan NHRAP. Aspek-aspek ini sangat signifikan untuk memastikan NHRAP yang dibangunkan bukan sahaja relevan malah ia dapat direalisasikan sejajar dengan semangat yang terkandung dalamnya.

Dalam menjayakan pelaksanaan NHRAP di Malaysia, semua pihak harus berganding bahu serta memberikan komitmen, sokongan dan kerjasama yang padu demi kemaslahatan sejagat menerusi perlindungan hak asasi manusia.

PEMBANGUNAN DAN PEMBENTUKAN DRAF NHRAP

A. PENDAHULUAN

Hak asasi manusia ialah hak-hak asas sebagai seorang manusia dalam kehidupannya. Hak asasi manusia merupakan penghormatan, maruah, kebebasan dan harga diri sebagai seorang manusia. Hak asasi manusia adalah amanah dan tanggungjawab utama yang perlu ditunaikan oleh para pemerintah kepada rakyatnya. Hak asasi manusia menjadi tuntutan sejagat dan tidak harus dicabuli oleh sesiapa pun termasuk Kerajaan. Pengabaian dan penafian terhadap hak-hak asasi ini boleh menyebabkan kegagalan dalam melahirkan negara yang harmoni, berjiwa merdeka dan makmur. Hak asasi tersebut bukan sahaja hak yang menjaga dan melindungi fizikal, tetapi juga hak yang menjaga kerohanian manusia.

Kajian Pembangunan Pelan Tindakan Hak Asasi Manusia Kebangsaan atau *National Human Rights Action Plan* (NHRAP) merupakan inisiatif Kerajaan Malaysia yang selari dengan persetujuan Malaysia semasa Penilaian Berkala Sejagat (*Universal Periodic Review*) pada tahun 2009 di Geneva, Switzerland untuk menyediakan NHRAP bagi mempromosi dan melindungi hak asasi manusia di Malaysia.

Sehubungan itu, Bahagian Hal Ehwal Undang-Undang (BHEUU), Jabatan Perdana Menteri (JPM) telah dipertanggungjawabkan untuk menyediakan NHRAP bagi Malaysia. Kajian Pembangunan NHRAP telah bermula pada November 2015 untuk tempoh selama 18 bulan. Kajian ini melibatkan lima (5) teras yang utama iaitu:

- (a) Teras 1: Hak Sivil dan Politik
- (b) Teras 2: Hak Ekonomi, Sosial dan Kebudayaan
- (c) Teras 3: Hak Golongan Rentan (Wanita, Kanak-kanak, Warga Emas, Orang Kurang Upaya (OKU) dan Pelarian)
- (d) Teras 4: Hak Orang Asli, Anak Negeri Sabah dan *Natives of Sarawak*
- (e) Teras 5: Kewajipan Antarabangsa

United Nation Handbook on National Human Rights Action Plan (UN Handbook on NHRAP) yang dihasilkan oleh *Office of the United Nations High Commissioner for Human Rights (OHCHR)* merupakan rujukan utama dalam membangunkan NHRAP Malaysia. Menurut garis panduan OHCHR ini, Pembangunan NHRAP memerlukan suatu kajian dasar (*baseline study*) hak asasi manusia yang menyeluruh dan bertepatan dengan keadaan hak asasi manusia di Malaysia pada waktu ia dibangunkan. Kajian dasar ini dapat menilai tahap perlindungan hak asasi manusia semasa dan mengenal pasti kelemahan-kelemahan yang ada serta mencadangkan penambahbaikan dalam mempromosi dan melindungi hak asasi manusia.

Berdasarkan keterlibatan ekstensif daripada semua lapisan masyarakat, NHRAP Malaysia berjaya dibangunkan. Hasilnya, NHRAP Malaysia mengandungi sebanyak 294 pelan tindakan yang merangkumi 83 isu keutamaan. Oleh sebab kebanyakan pelan tindakan yang dicadangkan dalam kajian ini saling berkait antara setiap teras serta melibatkan pelaksanaan fungsi yang mungkin sama antara agensi yang berasingan, usaha perlu digembleng untuk mengelakkan pertindihan usaha. Oleh itu, perbincangan dari semasa ke semasa penting untuk memastikan pelaksanaan NHRAP mencapai objektifnya kelak.

B. KERANGKA HAK ASASI MANUSIA MALAYSIA

Malaysia telah merujuk Perlembagaan Persekutuan, UDHR dan *Cairo Declaration* sebagai kerangka utama di samping instrumen-instrumen lain dalam pembangunan NHRAP. Selain itu, aspek politik dan sosiobudaya Malaysia juga menjadi rujukan penting agar NHRAP yang dibangunkan sesuai dengan konteks dan acuan Malaysia.

(i) Perlembagaan Persekutuan

Perlembagaan Persekutuan merupakan undang-undang tertinggi negara yang menjadi rujukan penting dalam membangunkan NHRAP Malaysia. Walaupun Perlembagaan Persekutuan tidak memperuntukkan definisi “hak asasi manusia,” namun kejelasan boleh diperoleh melalui seksyen 2 Akta Suruhanjaya Hak Asasi Manusia Malaysia 1999 [Akta 597] yang mentakrifkan “hak asasi manusia” sebagai merujuk “kebebasan asasi sebagaimana yang termaktub dalam Bahagian II Perlembagaan Persekutuan.” Ini bermakna takrifan yang diberikan oleh seksyen 2 Akta 597 tersebut jelas menyatakan bahawa hak-hak yang dinyatakan di bawah Bahagian II Perlembagaan Persekutuan iaitu “kebebasan asasi” merupakan hak asasi manusia yang asas di Malaysia. Oleh itu, ia wajar dijadikan sebagai panduan dan rujukan utama dalam pembangunan NHRAP.

Peruntukan-peruntukan yang berkaitan hak asasi manusia dalam Bahagian II, Perlembagaan Persekutuan merujuk Perkara 5 hingga Perkara 13 seperti berikut:

- Perkara 5 – Kebebasan diri;
- Perkara 6 – Keabdian dan kerja paksa dilarang;
- Perkara 7 – Perlindungan daripada dibicarakan lebih daripada sekali;
- Perkara 8 – Hak kesamarataan;
- Perkara 9 – Larangan buang negeri dan kebebasan bergerak;
- Perkara 10 – Kebebasan bercakap, berhimpun dan berpersatuan;
- Perkara 11 – Kebebasan beragama;
- Perkara 12 – Hak berkenaan pendidikan; dan
- Perkara 13 – Hak terhadap harta.

Kesemua perkara yang disebutkan di atas adalah amat penting dan ia tidak semata-mata berkaitan dengan hak sivil dan politik, bahkan ia

merupakan hak yang berkaitan dengan semua teras di bawah kajian pembangunan NHRAP, seperti hak ekonomi, sosial dan kebudayaan, hak golongan rentan dan hak Orang Asli, Anak Negeri Sabah dan *Natives of Sarawak*.

(ii) Universal Declaration of Human Rights (UDHR)

Pada tahun 1948, Persidangan PBB telah meluluskan *Universal Declaration of Human Rights* (UDHR) dengan undian sokongan oleh 48 daripada 88 buah negara anggota pada ketika itu. Perisytiharan ini terdiri daripada 30 perkara yang menggariskan pandangan Perhimpunan Agung, PBB terhadap hak asasi manusia yang dijamin kepada kesemua rakyat.

Perisytiharan ini berfungsi sebagai asas untuk dua waad hak asasi manusia PBB tanpa ikatan yang asal, iaitu ICCPR dan ICESCR. Antara hak yang termaktub dalam UDHR ialah:

- Perkara 9 – Kebebasan daripada dikenakan tangkapan, tahanan atau pembuangan negeri secara sewenang-wenangnya.
- Perkara 13 – Kebebasan untuk bergerak.
- Perkara 16 – Hak untuk kehidupan keluarga.
- Perkara 20 – Kebebasan untuk berhimpun secara aman dan menubuhkan persatuan.
- Perkara 21 – Hak untuk mengambil bahagian dalam Kerajaan negaranya secara langsung atau melalui wakil-wakil yang dipilih secara bebas.
- Perkara 23 – Hak untuk keadaan-keadaan pekerjaan yang adil dan berfaedah.
- Perkara 25 – Hak untuk suatu taraf hidup yang memadai bagi kesihatan dan kebajikan diri dan keluarganya, termasuklah makanan, pakaian, perumahan dan pengawasan perubatan.
- Perkara 26 – Hak untuk pelajaran.

UDHR menjadi suatu ukuran bersama terhadap pencapaian oleh seluruh umat manusia dan kesemua negara. Ia bertujuan supaya setiap individu dan setiap badan masyarakat sentiasa mengingati Perisytiharan ini dan hendaklah berazam melalui pengajaran dan pendidikan bagi memajukan sanjungan terhadap seluruh hak dan kebebasan ini. Ia selanjutnya perlu dilaksanakan dengan langkah berperingkat-peringkat sama ada di dalam negara mahupun antarabangsa bagi menjamin pengiktirafan dan pematuhan sejagatnya yang berkesan.

(iii) Cairo Declaration on Human Rights in Islam (CDHRI)

Dalam hal hak asasi manusia, negara-negara anggota *Organisation of Islamic Cooperation* (OIC) (sebelum ini dikenali sebagai *Organization of the Islamic Conference*) mempunyai tafsiran tersendiri yang dijelaskan dalam *Cairo Declaration on Human Rights in Islam* (CDHRI) dengan huraian sebanyak 25 Perkara yang berakhir dengan penegasan pada Perkara 25 iaitu “Syariah Islam ialah satu-satunya sumber rujukan untuk tafsiran dan penjelasan terhadap semua perkara yang termaktub dalam Perisytiharan ini.” Perisytiharan ini telah dibentangkan ketika berlangsungnya *19th Conference of Islamic Foreign Ministers* pada tahun 1990 di Kaherah.

Perisytiharan ini mengukuhkan lagi bahawa hak-hak asasi dan kebebasan sejagat merupakan sebahagian daripada teras Islam. Islam menekankan bahawa dalam usaha-usaha memperjuangkan dan menegakkan hak asasi manusia, melindungi manusia daripada eksploitasi dan penganiayaan serta mengesahkan kebebasan dan haknya untuk hidup bermaruah, ia mestilah dilakukan berdasarkan kepada ajaran Islam yang bersumberkan al-Quran dan al-Sunnah.

Ini kerana manusia walaupun telah berada pada tahap kemajuan teknologi kebendaan yang hebat, tetap berhajat dan memerlukan kepercayaan (*belief – religious faith*) bagi menyokong peradaban dan

sebagai kuasa dorongan kepada diri dan manusia sejagat untuk mempertahankan hak-hak mereka.

UDHR tidak sepatutnya dijadikan satu-satunya rujukan untuk memahami hak asasi manusia di dunia. Sebaliknya, instrumen-instrumen lain khususnya CDHRI juga perlu dijadikan rujukan primer oleh negara-negara Islam.

Dalam konteks negara Malaysia, isu-isu hak asasi manusia khususnya yang berkaitan dengan peranan agama, etika dan budaya perlu ditanggapi secara selari dengan tuntutan agama Islam dan perlembagaan negara. Jika tidak, ia akan menghakis kehidupan beragama dan mengundang keruntuhan moral dan akhlak dalam kalangan masyarakat.

(iv) Politik dan Sosiobudaya Malaysia

Aspek politik dan sosiobudaya negara telah diambil kira agar saranan, syor atau cadangan yang dibuat tidak menjejaskan prinsip-prinsip dan nilai-nilai yang sedia ada. Dalam konteks Malaysia, yang terdiri daripada Persekutuan Tanah Melayu, Sabah dan Sarawak, struktur politik serta pemerintahan dan pentadbiran negara merupakan faktor penting yang diambil kira dalam pembangunan NHRAP.

Sebagai pelengkap kepada pembentukan negara, Perlembagaan Persekutuan telah digubal dan menjadi punca kuasa serta sumber perundangan utama negara. Selepas kemerdekaan, konsep Raja Berperlembagaan telah diperkenalkan di Persekutuan Tanah Melayu dan ia diteruskan sehingga ke hari ini sebagai satu konsep dalam negara Malaysia. Ketua negara Malaysia ialah Seri Paduka Baginda Yang di-Pertuan Agong yang dilantik dalam kalangan sembilan orang Raja-raja Melayu mengikut susunan setiap lima tahun.

Kewujudan institusi beraja yang diwarisi sejak turun-temurun dalam sejarah Malaysia dan mendapat keistimewaan yang tersendiri merupakan suatu aspek yang diberikan perhatian. Oleh itu, apa-apa pelan tindakan yang dibuat perlulah mengambil kira aspek ini kerana ia merupakan satu keunikan dalam struktur pemerintahan negara yang wujud di Malaysia.

Malaysia juga mengamalkan sistem Demokrasi Berparlimen yang bermaksud rakyat melibatkan diri dalam sistem pemerintahan negara. Melalui sistem ini, rakyat berpeluang membentuk Kerajaan kerana rakyat bebas memilih wakil-wakil mereka melalui pilihan raya. Selain itu, Malaysia juga mengamalkan sistem Persekutuan atau federalisme. Sistem ini bermaksud bahawa pentadbiran negara dibahagikan kepada kerajaan pusat dan kerajaan negeri. Kerajaan pusat bertanggungjawab secara keseluruhan terhadap negara Malaysia dan kerajaan negeri bertanggungjawab secara khusus mengikut negeri masing-masing. Kuasa pentadbiran dibahagikan antara kerajaan pusat dan kerajaan negeri. Bidang kuasa ini juga diperuntukkan secara jelas dalam Perlembagaan Persekutuan.

Dalam aspek yang lain, Malaysia juga merupakan negara yang unik kerana masyarakatnya berbilang kaum seperti kaum Melayu, India, Cina, Bumiputera di Sabah dan Sarawak serta kaum-kaum lain. Kemajmukan ini bukan sahaja dilihat dari segi kaum dan ras, malahan ia telah mewarnai budaya, cara hidup, pemakanan dan pemakaian penduduk di negara ini. Kemajmukan masyarakat ini juga tidak boleh diabaikan dalam menjalankan kajian yang berkaitan hak asasi manusia di Malaysia. Kepelbagaian kebudayaan yang wujud disebabkan kemajmukan Malaysia penting untuk difahami dalam merangka apa-apa pelan tindakan yang berkaitan kebudayaan di Malaysia.

Sesungguhnya, memang tidak dapat disangkal bahawa Malaysia merupakan sebuah negara yang unik dengan cara yang tersendiri. Keadaan politik dan sosiobudayanya yang berbeza menuntut agar apa-

apa dasar, tindakan atau inisiatif yang dirangka mengambil kira aspek tersebut sebagai suatu komponen asas yang penting.

C. PROSES PEMBANGUNAN NHRAP

Pembangunan NHRAP telah melalui beberapa proses yang komprehensif untuk memastikan Pelan Tindakan yang dibangunkan dapat mempromosi dan melindungi hak asasi manusia di Malaysia.

(i) Fasa Kajian Pembangunan NHRAP

Kajian Pembangunan NHRAP terbahagi kepada tiga fasa yang utama. Pembahagian fasa-fasa ini penting dalam memandu kajian ini dengan lebih jelas, berstruktur dan sistematik.

(a) Fasa I: Pengumpulan data

Fasa I ialah tahap yang paling awal dalam kajian ini. Fasa ini dikenali sebagai fasa pengumpulan data. Dalam fasa ini, kerja-kerja pengumpulan data dilaksanakan menggunakan kaedah pengumpulan data yang telah ditetapkan. Antara kaedah pengumpulan data yang digunakan ialah kajian literatur, temu bual, soal selidik, seminar dan rundingan awam.

(b) Fasa II: Penganalisisan data

Fasa II ialah fasa penganalisisan data yang telah dikumpul melalui kaedah pengumpulan data. Dalam fasa ini, data yang telah dikumpul dianalisis dengan menggunakan kaedah-kaedah penganalisisan data yang telah ditentukan iaitu kaedah jurisprudens, kaedah sejarah, kaedah perbandingan serta kaedah analitis dan kritis. Kaedah-kaedah ini digunakan untuk mendapatkan pola yang tepat dan dapatan yang sesuai dengan acuan Malaysia.

(c) Fasa III: Pendrafan NHRAP dan Laporan Akhir

Fasa III merupakan fasa yang menjadi inti pati utama dalam kajian pembangunan NHRAP. Fasa III dibahagikan kepada dua peringkat iaitu peringkat pendrafan NHRAP dan peringkat pendrafan laporan akhir.

Pada peringkat pertama, proses pendrafan NHRAP dijalankan berdasarkan dapatan dan analisis yang telah dibuat. Draf NHRAP yang dirangka dibincangkan secara rinci dengan pihak-pihak berkepentingan khususnya agensi pelaksana untuk memastikan draf yang dibuat mencapai lima komponen "SMART." Draf yang dirangka mengandungi isu keutamaan berserta cadangan pelan tindakan yang perlu diambil, jangka masa yang sesuai dan agensi peneraju yang dikenal pasti.

Peringkat kedua Fasa III pula menjurus kepada kerja-kerja mendraf laporan akhir kajian. Laporan akhir kajian yang dibuat merangkumi ringkasan keseluruhan kajian yang, antara lain, mengandungi perkara seperti hasil penuh kajian, metodologi kajian, skop teras-teras utama kajian serta aspek pemantauan dan penilaian NHRAP.

(ii) Penyediaan Laporan Awalan dan Interim

Dalam Kajian Pembangunan NHRAP, tiga jenis laporan telah disediakan iaitu Laporan Awalan, Laporan Interim dan Laporan Akhir.

(a) Laporan Awalan

Pada peringkat awal kajian, laporan awalan yang mengandungi gambaran dan kerangka umum keseluruhan Kajian Pembangunan

NHRAP termasuk objektif dan kepentingan NHRAP, metodologi serta skop teras-teras utama kajian telah disediakan.

(b) Laporan Interim

Sebanyak empat laporan interim telah disediakan mengikut perkembangan kajian. Laporan ini mengandungi maklumat yang diperoleh daripada kaedah pengumpulan data dan kaedah penganalisan data.

(c) Laporan Akhir

Pada peringkat akhir kajian Laporan Akhir telah disediakan. Laporan Akhir merangkumi hasil penuh kajian termasuk dapatan semua metodologi yang telah digunakan di samping analisis berkenaan dengan skop kajian yang telah ditetapkan.

(iii) Pemantauan Kajian

Dalam memastikan kajian ini dijalankan mengikut objektif dan mencapai sasaran, terdapat mekanisme yang dibentuk untuk memantau perjalanan dan perkembangan kajian, iaitu:

(a) Pembentangan di hadapan Jawatankuasa Teknikal

Mekanisme utama dalam pemantauan Kajian Pembangunan NHRAP ialah pembentangan di hadapan Jawatankuasa Teknikal (JKT). Dalam kajian ini, terdapat lima JKT yang diwujudkan mengikut lima teras utama kajian. Setiap teras mempunyai JKT yang tersendiri dan ia dianggotai oleh wakil-wakil kementerian, agensi dan jabatan yang relevan.

Semua hasil kajian mengikut teras dibentangkan di hadapan JKT masing-masing sebelum setiap laporan dihantar kepada BHEUU. Pembentangan ini penting untuk mengesahkan data, meneliti

dapatan kajian dan membincangkan isu-isu yang berbangkit mengikut teras. Pembentangan di hadapan JKT merupakan forum yang penting dalam mendapatkan maklum balas daripada ahli-ahli JKT.

(b) Pembentangan di hadapan Jawatankuasa Pemantau

Selain JKT, Jawatankuasa Pemantau diwujudkan sebagai mekanisme tambahan untuk memantau Kajian Pembangunan NHRAP dari semasa ke semasa. Selepas melalui proses pembentangan di hadapan JKT, ringkasan laporan secara umum akan dibentangkan kepada Jawatankuasa Pemantau (JKP) sebelum laporan dimuktamadkan. JKP dipengerusikan oleh Ketua Pengarah BHEUU dan dianggotai oleh lima wakil JKT di samping pihak lain yang telah dilantik. Pada peringkat ini, wakil-wakil JKT akan menyampaikan laporan JKT kepada JKP. Pada akhir pembentangan, JKP akan meluluskan laporan yang telah disediakan.

(c) Pembentangan di hadapan Jawatankuasa Pemandu

Peringkat tertinggi pembentangan dalam Kajian pembangunan NHRAP ialah pembentangan di hadapan Jawatankuasa Pemandu. Jawatankuasa ini dipengerusikan oleh Yang Berhormat Menteri di Jabatan Perdana Menteri yang dipertanggungjawabkan dalam kajian ini. Anggotanya terdiri daripada wakil-wakil JKP dan JKT di samping pihak-pihak berkepentingan yang dilantik atau diundang hadir.

(iv) Aspek-aspek Penting dalam Pembangunan NHRAP

NHRAP Malaysia yang dibangunkan mengambil kira lima aspek penting dalam pembangunan sesuatu pelan tindakan iaitu “*Specific, Measurable, Achievable, Realistic and Timely*” (SMART). Aspek-aspek

ini merupakan perkara yang perlu diberikan perhatian dalam membangunkan NHRAP. Aspek-aspek ini sangat signifikan untuk memastikan NHRAP yang dibangunkan bukan sahaja relevan malah ia dapat direalisasikan sejajar dengan semangat yang terkandung dalamnya. SMART merupakan asas dalam pembangunan sesuatu pelan tindakan kerana ia merangkumi ciri-ciri utama yang menjadi indikator kepada kerelevanan dan kesesuaian sesuatu pelan tindakan.

Menerusi peredaran masa, SMART telah berkembang menjadi SMARTER yang memasukkan “evaluation” dan “re-evaluation” sebagai komponen tambahan. Walau bagaimanapun, komponen tambahan bukanlah sesuatu yang baharu kerana aspek penilaian dan penilaian semula sememangnya menjadi aspek yang dibincangkan dalam NHRAP.

Bagi memastikan NHRAP yang dirangka adalah spesifik, terfokus dan jelas, kajian menggunakan persoalan-persoalan seperti siapa, apa, bila, di mana dan kenapa dalam kajian ini. Di samping itu, NHRAP yang dirangka adalah boleh diukur keberkesanan pelaksanaannya. Ini kerana pelan tindakan NHRAP akan dilihat pelaksanaannya secara efektif melalui laporan kemajuan oleh agensi peneraju serta semakan dan penilaian oleh agensi pemantauan NHRAP yang dicadangkan.

Tambahan pula, sesuatu pelan tindakan mestilah dapat dicapai. Kebolehlaksanaan pelan tindakan adalah penting. Ia tidak boleh sesuatu yang sukar atau tidak boleh dicapai. NHRAP yang dirangka merupakan pelan tindakan yang boleh dicapai dan dilaksanakan oleh agensi-agensi peneraju mengikut kemampuan dan kapasiti agensi yang terlibat kerana ia terhasil daripada beberapa siri rundingan dan perbincangan bersama agensi-agensi yang berkenaan seperti temu bual dan perbincangan meja bulat. Selain itu, satu aspek yang penting dalam pembangunan NHRAP ialah jangka masa pelaksanaan. Pelan tindakan yang dirangka oleh sesebuah negara mestilah mempunyai jangka masa pelaksanaan yang munasabah. Dalam konteks ini, NHRAP Malaysia mempunyai

jangka masa pelaksanaannya iaitu sama ada jangka masa pendek, sederhana atau panjang.

(v) Penetapan Format, Agensi Peneraju dan Jangka Masa NHRAP

NHRAP yang dibangunkan bagi Malaysia disediakan dalam bentuk jadual. Ia disusun dalam bentuk matriks yang merangkumi:-

- (a) isu keutamaan;
- (b) tindakan;
- (c) agensi peneraju; dan
- (d) jangka masa pelaksanaan.

Dalam *UN Handbook on NHRAP*, tiada format khusus atau mandatori yang ditentukan untuk sesebuah negara dalam menyediakan NHRAP. Oleh itu, setiap negara boleh membangunkan NHRAP dalam format masing-masing mengikut kesesuaian dan kehendaknya. Berdasarkan kajian perbandingan, adalah didapati bahawa terdapat beberapa format dalam menyediakan NHRAP. Salah satunya ialah format matriks. Format matriks ialah penyediaan NHRAP dalam bentuk jadual yang tersusun, sistematik dan mudah difahami. Dalam format ini, maklumat yang penting dan signifikan sahaja yang diketengahkan sebagai kandungan utama.

Bagi tujuan NHRAP Malaysia, adalah lebih baik dan sesuai untuk menggunakan format matriks bagi penyediaan NHRAP. Format ini telah diputuskan setelah melalui beberapa siri perbincangan dengan agensi-agensi yang terlibat dalam pembuatan dan pelaksanaan dasar di Malaysia.

Salah satu aspek utama NHRAP ialah penetapan agensi peneraju. Agensi peneraju sangat penting kerana ia merupakan institusi yang akan menerajui atau menjadi pelaksana utama pelan tindakan yang dibangunkan. Agensi peneraju bukan bermaksud bahawa agensi

tersebut sahaja yang akan bertanggungjawab melaksanakan pelan tindakan tetapi ia hanya menunjukkan bahawa ia menjadi penyelarasan dan agensi utama yang akan menjadi rujukan pelaksanaan strategi khusus dari aspek yang dinyatakan dalam NHRAP.

Pemilihan dan penetapan sesebuah agensi sebagai agensi peneraju diputuskan berdasarkan beberapa indikator. Antara indikator penetapan sesebuah agensi peneraju ialah:-

- (a) agensi peneraju mempunyai skop bidang tugas meliputi tindakan yang dicadangkan;
- (b) agensi peneraju terlibat sebagai agensi pelaksana;
- (c) agensi peneraju mempunyai autoriti dalam menerajui sesebuah pelan tindakan; dan
- (d) penglibatan agensi peneraju dalam isu keutamaan.

Selain itu, setiap pelan tindakan mempunyai jangka masa bagi memastikan tindakan tersebut dilaksanakan dalam sesuatu tempoh. Jangka masa ialah suatu tempoh yang ditetapkan untuk pelaksanaan tindakan. Jangka masa pelaksanaan NHRAP dibahagikan kepada tiga (3) kategori iaitu jangka masa pendek, jangka masa sederhana dan jangka masa panjang.

Dalam NHRAP, jangka masa pendek merujuk tempoh kurang daripada dua (2) tahun, jangka masa sederhana merujuk tiga (3) hingga lima (5) tahun dan jangka masa panjang merujuk tempoh antara lima (5) tahun hingga 10 tahun. Penetapan tempoh jangka masa dibuat dengan mengambil kira amalan umum dari segi pelaksanaan sesuatu dasar, pelan strategik atau program di Malaysia. Penetapan tempoh jangka masa untuk pelaksanaan sesuatu tindakan diputuskan berdasarkan kepada beberapa kriteria seperti:

- (a) jenis cadangan tindakan seperti meneruskan, menyediakan atau mengkaji semula;

- (b) kewujudan sedia ada pelan tindakan yang dicadangkan dalam pelan strategik atau perancangan agensi pelaksana;
- (c) kemampuan sesuatu agensi untuk melaksanakan tindakan;
- (d) peruntukan kewangan oleh Kerajaan untuk sesuatu tindakan; dan
- (e) kesukaran atau kerumitan pelaksanaan pelan tindakan disebabkan oleh proses yang perlu dilalui (contohnya, proses pindaan undang-undang).

Penetapan jangka masa tindakan membolehkan proses pemantauan dan penilaian dijalankan oleh pihak yang diberi kuasa. Jangka masa pelaksanaan merupakan salah satu aspek asas dalam pengukuran pencapaian sesuatu tindakan. Oleh itu, penetapan jangka masa yang relevan, munasabah dan berpatutan adalah amat penting dalam menentukan kejayaan pelaksanaan sesuatu tindakan.

(vi) Keterlibatan Pihak Berkepentingan

Dalam menjalankan sesuatu kajian dasar, keterlibatan (*engagement*) semua pihak sama ada pembuat dasar, pelaksana dasar, NGO, CSO dan masyarakat adalah penting untuk diberikan penekanan. Tanpa penglibatan semua pihak, ketepatan dan kesahihan sesuatu kajian yang dijalankan boleh dipersoalkan. Aspek yang penting dalam keterlibatan ialah sejauh manakah peluang atau ruang untuk terlibat telah diberikan kepada semua pihak yang berkepentingan. Jika langkah yang munasabah telah diambil ke arah menyediakan ruang atau peluang penglibatan kepada semua pihak, dapatan kajian tidak boleh dipertikaikan.

Seperti yang telah dijelaskan sebelum ini, terdapat pelbagai kaedah pengumpulan data yang telah dijalankan dalam kajian ini. Setiap kaedah

tersebut telah melibatkan pihak-pihak yang berkepentingan. Perincian penglibatan semua pihak dalam kajian ini mengikut metodologi kajian dijelaskan selepas ini.

1. Kaedah Temu Bual

Bagi tujuan kaedah temu bual ini, sebanyak 39 buah kementerian, jabatan dan agensi, 48 NGO dan 36 individu dan pakar telah ditemui bagi mengumpul data berkaitan hak asasi manusia di Malaysia.

2. Kaedah Soal Selidik

Bagi tujuan kaedah soal selidik, temu bual menggunakan soal soal selidik berstruktur terhadap sampel berjumlah 3030 responden yang mewakili populasi umum penduduk Malaysia telah dilaksanakan. Kaji selidik ini menggunakan soal selidik berstruktur yang dijalankan terhadap responden dewasa (18 tahun ke atas). Instrumen soal selidik mengutarakan soalan-soalan kajian termasuk profil responden. Pemilihan responden dilakukan berdasarkan kaedah *random stratified sampling*.

3. Kaedah Rundingan Awam

Rundingan awam telah dijalankan di beberapa zon atau lokasi iaitu Kuala Lumpur bagi Zon Tengah, Johor Bharu bagi Zon Selatan, Pulau Pinang bagi Zon Utara dan Kuala Terengganu bagi Zon Timur.

Manakala bagi Zon Sarawak pula, rundingan awam telah diadakan di tiga kawasan iaitu Kuching, Miri dan Bintulu. Rundingan awam di Sabah juga telah diadakan di tiga kawasan iaitu Kota Kinabalu, Tawau dan Sandakan.

4. Seminar Hak Asasi Manusia Kebangsaan 2016 (SeHAM 2016)

Seminar Hak Asasi Manusia Kebangsaan 2016 (SeHAM 2016) merupakan salah satu metodologi yang penting dalam pembangunan NHRAP. SeHAM 2016 merupakan salah satu platform penting dalam mengumpul data dan maklumat berkaitan hak asasi manusia. Di samping itu juga, SeHAM 2016 merupakan suatu wadah bagi mendedahkan konsep hak asasi manusia kepada pengkhidmat awam dan orang awam. Bagi sesi ucap-tama, sebanyak 67 buah kementerian, jabatan dan agensi Kerajaan, universiti awam, Jabatan Kehakiman Syariah seluruh Malaysia dan lain-lain telah mengambil bahagian. Selain itu, sebanyak 20 kertas kerja daripada penyelidik-penyelidik hak asasi manusia telah dibentangkan.

5. Perbincangan Meja Bulat atau *Roundtable Discussion* (RTD)

Beberapa siri Perbincangan Meja Bulat atau *Roundtable Discussion* (RTD) telah dijalankan bersama wakil kementerian, agensi dan jabatan Kerajaan yang terlibat sebagai agensi peneraju untuk meneliti dan membincangkan NHRAP secara rinci dan spesifik.

6. Kaedah-kaedah Lain

Selain kaedah-kaedah yang disebutkan di atas, bagi menggalakkan penglibatan semua pihak berkepentingan dalam kajian NHRAP, laman web NHRAP telah dibangunkan yang beralamat www.nhrapmalaysia.com. Laman web ini disediakan untuk diakses oleh sesiapa sahaja bagi memberikan apa-apa maklumat, pandangan, cadangan dan maklum balas berkaitan kajian hak asasi manusia. Ini merupakan kaedah pengumpulan data secara dalam talian (*online*). Di samping itu, BHEUU turut

membangunkan laman webnya yang tersendiri untuk tujuan kajian yang sama. Ia boleh diakses di alamat www.nhrap.bheuu.gov.my.

Tambahan pula, medium yang lain seperti telefon, faks, dan e-mel juga digunakan sebagai mekanisme dalam mengemukakan maklumat, pandangan, cadangan dan maklum balas berkaitan kajian hak asasi manusia kepada semua pihak berkepentingan termasuk orang awam.

7. Konsultasi Draf NHRAP

Setelah membangunkan draf NHRAP dan membentangkannya dalam RTD bersama kementerian, agensi dan jabatan Kerajaan, kertas konsultasi Draf NHRAP telah disediakan dan dikemukakan kepada umum. Kertas konsultasi tersebut disediakan untuk mendapatkan maklum balas dalam bentuk pandangan, cadangan, kritikan, ulasan dan lain-lain daripada NGO, orang awam, pakar-pakar hak asasi manusia dan semua pihak lain tentang pelan tindakan hak asasi manusia yang dibangunkan untuk Malaysia.

(vii) Saranan dan Maklum Balas Penilaian Berkala Sejagat atau *Universal Periodic Review (UPR)*

Pembangunan NHRAP Malaysia telah mengambil kira saranan atau syor yang diterima oleh Kerajaan Malaysia semasa UPR khususnya UPR pada tahun 2013. Maklum balas Kerajaan Malaysia sama ada menerima sepenuhnya, menerima secara prinsip, menerima sebahagian dan tidak menyokong syor yang dikemukakan oleh negara-negara semasa UPR telah diberikan perhatian dalam pembangunan NHRAP Malaysia.

Secara keseluruhannya, Malaysia telah menerima 232 syor semasa UPR pada tahun 2013 daripada negara-negara anggota PBB. Daripada jumlah tersebut, Malaysia telah menerima sebanyak 150 syor dan menolak 82 syor. Daripada jumlah 150 yang telah diterima oleh

Malaysia, sebanyak 113 syor telah diterima sepenuhnya (*accept in full*), 22 syor telah diterima secara prinsip (*accept in principle*) dan 15 syor telah diterima secara sebahagian (*accept in part*).

Kesemua syor yang dikemukakan semasa UPR kepada Malaysia berserta maklum balas Kerajaan terhadapnya telah diteliti sejak awal kajian NHRAP bermula. Tumpuan yang lebih khusus telah diberikan kepada syor yang telah diterima oleh Malaysia semasa membangunkan NHRAP kerana Kerajaan mempunyai tanggungjawab dalam menjawab persoalan berkaitan dengannya dalam UPR seterusnya. Sememangnya NHRAP yang dibangunkan telah menjadikan syor UPR sebagai satu kerangka yang penting ke arah perlindungan hak asasi manusia di Malaysia.

(viii) Pemilihan Isu-isu Keutamaan

Pada peringkat awal kajian Pembangunan NHRAP, banyak isu hak asasi manusia yang telah dikenal pasti berdasarkan pelbagai jenis metodologi yang telah digunakan. Sungguhpun demikian, hanya isu-isu yang mempunyai jurang menjadi keutamaan dalam NHRAP Malaysia.

Kaedah pemilihan isu-isu keutamaan dalam NHRAP adalah berdasarkan garis panduan yang dinyatakan dalam *UN Handbook on NHRAP*. *UN Handbook on NHRAP*, antara lain, menyatakan bahawa isu-isu berkaitan dengan hak dan kebebasan diri seperti hak untuk hidup tanpa ada penganiayaan dan penderaan serta keselamatan individu perlu diberikan keutamaan. Bagi isu lain yang perlu diberikan perhatian, ia adalah berdasarkan konsep kesaksamaan dan kesamarataan yang substantif (*substantive equality*) dan bukan kesaksamaan dan kesamarataan yang berbentuk formal sahaja (*formal equality*) yang boleh membantu dalam menghapuskan apa-apa bentuk diskriminasi kaum, jantina dan lain-lain.

Selain itu, *UN Handbook on NHRAP* juga menyatakan kriteria penting yang perlu diambil kira dalam menentukan isu keutamaan seperti yang berikut:

- (a) tahap keseriusan sesuatu masalah dari segi impak hak asasi manusia;
- (b) implikasi kos dalam penyelesaian sesuatu masalah hak asasi dengan mengambil kira sumber-sumber yang sedia ada;
- (c) impak penyelesaian sesuatu masalah hak asasi ke atas objektif pelan tindakan yang lain; dan
- (d) tahap kebimbangan orang ramai terhadap sesuatu isu hak asasi.

Oleh itu, kriteria yang dinyatakan di atas menjadi asas dalam pemilihan isu-isu keutamaan setelah kajian dasar dibuat tentang status hak asasi manusia di Malaysia. Segala maklum balas yang diterima daripada semua pihak berkepentingan telah dikaji dan dibandingkan untuk melihat jurang hak asasi yang wujud. Sekiranya wujud jurang yang besar, isu tersebut akan diberikan keutamaan untuk dimasukkan dalam pelan tindakan.

Tindakan ini tidak bermakna bahawa hanya hak asasi sekelompok manusia sahaja yang diberikan perhatian. Konsep hak asasi manusia untuk semua tetap dipertahankan supaya implikasi yang menyeluruh daripada pelan tindakan ini dapat dizahirkan.

Pemilihan isu keutamaan juga dibuat dengan teliti supaya tindakan yang diambil tidak terawang-awang dan tersasar tetapi berasaskan keperluan yang mendesak dan menepati maksud yang dihasratkan sebagaimana yang terzahir daripada kajian dasar yang dijalankan. Selain itu, pemilihan isu keutamaan juga dibuat berdasarkan tempoh masa

penyelesaian. Ini adalah untuk memastikan bahawa pelan tindakan yang dicadangkan mampu dilaksanakan dengan baik dan berkesan.

D. KESIMPULAN

Penglibatan semua pihak dan agensi dalam pembangunan NHRAP memberikan petunjuk positif bahawa telah berlaku proses pendidikan hak asasi manusia secara tidak langsung di Malaysia. Melalui kajian ini, seluruh pihak dan agensi yang terlibat pada hakikatnya mulai memahami lebih mendalam tentang hak asasi manusia selain memainkan peranan penting dalam memastikan hak asasi manusia mendapat perlindungan di negara ini. Pembangunan NHRAP dapat menyumbang kepada pembinaan budaya hak asasi manusia di Malaysia.

Kajian dasar dalam pembangunan NHRAP ini adalah relevan dan signifikan untuk menjadi landasan pelaksanaan NHRAP di Malaysia. Segala input, maklum balas dan dapatan yang diperolehi daripada pelbagai kementerian, jabatan, agensi, pertubuhan dan individu sepanjang tempoh kajian memberi petunjuk yang mengagumkan bahawa semua sektor dalam negara memberi sokongan padu dalam pembangunan NHRAP. Usaha membanggakan ini pasti memberikan kesan positif kepada Malaysia yang sentiasa komited memenuhi tanggungjawab sebagai negara yang berdaulat dan disegani di persada dunia.

TERAS-TERAS UTAMA PELAN TINDAKAN HAK ASASI MANUSIA KEBANGSAAN (NHRAP)

A. TERAS 1: HAK SIVIL DAN POLITIK

Skop Teras 1 meliputi hak sivil dan politik. Secara umum, hak sivil adalah amat luas dan termasuk hak sama rata tanpa diskriminasi; perlindungan daripada kesalahan sivil seperti gangguan, pencerobohan, kemungkiran kontrak, pecah amanah; pengekalan kedudukan istimewa bumiputera/Melayu; perlindungan hak asasi; kebebasan diri; kebebasan bergerak; perlindungan daripada menjadi hamba abdi dan buruh paksa; perlindungan sosial seperti hak mendapatkan perlindungan, keselamatan, pendidikan, kemudahan asas, kesihatan; perlindungan ekonomi seperti hak memiliki dan melindungi harta; akses kepada sistem keadilan dan instrumen penyelesaian konflik; hak mendapatkan pengenalan diri; perlindungan data dan keselamatan peribadi.

Bagi hak politik, ia termasuk kebebasan bersuara dan mengeluarkan pendapat; berhimpun secara aman tanpa bersenjata; berpersatuan; hak mendapatkan maklumat; hak penerbitan; akses kepada media; hak menyertai pilihan raya dan mengundi; hak untuk mendapatkan jaminan keselamatan termasuk hak untuk dilindungi daripada salah guna kuasa, serangan, ancaman dan pencerobohan; kebebasan beragama; dan perlindungan institusi Diraja.

Meskipun ia dinamakan sebagai hak sivil dan politik, namun kajian menunjukkan bahawa kedua-dua perkara ini adalah dirujuk secara bersejua dan bukan secara berasingan. Bagi maksud kajian NHRAP, Teras 1 menjadikan Bahagian II, Perlembagaan Persekutuan sebagai asas kepada kajian tentang hak sivil dan politik yang meliputi hak untuk hidup; hak orang kena tahan; hak untuk kebebasan diri; hak untuk tidak dilayan sebagai buruh paksa/hamba abdi; hak untuk tidak dibicarakan lebih daripada sekali untuk kes yang sama; hak untuk bergerak; hak untuk berhimpun, berpersatuan, berfikir dan bercakap; hak untuk beragama; hak

untuk mendapat layanan yang adil dan saksama tanpa boleh dibezakan semata-mata atas sebab agama, kaum, keturunan atau tempat lahir; hak kewarganegaraan; hak untuk mengundi secara bebas, adil dan saksama; hak untuk berpolitik; hak untuk mendapat perbicaraan yang adil; kebebasan media; dan hak untuk mendapat maklumat awam.

Walau bagaimanapun, Perlembagaan juga memperuntukkan bahawa hak sivil dan politik ini tidak bersifat mutlak dengan memberikan beberapa pengecualian bagi kebebasan ini seperti peruntukan tentang kedudukan istimewa orang Melayu serta hak kaum bumiputera yang lain, sekatan ke atas kebebasan bersuara dan mengeluarkan pendapat, dan had kebebasan asasi bagi sesuatu tindakan subversif atau semasa darurat.

Sehubungan itu, Parlimen juga boleh mengenakan sekatan tertentu demi kepentingan keselamatan, ketenteraman awam atau moral. Sebagai contoh, adalah menjadi suatu kesalahan untuk menyoal perkara-perkara sensitif seperti kedudukan istimewa orang Melayu dan penggunaan bahasa Melayu sebagai bahasa rasmi; dan Parlimen dibenarkan untuk menggubal undang-undang bagi “membuat sekatan yang perlu atau mustahak demi kepentingan keselamatan Persekutuan atau mana-mana bahagiannya, atau ketenteraman awam” di bawah Perkara 10 Perlembagaan Persekutuan.

Berkenaan dengan pihak yang dilindungi, hak sivil dan politik melindungi segenap lapisan masyarakat. Namun, terdapat kategori masyarakat yang sepatutnya mendapat perhatian yang lebih daripada segolongan yang lain. Hak sivil dan politik yang berkaitan dengan kebebasan diri (seperti isu kematian dan penderaan dalam penjara) adalah lebih tertumpu kepada pihak polis, pihak berkuasa penjara dan orang yang ditahan reman dan dipenjarakan. Manakala, isu berkaitan dengan tahanan pencegahan adalah tertumpu kepada penerangan kepada orang ramai tentang undang-undang pencegahan.

Selain itu, hak sivil dan politik melindungi golongan wanita dan yang daif berkenaan dengan isu akses kepada keadilan. Kajian mendapati bahawa sesetengah golongan ini menghadapi kesukaran dalam mendapatkan keadilan di mahkamah kerana wujudnya kekurangan pengetahuan atau halangan lain.

Bagi hak sivil dan politik seperti hak bersuara dan hak untuk mendapatkan maklumat, ia memberikan manfaat kepada orang ramai supaya orang ramai dapat bersuara dengan lebih bebas dalam ruang lingkup yang masih terkawal. Ini termasuklah cadangan untuk melihat semula undang-undang berkaitan dengan hasutan dan kebebasan untuk mendapatkan maklumat. Ini akan meningkatkan ketelusan dan tadbir urus yang baik. Selain itu, hak lain yang berkaitan dengan orang ramai ialah hak untuk berpersatuan dan hak untuk berhimpun secara aman. Tumpuan juga diberikan kepada perhubungan antara kaum iaitu dengan melihat kepada isu diskriminasi kaum dan isu perbezaan agama. Isu golongan minoriti *Lesbian, Gay, Bisexual, Transgender* (LGBT) turut diberikan perhatian.

Dalam memelihara hak sivil dan politik masyarakat, saranan antarabangsa khususnya dalam UPR diambil kira seperti saranan untuk memansuhkan hukuman mati mandatori dalam sesetengah kes jenayah; mengukuhkan dan mempromosikan hak wartawan dan penulis blog untuk menjalankan hak bersuara mereka secara bebas; meneruskan usaha untuk menggalakkan hak untuk berhimpun secara aman mengikut undang-undang negara; menambah baik undang-undang domestik bagi menjamin hak tahanan untuk perbicaraan yang adil; dan mengukuhkan langkah-langkah untuk mencegah dan menghapuskan segala bentuk layanan buruk, termasuk penyeksaan.

Isu khas berkaitan dengan hak sivil dan politik bagi masyarakat di Sabah dan Sarawak juga diberikan perhatian khusus iaitu yang berkaitan dengan hak kewarganegaraan dan keselamatan.

ISU KEUTAMAAN DAN OBJEKTIF

Bil.	Isu Keutamaan	Objektif untuk Dicapai
1.	Perlindungan diri tahanan di dalam lokap/penjara	Mencapai kematian sifar tahanan di dalam lokap/penjara dan penderaan sifar ke atas tahanan lokap/reman.
2.	Pemeriksaan pengurusan lokap	Meningkatkan kecekapan penguat kuasa dalam pengurusan lokap untuk melindungi hak asasi manusia tahanan.
3.	Penambahbaikan garis panduan tahanan reman oleh semua agensi penguat kuasa	Memantapkan proses pengendalian tahanan reman oleh agensi penguat kuasa.
4.	Hak orang tahanan untuk mendapat penjagaan kesihatan yang konsisten	Meningkatkan tahap kesihatan orang tahanan dan mengelakkan kematian dalam tahanan.
5.	Kajian semula hukuman mati mandatori.	Memastikan hukuman mati dikenakan ke atas kesalahan jenayah yang paling serius dan selari dengan undang-undang antarabangsa yang berkaitan.
6.	Meningkatkan kesedaran orang awam terhadap undang-undang pencegahan.	Memberikan kesedaran kepada masyarakat tentang semangat dan tujuan undang-undang pencegahan.
7.	Hak memperoleh maklumat (a) Sekatan ke atas hak memperoleh maklumat.	Mewujudkan keseimbangan antara hak awam dengan tanggungjawab kerajaan untuk memelihara keselamatan negara.
8.	Hak sama rata/tiada diskriminasi (a) Isu ketidakadilan kepada litigan wanita akibat kelewatan proses perceraian dan tuntutan-tuntutan lain di Mahkamah Syariah	Menjamin hak sama rata dan mengelakkan diskriminasi dalam kes litigan wanita berdepan isu kelewatan proses perceraian dan tuntutan lain di Mahkamah Syariah.

Bil.	Isu Keutamaan	Objektif untuk Dicapai
	(b) Pengukuhan perpaduan kaum dan agama	Memastikan setiap rakyat mendapat keadilan yang sewajarnya daripada Mahkamah Syariah khususnya tentang keberkesanan perintah Mahkamah Syariah, ketidakseragaman undang-undang berkaitan dengan hal perkara syariah di negeri-negeri dan kes-kes tertunggak di Mahkamah Syariah.
9.	Hak untuk mengundi (a) Isu salah guna tema agama dalam politik (b) Isu akses yang saksama dan adil kepada media bagi parti politik untuk berkempen sepanjang tempoh pilihan raya. (c) Isu berpolitik secara bebas iaitu untuk memilih parti politik yang disokong.	Menjamin kebebasan dan ketelusan pilihan raya dengan meningkatkan akses yang saksama dan adil.
10.	Hak untuk mendapatkan keadilan (<i>access to justice</i>) di Mahkamah Syariah. (a) Keberkesanan perintah Mahkamah Syariah. (b) Ketidakseragaman undang-undang berkaitan dengan hal-hal syariah di negeri-negeri. (c) Kes-kes tertunggak di Mahkamah Syariah termasuk yang berkaitan dengan pelaksanaan perintah.	Memperkasakan fungsi Mahkamah Syariah dan meningkatkan kecekapannya sebagai institusi keadilan.
11.	Profesionalisme dan integriti badan penguat kuasa.	Menambah baik SOP kerja dan garis panduan sedia ada bagi agensi penguat kuasa untuk meningkatkan tahap kebolehpercayaan orang awam terhadap integriti institusi berkenaan di samping mewujudkan SOP tentang tindakan segera yang boleh diambil ke

Bil.	Isu Keutamaan	Objektif untuk Dicapai
		atas mana-mana anggota penguat kuasa bagi apa-apa salah laku.
12.	Pengampunan banduan	Memastikan banduan yang ditahan, khasnya banduan yang menghadapi hukuman penjara sepanjang hayat, seumur hidup atau hukuman mati mendapat hak untuk mengemukakan pengampunan.
13.	Dokumen pengenalan diri di Sabah dan Sarawak	Menambah baik program sedia ada bagi menangani isu kelewatan memperoleh kad pengenalan diri di Sabah dan Sarawak; memberikan kesedaran tentang kepentingan mempunyai kad pengenalan; menangani isu kewarganegaraan dan tanpa kad pengenalan diri; dan menyelesaikan masalah pendatang asing tanpa izin (PATI), golongan Pala'u (di Sabah) dan pelarian.
14.	Isu Keselamatan di Sabah dan Sarawak	Meningkatkan aspek keselamatan penduduk di Sabah dan Sarawak, terutamanya di kawasan yang bersempadan dengan sempadan antarabangsa dan menjaga keselamatan nasional dan antarabangsa daripada diceroboh dengan meningkatkan kerjasama antara agensi penguat kuasa negara-negara yang bersempadan.

B. TERAS 2: HAK EKONOMI, SOSIAL DAN KEBUDAYAAN

Teras 2 meliputi hak ekonomi, sosial dan kebudayaan di bawah Pelan Tindakan Hak Asasi Manusia Kebangsaan (NHRAP) Malaysia. Bagi menjalankan penyelidikan ini, adalah amat penting untuk ditekankan bahawa asas kajian hak ekonomi, sosial dan kebudayaan yang dijalankan adalah berdasarkan kepada falsafah relativisme budaya (*cultural relativism*) bukan bersifat "*total universalism*." Ini bermakna penyelidikan ini mengambil kira aspek sosiobudaya dan agama dalam mentafsirkan dan menentukan hak asasi manusia. Berbeza dengan pendekatan yang mengiktiraf hak asasi manusia sebagai hak yang bersifat mutlak, tafsiran hak asasi manusia dalam penyelidikan ini diseimbangkan dengan aspek agama dan sosiobudaya di Malaysia.

Skop Teras 2 meliputi 3 hak yang penting iaitu hak ekonomi, sosial dan kebudayaan.

Hak ekonomi merangkumi enam perkara iaitu:

- (i) Hak Perniagaan dan Kepenggunaan;
- (ii) Hak Pekerja;
- (iii) Hak Pembasmian Kemiskinan dan Ketidaksamarataan;
- (iv) Hak Keperluan Asas;
- (v) Hak Kemudahan Asas; dan
- (vi) Hak Asasi Manusia dan Perjanjian Perdagangan Antarabangsa.

Hak Sosial mengandungi lima perkara iaitu:

- (i) Hak Pendidikan;
- (ii) Hak Kesihatan;
- (iii) Hak Alam Sekitar;
- (iv) Hak Perkhidmatan dan Keselamatan Sosial dan Perpaduan Nasional; dan
- (v) Hak Rekreasi.

Hak Kebudayaan pula merujuk empat perkara iaitu:

- (i) Hak Amalan Kebudayaan;
- (ii) Hak Harta Intelek;
- (iii) Hak Bahasa; dan
- (iv) Hak Warisan Kebudayaan.

Pelan tindakan khusus bagi hak ekonomi, sosial dan kebudayaan ini menjadikan Perlembagaan Persekutuan sebagai asas utama. Ini selaras dengan seksyen 2 Akta Suruhanjaya Hak Asasi Manusia Malaysia 1999 yang mentakrifkan “hak asasi manusia” sebagai merujuk “kebebasan asas sebagaimana yang termaktub dalam Bahagian II Perlembagaan Persekutuan.” Pelan tindakan hak ekonomi, sosial dan kebudayaan ini dibangunkan secara rinci dengan mengambil kira kajian dasar (*baseline study*) yang telah dijalankan. Di samping itu, adalah penting untuk mengambil kira perancangan dan dasar negara seperti Rancangan Malaysia Kesebelas (RMK11), “*Agenda 2030 SDG Roadmap*” Transformasi Nasional 2050 dan Model Ekonomi Baru.

Walaupun secara umumnya asas utama pelan tindakan ini ialah Perlembagaan Persekutuan, kajian ini juga mengambil kira instrumen hak asasi manusia yang lain sebagai rujukan dan ini termasuk UDHR, ICESCR, *Cairo Declaration of Human Rights in Islam* (CDHRI) dan *ASEAN Human Rights Declaration* (AHRD). Ini bagi memastikan NHRAP Malaysia lebih bersifat universal di samping mengekalkan kerangka hak asasi manusia menurut acuan Malaysia. NHRAP Malaysia juga mengambil kira ruang lingkup hak ekonomi, sosial dan kebudayaan yang merangkumi kerangka hak asasi manusia Malaysia; komitmen hak asasi antarabangsa; perlindungan undang-undang; kerangka hak asasi; akses keadilan; hak pekerja; kemiskinan dan ketidaksetaraan; keadaan sosioekonomi dan budaya; dan pemeliharaan dan pemuliharaan kebudayaan. Selain itu, Teras 2 menjadikan ICESCR sebagai salah satu rujukan utama bagi membangunkan NHRAP bagi hak ekonomi, sosial dan kebudayaan. Ini sejajar dengan perkembangan antarabangsa di mana 47 buah Negara Anggota OIC ialah pihak kepada ICESCR.

ISU KEUTAMAAN DAN OBJEKTIF

Bil.	Isu Keutamaan	Objektif untuk Dicapai
1.	Hak perniagaan dan kepenggunaan	Melindungi dan menjamin hak perniagaan dan hak kepenggunaan termasuk hak pelaburan yang saksama dan adil.
2.	Hak bekerja	Melindungi dan menjamin hak bekerja merangkumi hak-hak pekerja, hak-hak majikan, hak kesatuan sekerja dan kebajikan pekerja.
3.	Pembasmian Kemiskinan dan Ketaksamarataan	Meningkatkan taraf ekonomi dan kehidupan rakyat menerusi pembasmian kemiskinan dan mengurangkan jurang ketidaksamarataan yang merupakan salah satu daripada aspek yang ditekan dalam instrumen antarabangsa termasuk <i>Sustainable Development Goals</i> (SDG).
4.	Kemudahan Asas	Menjamin hak ekonomi berkaitan kemudahan asas rakyat seperti air, elektrik, telekomunikasi dan bekalan tenaga yang mesti dipelihara dan dilindungi secara menyeluruh.
5.	Keperluan Asas	Menjamin dan meningkatkan keperluan asas perumahan yang sesuai kepada rakyat bagi menjamin kehidupan yang baik.
6.	TPPA dan Perjanjian Perdagangan Antarabangsa	Memastikan bahawa setiap Perjanjian Perdagangan Antarabangsa yang ingin dimeterai mestilah dapat menjamin hak asasi rakyat.
7.	Hak Pendidikan	Menjamin kualiti, akses dan perkhidmatan pendidikan selaras dengan piawaian antarabangsa.

Bil.	Isu Keutamaan	Objektif untuk Dicapai
8.	Hak Kesihatan	Menjamin dan melindungi hak sosial rakyat berkaitan aspek kesihatan yang perlu diberikan perhatian utama dan disediakan secara saksama.
9.	Hak Alam Sekitar	Meningkatkan usaha dan menambahbaik perancangan bagi melindungi alam sekitar daripada pencemaran dan kerosakan sebagai salah satu daripada hak sosial.
10.	Hak Perkhidmatan dan Keselamatan Sosial dan Perpaduan Nasional	Menjamin keharmonian dan kerukunan warga Malaysia menerusi usaha-usaha meningkatkan keselamatan sosial dan perpaduan nasional.
11.	Hak Rekreasi	Menjamin hak sosial rakyat dengan menyediakan kemudahan rekreasi bagi memupuk gaya hidup rakyat yang sihat dan harmoni.
12.	Amalan Kebudayaan	Memelihara dan menjamin hak amalan kebudayaan selaras dengan instrumen antarabangsa dan selari juga dengan roh Perlembagaan Persekutuan.
13.	Harta Intelekt	Memastikan karya dan hasil produk kebudayaan dilindungi dan dipelihara dengan berkesan bagi meneruskan kelestarian hak kebudayaan warga Malaysia agar tidak hilang ditelan zaman.
14.	Hak Bahasa	Memartabatkan bahasa rasmi Malaysia dan dalam masa yang sama memelihara bahasa etnik tempatan yang lain.
15.	Warisan Kebudayaan	Meningkatkan usaha dan perancangan bagi memelihara dan memulihara warisan kebudayaan merangkumi

Bil.	Isu Keutamaan	Objektif untuk Dicapai
		bangunan warisan, bahan sejarah dan kategori warisan yang lain.

C. TERAS 3: HAK GOLONGAN RENTAN

Teras 3 Kajian Pembangunan NHRAP memberikan fokus kepada lima (5) golongan rentan:

(a) Wanita

Golongan wanita secara amnya diklasifikasikan sebagai golongan rentan kerana diskriminasi yang dihadapi. Berbanding dengan negara maju, perlindungan terhadap hak asasi wanita di negara membangun masih memerlukan perhatian serius kerana golongan ini sangat terdedah kepada masalah kemiskinan, sistem budaya, amalan dan masyarakat yang merendahkan dan mendiskriminasi kaum wanita dan sebagainya.

(b) Kanak-kanak

Golongan kanak-kanak dikategorikan sebagai golongan rentan kerana keupayaan fizikal dan mental mereka yang terbatas berbanding orang dewasa. Di samping itu, kanak-kanak, khasnya di negara membangun berdepan dengan masalah-masalah seperti penderaan, pengeksploitasian, kemiskinan, akses kepada pendidikan serta penjagaan kesihatan dan sebagainya.

(c) Orang kurang upaya (OKU)

Golongan OKU sering menjadi mangsa diskriminasi dan layanan tidak adil disebabkan mereka mempunyai kekangan sama ada dari segi fizikal mahupun mental berbanding orang-orang bukan OKU.

(d) Warga emas

Golongan warga emas pula diklasifikasikan sebagai golongan rentan kerana faktor usia yang meningkat dan keadaan kesihatan. Golongan warga emas juga terdedah kepada keadaan seperti menjadi mangsa diskriminasi, penderaan, pengabaian dan layanan tidak adil.

(e) Pelarian

Status “pelarian” sebagai orang tidak bernegara dan dianggap sebagai pendatang tanpa izin yang masuk ke negara secara tidak sah menyebabkan golongan ini terdedah kepada risiko penyalahgunaan dan eksploitasi, masalah konflik dengan undang-undang dan ketiadaan perlindungan dari segi perundangan. Walaupun Malaysia tidak menyertai *Convention Relating to the Status of Refugees*, Malaysia memberikan pertimbangan dan perhatian kepada golongan “pelarian” atas dasar kemanusiaan.

ISU KEUTAMAAN DAN OBJEKTIF

(a) Wanita

Bil.	Isu Keutamaan	Objektif untuk Dicapai
1.	Wanita di tempat kerja/wanita bekerja	Meningkatkan akses dan perlindungan wanita dalam bidang pekerjaan di samping memperkasakan ekonomi wanita melalui penggubalan dasar di

Bil.	Isu Keutamaan	Objektif untuk Dicapai
		tempat kerja yang mesra dan kondusif untuk kaum wanita.
2.	Kes-kes penceraian dan tuntutan nafkah	Memastikan kes penceraian dan pertikaian kekeluargaan di mahkamah dapat diselesaikan dengan cepat, cekap dan dipermudah selain penguatkuasaan perintah mahkamah yang bersepadu dan berkesan.
3.	Keganasan rumah tangga	Memastikan isu keganasan rumah tangga ditangani dengan berkesan.
4.	Kebajikan mangsa pemerdagangan orang	Melindungi kebajikan mangsa pemerdagangan orang.
5.	Hak wanita untuk didengari	Memastikan suara dan pandangan golongan wanita diambil kira oleh pihak Kerajaan.
6.	Ibu tunggal/golongan miskin	Memastikan golongan wanita miskin dan ibu tunggal terus dibantu supaya dapat keluar daripada belenggu kemiskinan.

(b) Kanak-kanak

Bil.	Isu Keutamaan	Objektif untuk Dicapai
1.	Keganasan/salah laku terhadap kanak-kanak	Memastikan hak-hak kanak-kanak terjamin dan terpelihara khasnya dalam menangani keganasan, jenayah dan salah laku terhadap kanak-kanak.
2.	Kanak-kanak dan proses mahkamah	Melindungi hak kanak-kanak dalam proses mahkamah secara lebih menyeluruh.

Bil.	Isu Keutamaan	Objektif untuk Dicapai
3.	Perkahwinan bawah umur	Menangani kes-kes perkahwinan bawah umur yang mendatangkan kesan negatif terhadap kanak-kanak.
4.	Kanak-kanak tanpa pengenalan diri	Menangani masalah kanak-kanak yang tidak memiliki dokumen pengenalan diri yang sah walaupun dilahirkan di Malaysia.
5.	Hak untuk didengari	Memastikan hak kanak-kanak untuk bersuara dan didengari dapat dilaksanakan dengan holistik.
6.	Pendidikan kanak-kanak	Menjamin dan memelihara hak kanak-kanak daripada golongan berpendapatan sederhana dan rendah untuk mendapat akses kepada pendidikan.
7.	Kesihatan kanak-kanak	Menjamin akses kanak-kanak terhadap khidmat penjagaan kesihatan selain meningkatkan kesedaran ibu bapa dan masyarakat tentang kepentingan kanak-kanak memperoleh perkhidmatan kesihatan yang disediakan oleh Kerajaan.
8.	Penjagaan kanak-kanak	Memastikan kanak-kanak mendapatkan penjagaan yang berkualiti dan selamat daripada penderaan dan kecuaiannya khasnya di pusat jagaan kanak-kanak.
9.	Eksplotasi kanak-kanak sebagai peminta sedekah	Mengelakkan kanak-kanak daripada menjadi mangsa eksploitasi sebagai peminta sedekah dan pengutip derma.

(c) Orang Kurang Upaya (OKU)

Bil.	Isu Keutamaan	Objektif untuk Dicapai
1.	Pendaftaran OKU	Memastikan golongan OKU tidak tercicir daripada didaftarkan dalam SMOKU bagi membolehkan mereka mendapat pelbagai insentif, bantuan dan kemudahan yang ditawarkan terhadap OKU yang berdaftar.
2.	Pendidikan OKU	Melindungi hak golongan OKU terhadap akses pendidikan dengan lebih baik.
3.	Pekerjaan	Meningkatkan akses golongan OKU kepada pekerjaan agar golongan OKU dapat berdikari dan menyumbang kepada pendapatan sendiri dan ekonomi negara.
4.	Media dan telekomunikasi	Meningkatkan akses golongan OKU kepada perkhidmatan media dan telekomunikasi bagi memastikan golongan OKU tidak ketinggalan dalam menikmati kemajuan sistem media dan komunikasi pada masa kini.
5.	Kemudahan di hospital	Meningkatkan akses golongan OKU terhadap kemudahan mesra OKU di hospital.
6.	Pemberian bantuan	Memastikan golongan OKU yang layak mendapat akses kepada bantuan yang disediakan oleh Kerajaan dan tidak tercicir daripada menerima bantuan tersebut.
7.	Kemudahan OKU	Meningkatkan akses OKU terhadap kemudahan perumahan, pengangkutan awam dan bangunan yang boleh diakses dan mesra OKU.

Bil.	Isu Keutamaan	Objektif untuk Dicapai
8.	Salah laku terhadap OKU	Memelihara keselamatan dan kebajikan OKU daripada salah laku dan jenayah terhadap OKU.
9.	Pampasan PERKESO	Meluaskan skop pampasan dan meningkatkan akses terhadap pampasan PERKESO dalam kalangan pekerja yang menjadi OKU akibat bencana atau penyakit pekerjaan.
10.	Pindaan kepada Akta Orang Kurang Upaya 2008	Menambah baik hak OKU menerusi Akta Orang Kurang Upaya 2008.
11.	Hak untuk didengari	Menambah baik pelaksanaan hak golongan OKU untuk didengari.
12.	Sukan untuk OKU	Memenuhi hak OKU dalam sukan orang pekak.
13.	Hak pesakit mental	Melindungi hak-hak pesakit mental.

(d) Warga Emas

Bil.	Isu Keutamaan	Objektif untuk Dicapai
1.	Perkhidmatan kesihatan dan perkhidmatan awam	Meningkatkan akses warga emas terhadap perkhidmatan kesihatan dan perkhidmatan awam.
2.	Hak untuk didengari dan berpersatuan	Menambah baik ruang dan peluang bagi warga emas untuk didengari dan berpersatuan.
3.	Kempen kesedaran dan persediaan menghadapi hari tua	Meningkatkan kesedaran dalam kalangan masyarakat tentang persediaan untuk menghadapi penuaan.

Bil.	Isu Keutamaan	Objektif untuk Dicapai
4.	Latihan dan penyelidikan berkaitan warga emas	Mengatasi isu warga emas dengan memberikan penekanan kepada keperluan penyelidikan dan latihan berkaitan warga emas dan penuaan.
5.	Akses kepada pembelajaran sepanjang hayat	Meningkatkan akses warga emas terhadap pembelajaran sepanjang hayat.
6.	Penjagaan warga emas di rumah	Memastikan warga emas mendapat penjagaan yang selamat dan berkualiti di rumah.
7.	Standard dan kualiti pusat jagaan warga emas	Memastikan bahawa pusat jagaan warga emas menepati standard kualiti, keselamatan dan penjagaan yang ditetapkan.

(e) Pelarian

Bil.	Isu Keutamaan	Objektif untuk Dicapai
1.	Memantapkan pengurusan “pelarian”	Memantapkan proses pengurusan dan pengendalian golongan “pelarian.”
2.	Akses kepada penjagaan kesihatan	Menambah baik akses “pelarian” terhadap perkhidmatan penjagaan kesihatan.
3.	Meningkatkan akses kepada pendidikan	Melindungi hak kanak-kanak “pelarian” untuk mendapatkan akses kepada pendidikan melalui sokongan kepada program pendidikan yang disediakan oleh NGO.

D. TERAS 4: HAK ORANG ASLI, ANAK NEGERI SABAH DAN NATIVES OF SARAWAK

Masyarakat Orang Asal merupakan komuniti yang unik dan berbeza. Di Malaysia, Orang Asal dikategorikan mengikut kedudukan di Semenanjung Malaysia, Sabah dan Sarawak. Orang Asal dirujuk sebagai Orang Asli di Semenanjung Malaysia, Anak Negeri Sabah di Negeri Sabah dan *Natives of Sarawak* di Negeri Sarawak. Penggunaan istilah khusus bagi Anak Negeri Sabah dan *Natives of Sarawak* merupakan hasil persetujuan semua pihak melalui siri perbincangan semasa kajian NHRAP. Penggunaan khusus istilah Anak Negeri Sabah dan *Natives of Sarawak* telah dipersetujui kerana istilah tersebut mewakili identiti dan suku kaum masing-masing dengan lebih jelas. Tambahan pula, rujukan istilah khusus Anak Negeri Sabah dan *Natives of Sarawak* ini juga adalah bersesuaian kerana Orang Asli juga dirujuk secara khusus bagi mewakili 18 suku kaum Orang Asli di Semenanjung Malaysia. Bukan itu sahaja, malah Perlembagaan Persekutuan merujuk penduduk di Sabah dan Sarawak sebagai “*native*” yang bermaksud “anak negeri.” Selain itu, *Interpretation (Definition of Native) Ordinance (Sabah Cap. 64)* dan *Interpretation Ordinance, 2005 (Laws of Sarawak)* turut menggunakan istilah “*native*” bagi merujuk penduduk Sabah dan Sarawak masing-masing.

Isu berkaitan Orang Asal diberikan perhatian dalam perbincangan hak asasi manusia sama ada di peringkat domestik mahupun antarabangsa. Kajian NHRAP memfokuskan kepada isu-isu hak asasi manusia dalam kalangan Orang Asli, Anak Negeri Sabah dan *Natives of Sarawak* yang merangkumi empat dimensi utama iaitu politik, ekonomi, sosial dan budaya.

Kajian NHRAP mengambil kira pelbagai aspek, termasuklah penilaian terhadap undang-undang domestik, undang-undang antarabangsa, pencapaian dasar dan pelan tindakan sedia ada yang terpakai kepada Orang Asli, Anak Negeri Sabah dan *Natives of Sarawak*. Pelbagai kaedah pengumpulan data telah digunakan dalam mendapatkan maklumat yang sahih tentang isu yang dihadapi oleh Orang Asli, Anak Negeri Sabah dan *Natives of Sarawak*. Isu-isu yang telah dikenal pasti disahkan melalui pelbagai proses, termasuklah melalui proses semakan silang maklumat, pelaporan, rundingan awam dan perbincangan meja bulat. Kajian NHRAP turut

mengambil kira prinsip undang-undang antarabangsa dalam menganalisis isu Orang Asli, Anak Negeri Sabah dan *Natives of Sarawak*.

Di Malaysia, terdapat tiga (3) golongan Orang Asal iaitu Orang Asli, Anak Negeri Sabah dan *Natives of Sarawak*. Berdasarkan kajian yang dilakukan pada tahun 2011, Orang Asli di Semenanjung Malaysia mewakili 0.6% bersamaan 150,000 orang daripada jumlah keseluruhan penduduk Malaysia. Orang Asli terbahagi kepada tiga suku utama berdasarkan etnografi masing-masing iaitu Negrito, Senoi dan Melayu Proto yang terdiri daripada 18 suku kaum masyarakat. Suku kaum ini tidak dikira sebagai homogen (*homogenous*), sebaliknya merupakan kaum yang dianggap heterogen kerana memiliki keunikan dan perbezaan yang tersendiri dari perspektif sosiobudaya dan psikososial-kognitif. Setiap suku kaum ini unik dan berbeza kerana mereka memiliki bahasa, adat tradisi dan agama yang berlainan.

ISU KEUTAMAAN DAN OBJEKTIF

Bil.	Isu Keutamaan	Objektif untuk Dicapai
1.	Isu Hak Penentuan Kendiri	Memperkasakan hak Orang Asli, Anak Negeri Sabah dan <i>Natives of Sarawak</i> secara menyeluruh dengan menjamin pemeliharaan identiti, penyertaan, pemerkasaan institusi dan perlindungan dari segi undang-undang.
2.	Isu tanah (a) Persempadanan tanah (b) Pewartaan tanah (c) Tanah adat	Mengiktiraf dan menyelesaikan isu-isu berkaitan hak tanah adat, <i>Native Title</i> dan NCR.
3.	Isu Infrastruktur	Memperbaiki taraf kehidupan Orang Asli di kawasan pedalaman dan pinggir bandar melalui pemerkasaan infrastruktur yang sempurna kepada seluruh masyarakat Orang Asli.
4.	Isu Kesihatan	Memperbaiki tahap kesihatan dalam kalangan Orang Asli secara

Bil.	Isu Keutamaan	Objektif untuk Dicapai
		menyeluruh dengan meningkatkan mutu perkhidmatan kesihatan dan mempromosi gaya hidup sihat dalam kalangan Orang Asli.
6.	Isu Pendidikan	Memperkasakan usaha-usaha Kerajaan dalam menangani isu pendidikan dalam kalangan murid-murid Orang Asli demi membantu Orang Asli keluar daripada kepompong kemiskinan.
7.	Isu Alam Sekitar	Melindungi kawasan Orang Asli daripada terjejas akibat kesan pembalakan dan pembangunan tanah. Meningkatkan pemantauan terhadap aktiviti pembangunan yang melibatkan penerokaan tanah yang dijalankan berhampiran dengan kawasan Orang Asli.
8.	Isu Ekonomi	Menggalakkan Orang Asli mencari pendapatan sendiri tanpa perlu bergantung pada bantuan Kerajaan semata-mata. Menambah nilai kemahiran Orang Asli untuk menyara diri sendiri.

E. TERAS 5: KEWAJIPAN ANTARABANGSA

Skop Teras 5 meliputi hak kewajipan antarabangsa Malaysia dan isu-isu relevan yang berkaitan dengan hak asasi manusia. Kajian di bawah Teras 5 bertujuan mengenal pasti tahap kenikmatan hak asasi manusia di Malaysia berdasarkan piawaian antarabangsa yang terkandung dalam instrumen-instrumen antarabangsa hak asasi manusia serta mengenal pasti cabaran dan kelemahan yang wujud.

Oleh sebab kajian Teras 5 adalah berkaitan dengan kewajipan antarabangsa, maka kajian ini mengambil kira instrumen-instrumen hak asasi manusia sebagai rujukan. Teras 5 telah merujuk semua instrumen utama hak asasi manusia dalam menilai kesesuaian instrumen tersebut untuk disertai oleh Malaysia. Selain itu, undang-undang di Malaysia diberikan perhatian terutamanya Perlembagaan Persekutuan bagi memastikan pelaksanaan undang-undang antarabangsa di Malaysia tidak bercanggah dengan prinsip-prinsip perundangan yang sedia ada dalam negara.

ISU KEUTAMAAN DAN OBJEKTIF

Bil.	Isu Keutamaan	Objektif untuk Dicapai
1.	Komitmen Malaysia terhadap baki Instrumen hak asasi manusia antarabangsa utama yang masih belum disertai.	Menilai kesesuaian Malaysia menyertai baki instrumen hak asasi manusia antarabangsa utama yang masih belum disertai.
2.	Komitmen Malaysia terhadap Protokol Pilihan di bawah CEDAW, CRC dan CRPD.	Meningkatkan perlindungan dan jaminan kebajikan golongan sasaran yang terlibat melalui usaha Kerajaan Malaysia mengambil inisiatif untuk menyertai Protokol-protokol CEDAW, CRC dan CRPD yang masih belum disertai.
3.	Komitmen Malaysia terhadap Reservasi di bawah CEDAW, CRC dan CRPD.	Meluaskan tahap kesejahteraan yang lebih baik kepada golongan-golongan yang dilindungi di bawah CEDAW, CRC dan CRPD melalui usaha mengkaji semula reservasi yang dibuat

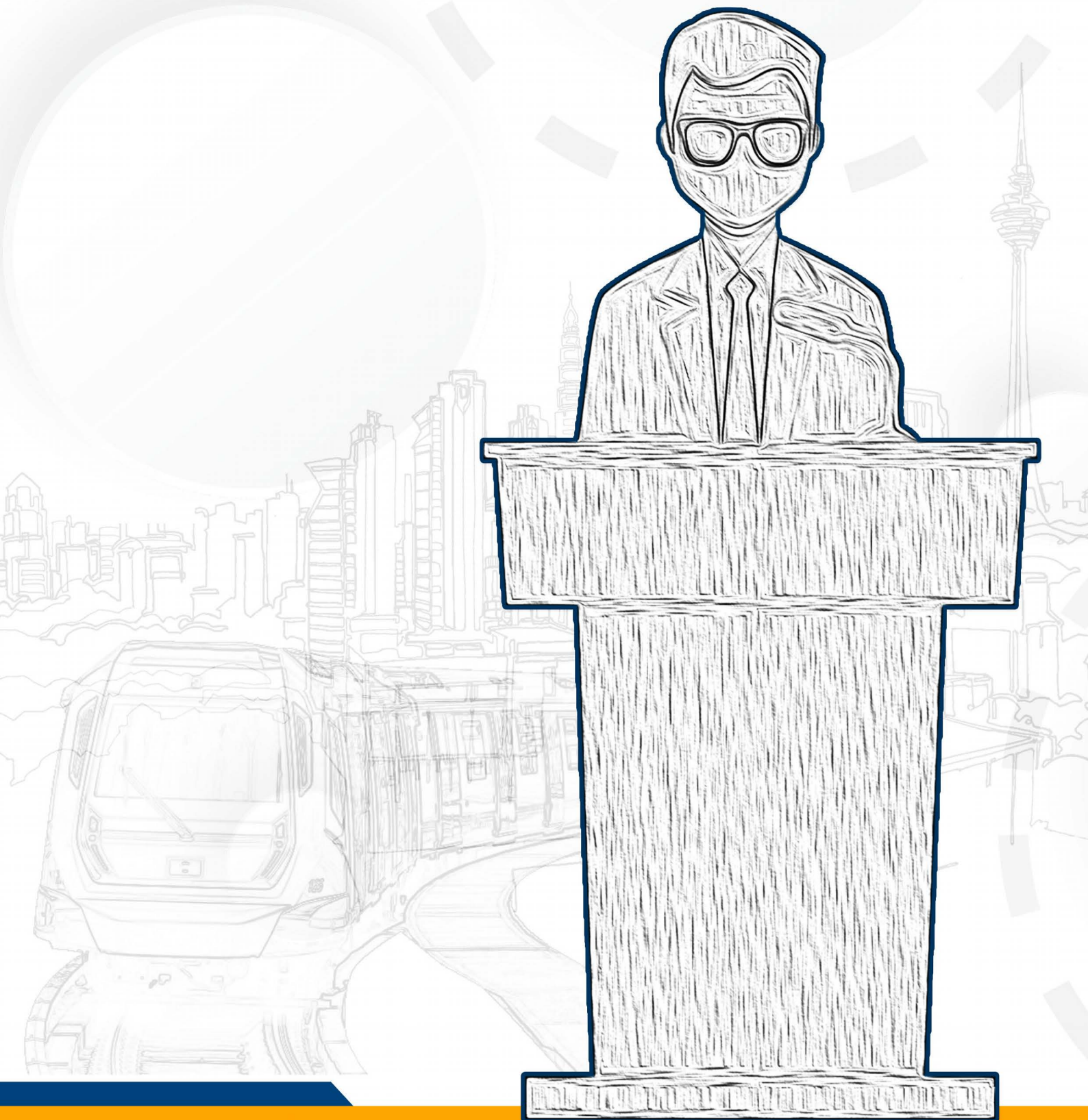
Bil.	Isu Keutamaan	Objektif untuk Dicapai
		oleh Malaysia di bawah CEDAW, CRC dan CRPD.
4.	Komitmen Malaysia dalam penggubalan dan semakan undang-undang domestik bagi penguatkuasaan CEDAW.	Memastikan peruntukan CEDAW dapat dikuatkuasakan di Malaysia.
5.	Komitmen Malaysia dalam penghantaran Laporan Negara di bawah CEDAW, CRC dan CRPD.	Memastikan Malaysia menghantar Laporan Negara di bawah CEDAW, CRC dan CRPD mengikut tempoh yang ditetapkan.
6.	Komitmen Malaysia terhadap Instrumen antarabangsa lain yang mempunyai implikasi hak asasi manusia.	Menilai kebolehsertaan Malaysia dalam beberapa instrumen antarabangsa lain yang mempunyai implikasi hak asasi manusia dengan memberi keutamaan kepada <i>Indigenous and Tribal Peoples in Independent Countries Convention, 1989 (No. 169)</i> iaitu undang-undang operasi antarabangsa yang terpenting yang menjamin hak-hak Orang Asal.

PELAN TINDAKAN HAK ASASI MANUSIA KEBANGSAAN (*NATIONAL HUMAN RIGHTS ACTION PLAN*)



TERAS I

HAK SIVIL DAN POLITIK



PELAN TINDAKAN HAK ASASI MANUSIA KEBANGSAAN (NHRAP)

TERAS 1: HAK SIVIL DAN POLITIK

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju			Jangka Masa		
			Pendek	Sederhana	Panjang	Pendek	Sederhana	Panjang
1.	Kebebasan diri Perlindungan diri dalam tahanan di lokap/penjara.	1.1 Pegawai Penyiasat memastikan setiap tahanan mendapat hak-hak di bawah undang-undang.	KDN	✓		✓		
		1.2 Mengadakan bilik siasatan yang berasingan daripada lokap yang dilengkapi dengan CCTV.	KDN	✓				
		1.3 Menyediakan Lokap Berpusat di setiap negeri dan daerah yang dilengkapi CCTV.	KDN			✓	✓	✓
		1.4 Setiap siasatan yang dijalankan mesti dirakamkan dengan CCTV.	KDN			✓	✓	✓
		1.5 Menambah baik SOP Pengurusan Lokap PDRM.	KDN			✓	✓	✓
		1.6 Mengadakan kerjasama antara PDRM dengan Kementerian	KDN	✓		✓	✓	

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
2.	Pemeriksaan Pengurusan Lokap	Kesihatan Malaysia (KKM) dalam menyediakan mekanisme pemeriksaan perubahan am yang meliputi pemeriksaan luaran dan mental orang tahanan sebelum dimasukkan ke dalam lokap PDRM sebagaimana yang dikehendaki menurut Kaedah 10 Kaedah-Kaedah Lokap 1953.	KKM			
		1.7 Menambah bilangan pegawai penyiasat dan menambah baik kemudahan pejabat bagi memastikan siasatan ke atas orang tahanan dapat dijalankan dengan segera.	KDN		✓	
		2.1 Memberikan kursus kepada pegawai dan anggota penguat kuasa berkenaan dengan hak asasi manusia yang merangkumi aspek hak asasi tahanan dan tempat tahanan.	KDN	✓	✓	✓
		2.2 Mengaudit dan mengadakan lawatan yang lebih kerap ke	KDN	✓		

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
3.	Penambahbaikan garis panduan tahanan reman oleh semua agensi penguat kuasa.	lokap-lokap PDRM, pusat-pusat tahanan Imigresen dan Agensi Anti-Dadah Kebangsaan (AADK) oleh pihak berkuasa/badan berkanun.				
		3.1 Menyediakan garis panduan yang jelas berkaitan dengan permohonan reman.	KDN	✓		
		3.2 Menambah baik SOP pengendalian orang tahanan dari tarikh mula kena tangkap.	KDN	✓		
		3.3 Menyediakan garis panduan dan mekanisme untuk memantau dan mengambil tindakan disiplin ke atas anggota yang melanggar mana-mana SOP yang ditetapkan.	KDN	✓	✓	
4.	Hak orang tahanan untuk mendapat penjagaan kesihatan yang konsisten.	4.1 Menambah baik atau mengubah suai lokap-lokap PDRM yang sedia ada dari segi pencahayaan, pengudaraan,	KDN		✓	✓

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		kemasan lantai dan kebersihan lokap dan tandas lokap.				
		4.2 Membangunkan Garis Panduan Pemeriksaan Kesihatan ke atas orang tahanan bagi lokap-lokap yang berpusat dan tidak berpusat.	KKM		✓	✓
		4.3 Menguatkuasakan Kaedah 10 Kaedah-Kaedah Lokap 1953 yang menghendaki Pegawai Perubatan memeriksa kesihatan orang tahanan sebelum dimasukkan ke dalam lokap PDRM.	KDN	✓		
		4.4 Menyediakan mekanisme yang efektif bagi orang tahanan membuat aduan rasmi kepada Pegawai Penjaga Lokap tentang apa-apa penyakit atau kecederaan yang dialami oleh orang tahanan supaya rawatan yang sewajarnya dapat diberikan.	KDN	✓		

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		4.5 Menyediakan Garis Panduan pemeriksaan kesihatan khusus bagi menangani orang tahanan yang merupakan penagih dadah, ketagihan alkohol, dan kanak-kanak.	KDN KKM	✓	✓	✓
5.	Kajian semula hukuman mati mandatori.	5.1 Mengkaji semula undang-undang jenayah untuk memastikan bahawa hukuman mati mandatori hanya akan dikenakan ke atas jenayah yang paling serius.	AGC	✓		
6.	Meningkatkan kesedaran orang awam terhadap undang-undang pencegahan.	6.1 Menubuhkan jawatankuasa yang dianggotai oleh wakil Kerajaan dan pembangkang untuk tujuan meningkatkan kesedaran awam tentang undang-undang pencegahan.	JPM	✓		
7.	Hak memperoleh maklumat Sekatan ke atas hak memperoleh maklumat.	7.1 Mengkaji semula Akta Rahsia Rasmi 1972 [Akta 88] bagi mewujudkan keseimbangan antara hak awam dengan keselamatan negara.	CGSO JPM	✓		

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa	
				Pendek	Sederhana Panjang
7.2		Mewujudkan peraturan di bawah Akta 88 yang menjelaskan pemakaian undang-undang kerahsiaan (seperti Akta 88) bagi pengendalian maklumat atau dokumen dengan menggariskan tentang:- • jenis maklumat atau dokumen yang tidak boleh dizahirkan oleh pegawai awam dalam menjalankan kewajipannya; • jenis maklumat atau dokumen yang penzahirannya oleh pegawai awam hendaklah mendapat kebenaran terlebih dahulu; • hal keadaan di mana apa-apa maklumat atau dokumen yang	CGSO JPM	✓	

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		dikendalikan kebenaran membawa pendakwaan jenayah; dan tanpa boleh kepada hal keadaan di mana apa-apa maklumat atau dokumen yang tanpa dikendalikan kebenaran membawa kepada tindakan tatatertib.				
8.	Hak Sama Rata/Tiada diskriminasi a) Isu ketidakadilan kepada litigan wanita akibat kelewatan proses perceraian dan tuntutan-tuntutan lain di Mahkamah Syariah	8.1	Meneruskan sesi keterlibatan (<i>engagement</i>) dengan NGO pertubuhan wanita dan orang ramai di seluruh negara bagi penggubalan polisi yang tidak menjejaskan hak asasi manusia dan memberikan akses undang-undang kepada masyarakat.	✓	✓	✓
		8.2	Meneruskan kajian tentang punca kelewatan prosiding kes di Mahkamah Syariah dan	✓		

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		menyelesaikan punca kelewatan itu.				
		8.3 Memperluas makluman tentang proses prosiding Mahkamah Syariah di media perdana dan media sosial.	JKSM	✓		
		8.4 Memastikan para hakim, pentadbir dan peguam syarie mematuhi KPI yang ditetapkan untuk tugasan masing-masing.	JKSM	✓		
		8.5 Menjadikan JKSM sebagai badan koordinator yang lebih efisien bagi seluruh Mahkamah Syariah khasnya sebagai pusat pengumpulan data daripada Mahkamah Syariah di negeri-negeri dan pelaksanaan KPI.	JKSM	✓		
		8.6 Meneruskan persidangan Ketua Hakim Syarie dan hakim-hakim syarie guna sama dan bukan guna sama semua negeri sekurang-kurangnya 4 kali	JKSM	✓		

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		setahun sebagai tempat bertukar maklumat supaya kejayaan polisi di sesetengah Mahkamah Syariah dapat diikuti di Mahkamah yang lain.				
	b) Pengukuhan perpaduan kaum dan agama	8.7 Menubuhkan mekanisme pemantauan atau jawatankuasa khas untuk memantau pelaksanaan Pelan Tindakan Perpaduan Nasional (PTPN).	JPM JPNIN			✓
9.	Hak untuk mengundi - Isu salah guna tema agama dalam politik - Isu akses yang saksama dan adil kepada media bagi parti politik untuk berkempen sepanjang tempoh pilihan raya. - Isu berpolitik secara bebas iaitu untuk memilih parti politik yang	9.1 Memperkasakan pendidikan pengundi bagi membolehkan rakyat memahami sistem pilihan raya di Malaysia.	SPR		✓	

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju			Jangka Masa		
			Pendek	Sederhana	Panjang			
10.	disokong.							
	Hak untuk mendapatkan keadilan (<i>access to justice</i>) di Mahkamah Syariah.	10.1	Meneruskan kajian sejauh mana masalah yang dihadapi bagi penguatkuasaan perintah Mahkamah Syariah.	JKSM	✓			
	(a) Keberkesanan perintah Mahkamah Syariah.							
	(b) Ketidakeragaman undang-undang berkaitan dengan hal-hal syariah di negeri-negeri.	10.2	Memantau dan meneliti semula peruntukan undang-undang termasuk Arahan Amalan di Mahkamah Syariah.	JKSM JAKIM		✓		
	(c) Kes-kes tertunggak di Mahkamah Syariah termasuk yang berkaitan dengan pelaksanaan perintah.	10.3	Mengkaji dan meneliti semula Arahan Amalan di Mahkamah Syariah supaya penjalanan kes lebih cekap dan cepat.	JKSM		✓		
		10.4	Menetapkan KPI bagi semua kategori kes.	JKSM			✓	

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		10.5 Meneruskan dan menambah baik mekanisme untuk litigan mengemukakan aduan dengan lebih mudah dan berkesan di peringkat nasional, dan diselaraskan dengan jabatan kehakiman di negeri-negeri.	JKSM	✓		
		10.6 Mewujudkan sistem pengurusan media sosial yang lebih berkesan.	JKSM	✓		
		10.7 Meneruskan kajian tentang kaedah-kaedah baharu bagi pelaksanaan perintah Mahkamah Syariah secara lebih berkesan.	JKSM	✓		
11.	Profesionalisme dan integriti badan penguat kuasa.	11.1 Menambah baik SOP kerja agensi-agensi penguatkuasaan untuk meningkatkan tahap kepercayaan orang awam terhadap integriti institusi berkenaan.	Agensi-agensi penguat kuasa	✓		

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa	
				Pendek	Sederhana Panjang
		11.2 Mengadakan SOP tentang tindakan segera (seperti tindakan disiplin sebagaimana yang disyorkan oleh badan berautoriti seperti EAIC) yang perlu diambil ke atas mana-mana anggota penguat kuasa.	JPM	✓	
12.	Pengampunan banduan	12.1 Mengkaji dan menambah baik SOP serta dokumentasi urusan pengampunan banduan di peringkat Negeri dan Persekutuan.	BHEUU	✓	
13.	Dokumen pengenalan diri di Sabah dan Sarawak	13.1 Menambah kekerapan persidangan/operasi Mahkamah/Mahkamah Bergerak di Sabah supaya kes-kes Pendaftaran Lewat Kelahiran yang tertunggak dapat didengar dan siji lahir lewat dapat diendors/disahkan bagi pengeluaran kad pengenalan. 13.2 Menambah baik dan memantapkan keberkesanan Unit Khas Bergerak (UKB)	PKPMP		✓

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		Jabatan Pendaftaran Negara bagi membolehkan unit ini menjalankan operasi "outreach" dengan lebih kerap dan berjadual ke kawasan pedalaman dan/atau kawasan-kawasan yang terpencil.				
		13.3 Mengintegrasikan perkhidmatan UKB dengan perkhidmatan lain seperti kesihatan, pendidikan dan perundangan (i.e. Mahkamah Sivil dan Syariah).	Unit Strategi Nasional, Kementerian Kewangan Kerajaan Negeri	✓		
		13.4 Meneruskan pengeluaran dokumen pengenalan diri yang mempunyai ciri-ciri keselamatan yang tinggi bagi menyelaraskan pemegang Kad IMM13.	KDN	✓	✓	✓
		13.5 Meningkatkan operasi penghantaran pulang pendatang asing tanpa izin (PATI) yang sedia ada di Sabah dengan	MKN	✓	✓	✓

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		koordinasi semua agensi penguat kuasa.				
		13.6 Meningkatkan pelaksanaan kesedaran secara berterusan berhubung dengan pendaftaran kelahiran kepada masyarakat oleh agensi-agensi kerajaan, pemimpin agama, pegawai daerah, klinik kesihatan, badan kampung pemimpin masyarakat dan masyarakat umum di Sabah/Sarawak.	KDN	✓	✓	✓
		13.7 Meningkatkan kesedaran secara berterusan dengan menyebarkan maklumat tentang kepentingan dokumentasi pengenalan diri melalui media, termasuk radio, televisyen dan media sosial dan mengadakan kerjasama dengan NGO.	JPN	✓	✓	✓
		13.8 Mengadakan perbincangan serantau – berhubung dengan isu Golongan Pala'u, pekerja	KDN	✓	✓	✓

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
14.	Isu Keselamatan di Sabah dan Sarawak	Indonesia dan Filipina, dan pelarian Filipina – untuk mewujudkan jalinan kerjasama dalam memahami isu-isu yang berkait dengannya.				
		14.1 Meningkatkan kegiatan risikan dan pertukaran maklumat dengan pihak berkuasa Filipina untuk mengatasi masalah penculikan di perairan Sabah.	MKN ESSCOM	✓	✓	✓
		14.2 Meningkatkan kerjasama antara penduduk kampung dengan pihak berkuasa untuk mengatasi masalah kebocoran sempadan darat di Sarawak dan mengatasi masalah penculikan di Sabah akibat kewujudan penduduk yang bersubahat dengan penculik.	MKN ESSCOM	✓	✓	✓
		14.3 Meneruskan penubuhan satu pasukan bertugas bersama antara Malaysia, Indonesia dan Filipina yang boleh menjalankan	MKN ESSCOM	✓	✓	✓

Bil.	Isu Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		rondaan darat, udara dan laut secara bersama.				

TERAS 2

HAK EKONOMI, SOSIAL DAN KEBUDAYAAN



TERAS 2: HAK EKONOMI, SOSIAL DAN KEBUDAYAAN

Pelan Tindakan Hak Ekonomi

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
1.	Hak perniagaan dan kepenggunaan	1.1 Memperkasakan dan meningkatkan inisiatif-inisiatif hak perniagaan dan hak-hak pengguna	MITI KPDNKK	✓	✓	✓
		1.2 Melaksanakan semakan undang-undang berkaitan dengan hak perniagaan dan pelaburan dari semasa ke semasa.	MITI KPDNKK	✓	✓	✓
		1.3 Meneruskan dan meningkatkan usaha-usaha bagi memudahkan urusan perniagaan.	KPDNKK MITI	✓	✓	✓
		1.4 Meneruskan dan meningkatkan usaha-usaha untuk mewujudkan peluang pelaburan secara saksama.	KPDNKK MITI	✓	✓	✓
		1.5 Meneruskan dan meningkatkan program kebudayaan, latihan dan kemahiran keusahawanan secara menyeluruh.	KPDNKK KPT MITI	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		1.6 Meningkatkan undang-undang berkaitan dengan hak kepenggunaan dengan lebih sistematik dan berkesan.	KPDNKK	✓	✓	✓
		1.7 Mengkaji semula undang-undang berkaitan hak kepenggunaan ke arah penambahbaikan.	KPDNKK		✓	
		1.8 Meningkatkan kesedaran hak kepenggunaan dalam kalangan pengguna.	KPDNKK	✓	✓	✓
2.	Hak bekerja	2.1 Meneruskan dan meningkatkan penguatkuasaan undang-undang perburuhan bagi memastikan hak pekerja dan majikan dilindungi.	KSM KDN	✓	✓	✓
		2.2 Meneruskan dan meningkatkan program kesedaran dan kefahaman serta literasi undang-undang tentang hak kesatuan sekerja.	KSM	✓	✓	✓
		2.3 Melakukan semakan dan kajian pelaksanaan gaji minima bagi	KSM		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		mengelakkan impak negatif kepada hak asasi manusia.				
		2.4 Melaksanakan Sistem Insurans Pekerjaan (SIP) secara lebih meluas dan komprehensif di seluruh negara.	KSM	✓	✓	✓
		2.5 Meneruskan semakan undang-undang perburuhan secara menyeluruh untuk menambah baik undang-undang perburuhan sedia ada dari semasa ke semasa termasuk melibatkan perlindungan dan hak pekerja asing.	KSM		✓	
		2.6 Meneruskan dan meningkatkan program latihan dan kemahiran bagi meningkatkan kebolehpasaran pekerjaan.	KSM EPU	✓	✓	✓
3.	Pembasmian kemiskinan dan ketaksamarataan	3.1 Meneruskan dan mempergiatkan usaha-usaha bagi meningkatkan pendapatan dan kekayaan isi rumah B40 bagi memperbesar saiz isi rumah dalam kelas pendapatan pertengahan.	EPU		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		3.2 Meneruskan program dan melaksanakan perancangan jangka masa pendek dan panjang bagi menangani isu kemiskinan mutlak di kawasan bandar, luar bandar, pinggir bandar, khususnya dalam kalangan Orang Asli, Anak Negeri Sabah dan <i>Natives of Sarawak</i> .	EPU KKLW		✓	✓
		3.3 Menangani isu kemiskinan relatif dan kemiskinan pelbagai dimensi dengan memberikan perhatian utama kepada negeri yang memiliki ramai isi rumah dalam kategori miskin dan berpendapatan rendah.	EPU		✓	
		3.4 Menetapkan had kadar keberhutangan isi rumah yang wajar dan perancangan untuk mengurangkan peratusan kadar keberhutangan rakyat Malaysia.	MOF	✓		
4.	Kemudahan asas	4.1 Meneruskan usaha untuk meningkatkan kualiti perkhidmatan dan kemudahan asas dan telekomunikasi.	KETTHA KKLW	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		4.2 Menyediakan kajian impak pengurangan subsidi tenaga kepada industri dan masyarakat umum dan mengawal kenaikan harga tenaga secara efektif.	KETTA		✓	
		4.3 Meningkatkan kemudahan asas tenaga dan memastikan kualitinya di kawasan bandar, luar bandar dan pedalaman.	KKLW KETTA Kerajaan Negeri Sarawak (Sarawak Energy Berhad) Sabah Electricity Sdn. Bhd.	✓	✓	✓
		4.4 Meneruskan usaha untuk meningkatkan perkhidmatan, kemudahan asas dan telekomunikasi terutama di kawasan pedalaman dan luar bandar.	KKMM	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
5.	Keperluan asas	5.1 Meneruskan pelaksanaan dan penguatkuasaan dasar perumahan yang mampu dengan mengambil kira aspek keperluan penyediaan perumahan mampu milik.	KPKT	✓	✓	✓
		5.2 Meneruskan dan meningkatkan akses kepada perumahan (pemilikan/sewa) dalam kalangan isirumah berpendapatan rendah dan sederhana berdasarkan kepada kemampuan dan keperluan.	EPU KPKT	✓	✓	✓
		5.3 Meningkatkan inisiatif dan kerjasama dengan sektor awam dan swasta bagi menyediakan rumah mampu milik.	EPU KPKT		✓	✓
6.	TPPA dan Perjanjian Perdagangan Antarabangsa	6.1 Menyediakan kajian impak Perjanjian Perdagangan Antarabangsa kepada hak asasi manusia di Malaysia dari semasa ke semasa.	MITI	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		6.2 Meningkatkan ketelusan Kerajaan dan melibatkan semua pihak berkepentingan dalam melaksanakan Perjanjian Perdagangan Antarabangsa negara.	MITI	✓	✓	✓

Pelan Tindakan Hak Sosial

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
7.	Hak pendidikan	7.1 Meneruskan agenda untuk memastikan “ <i>universal enrolment</i> ” murid di peringkat menengah atas.	KPM		✓	✓
		7.2 Meneruskan dan meningkatkan pelaksanaan strategi dan usaha bagi memastikan tiada rakyat yang tercicir daripada sistem pendidikan.	KPM		✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		7.3 Meneruskan usaha-usaha untuk menyediakan perkhidmatan pendidikan, fasiliti dan suasana pembelajaran yang kondusif secara menyeluruh.	KPM KKRM		✓	✓
		7.4 Meneruskan pelaksanaan program dan memperuntukkan dana berasaskan keperluan dalam aspek merapatkan hubungan antara sekolah kerajaan dengan Sekolah Agama Rakyat.	JAKIM MAIN	✓	✓	✓
		7.5 Meneruskan dan meningkatkan latihan dan sokongan pendidikan kepada Sekolah Agama Rakyat.	JAKIM MAIN KPM	✓	✓	✓
		7.6 Meningkatkan akses terhadap pendidikan tinggi.	KPT EPU	✓	✓	✓
8.	Hak kesihatan	8.1 Meningkatkan kerjasama awam dan swasta bagi menambah baik perkhidmatan kesihatan.	KKM	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		8.2 Meneruskan usaha-usaha bagi mempertingkatkan perkhidmatan kesihatan yang sedia ada selaras dengan Bidang Fokus A-Mencapai Akses Sejagat kepada Penjagaan Kesihatan Berkualiti dalam Teras Strategik 2, Rancangan Malaysia Kesebelas: i) Mengkaji tahap kesesakan hospital-hospital dan klinik kesihatan Kerajaan yang sedia ada; ii) Menambah bilangan hospital atau klinik kesihatan baharu di kawasan yang berpendudukan padat; iii) Tempoh masa menunggu pesakit yang wajar; iv) Tempoh masa janji temu yang wajar dan sesuai bagi pesakit menerima rawatan susulan.	KKM	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		8.3 Meneruskan usaha-usaha bagi mempertingkatkan kemudahan kesihatan di kawasan-kawasan pedalaman dan terpencil terutamanya di kawasan-kawasan Orang Asli dan Orang Asal dan di Sabah dan Sarawak termasuk peluasan perkhidmatan kepada isi rumah miskin dan berpendapatan rendah agar akses penduduk terhadap kesihatan dapat dipertingkatkan.	KKM	✓	✓	✓
		8.4 Menambah dan menaik taraf klinik kesihatan bagi rawatan dan penjagaan kesihatan ibu mengandung dan kanak-kanak.	KKM		✓	✓
		8.5 Meneruskan perkhidmatan pasukan kesihatan bergerak "mobile health services" termasuk "flying doctor services" di kawasan pedalaman untuk mengurangkan masalah ketidakmampuan rakyat mendapatkan khidmat kesihatan di mana bilangan pasukan kesihatan	KKM		✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		bergerak tertakluk kepada keperluan perkhidmatan di kawasan operasi.				
8.6		Menambah baik perkhidmatan rawatan kemalangan dan kecemasan dengan menjalin kerjasama bersama agensi-agensi untuk mengoptimalkan penggunaan sumber serta meningkatkan kecekapan perkhidmatan kesihatan.	KKM	✓	✓	✓
8.7		Meningkatkan nisbah seorang doktor dan penduduk selari dengan sasaran untuk mencapai nisbah 1:400 menjelang tahun 2020 dengan memperkasakan konsep doktor keluarga di klinik kesihatan.	KKM		✓	✓
8.8		Meningkatkan liputan kumpulan berisiko yang mengetahui status jangkitan HIV dengan meluaskan akses terhadap ujian HIV di fasiliti kesihatan Kerajaan dan <i>community-based testing</i> .	KKM	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		8.9 Meneruskan dan meningkatkan usaha-usaha untuk mengakhiri AIDS selaras dengan <i>National Strategic Plan on Ending AIDS 2016-2030</i> .	KKM	✓	✓	✓
		8.10 Meneruskan dan melaksanakan strategi untuk mencegah HIV/AIDS dan penyakit-penyakit berjangkit yang lain dengan kerjasama NGO dan komuniti setempat seperti yang dirancang dalam Pelan Strategik KKM 2016-2020.	KKM	✓	✓	✓
		8.11 Meneruskan dana khas Kerajaan dan memberikan sokongan kepada program-program NGO dan komuniti yang menguruskan usaha-usaha pencegahan dan sokongan bagi menangani HIV/AIDS serta penyakit berjangkit yang lain termasuk kempen kebersihan diri dan persekitaran sebagai pencegahan kepada wabak penyakit.	KKM	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
9.	Hak alam sekitar	9.1 Menguatkuasakan secara tegas undang-undang sedia ada bagi melindungi alam sekitar termasuk flora dan fauna seperti: • Akta Perhutanan Negara 1984 [Akta 313]; • Akta Pemuliharaan Hidupan Liar 2010 [Akta 716]; • Akta Kualiti Alam Sekeliling 1974 [Akta 127]; • <i>Natural Resources & Environmental Ordinance (Cap. 84 – Law of Sarawak, 1958 Ed.)</i>; • <i>The National Parks & Nature Reserve Ordinance 1998 (Chap. 27)</i>; • <i>The Wildlife Protection Ordinance 1998</i>; • <i>Sarawak Biodiversity Centre Ordinance 1997 (Chapter 24)</i>; dan • <i>Forest Enactment 1968 (Sabah No. 2 of 1968)</i>.	NRE Kerajaan Negeri Sarawak (Jabatan Hutan Sarawak / Jabatan Taman Negara dan Hidupan Liar Sarawak / Lembaga Sumber Asli dan Alam Sekitar Sarawak / Pusat Kepelbagaian Biologi Sarawak) Kerajaan Negeri Sabah	✓		

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
			Jabatan Perhutanan Semenanjung Malaysia			
			Jabatan Perhutanan Sabah			
			Jabatan Hidupan Liar Sabah			
			Jabatan Perlindungan Alam Sekitar Sabah			
			Taman-Taman Sabah			
			PERHILITAN			

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		9.2 Mengekalkan sekurang-kurangnya 50% daripada keluasan tanah Negara dilitupi pokok-pokok dan kawasan berhutan.	NRE Jabatan Perhutanan Semenanjung Malaysia Jabatan Perhutanan Sabah Kerajaan Negeri Sarawak (Jabatan Hutan Sarawak)	✓	✓	✓
		9.3 Meneliti semula dan memperkukuh peraturan, prosedur atau garis panduan sedia ada yang berkaitan dengan aktiviti-aktiviti yang boleh menjejaskan alam sekitar dan ekosistem.	NRE Jabatan Perhutanan Semenanjung Malaysia	✓		

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
			Kerajaan Negeri Sarawak (Kementerian Pembangunan Bandar dan Sumber Asli Sarawak) PERHILITAN			
		9.4 Meneruskan semakan dan kajian undang-undang bagi menambah baik Akta Perhutanan Negara 1984 [Akta 313] dan <i>Forest Enactment 1968</i> (Sabah No. 2 of 1968) untuk melindungi alam sekitar.	NRE Kerajaan Negeri Sabah Kerajaan Negeri Sarawak (Jabatan Hutan Sarawak) Jabatan Perhutanan Semenanjung Malaysia	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		9.5 Meneruskan dan meningkatkan usaha-usaha pemeliharaan dan pemuliharaan alam sekitar, biodiversiti dan sumber asli selaras dengan Dasar Kepelbagaian Biologi Kebangsaan 2016-2025 dan Dasar berkaitan alam sekitar.	NRE	✓	✓	✓
		9.6 Mempergiatkan kempen-kempen kesedaran yang sedia ada oleh Kerajaan dengan menambahkan jalinan hubungan kerjasama dengan pelbagai pihak.	NRE	✓	✓	✓
		9.7 Memantau pematuhan piawaian antarabangsa tentang hak asasi manusia dalam menjalankan aktiviti-aktiviti pembangunan yang memberikan kesan kepada alam sekitar yang dijalankan oleh pihak Kerajaan dan swasta.	NRE KPKT Kerajaan Negeri Sarawak (agensi-agensi berkaitan)		✓	
		9.8 Melaksanakan Penilaian Impak Alam Sekitar (EIA) dengan telus dan tepat	NRE	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		untuk menilai keseluruhan impak positif dan negatif terhadap alam sekitar.	Kerajaan Negeri Sarawak (agensi-agensi berkaitan)			
		9.9 Memberikan perhatian dan keutamaan kepada isu perubahan iklim yang menjadi cabaran semasa yang memberikan kesan kepada hak asasi manusia.	NRE	✓		
		9.10 Menyelaraskan pelaksanaan yang telah dirancang dalam Dasar Perubahan Iklim Negara.	NRE NADMA	✓	✓	✓
10.	Hak perkhidmatan dan keselamatan sosial dan perpaduan nasional	10.1 Menyediakan Pelan Tindakan Perpaduan Negara (PTPN) bagi pelaksanaan syor-syor di bawah <i>Blueprint</i> Pelan Perpaduan, Kesepaduan dan Penyatuanpaduan.	JPNIN	✓	✓	✓
		10.2 Meningkatkan kemudahan dan akses perkhidmatan kebajikan sosial secara sama rata dalam kalangan rakyat.	JKM JAKOA KKLW	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		10.3 Meningkatkan aktiviti kefahaman dan keharmonian oleh Jawatankuasa Mempromosikan Persefahaman dan Keharmonian antara Penganut Agama (JKMPKA).	JPNIN	✓	✓	✓
		10.4 Menubuhkan Majlis Multibudaya Malaysia (<i>Malaysian Multicultural Council</i>).	KPKM		✓	
		10.5 Mewujudkan Hari Rukun Negara.	JPNIN	✓	✓	✓
		10.6 Mempromosikan kesepaduan sosial dan memerangi keganasan dan sikap ekstrim.	JPNIN	✓	✓	✓
		10.7 Mewujudkan akta khusus untuk menjaga keharmonian antara kaum dan agama.	JPNIN			✓
11.	Hak Rekreasi	11.1 Meningkatkan dan memperkukuh penguatkuasaan pelaksanaan Dasar Sukan Negara dan Dasar Belia Malaysia berkaitan dengan hak rekreasi.	KBS	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		11.2 Melaksanakan dan mematuhi dasar dalam Rancangan Fizikal Negara (RFN) yang menyaranakan supaya minimum 10% daripada keseluruhan kawasan pembangunan perlu dirizabkan sebagai tanah lapang awam termasuk taman-taman rekreasi.	KPKT	✓	✓	✓

Pelan Tindakan Hak Kebudayaan

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
12.	Amalan kebudayaan	12.1 Menjadikan Dasar Kebudayaan Kebangsaan (DKK) sebagai payung kepada semua kebudayaan yang ada dan menguatkuasakannya sebagai panduan bagi tujuan pemeliharaan definisi kebudayaan kebangsaan.	KPKM	✓	✓	✓
		12.2 Menilai dan memantau pelaksanaan Dasar Industri Kreatif yang berkaitan dengan amalan kebudayaan.	KPKM KKMM	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
13.	Harta Intelektual	12.3 Meningkatkan kesedaran dan penguatkuasaan Garis Panduan berkaitan Kebudayaan JAKIM tanpa meniadakan hak amalan kebudayaan yang tidak bercanggah dengan ajaran Islam.	JAKIM	✓	✓	✓
		13.1 Meningkatkan keberkesanan penguatkuasaan undang-undang harta intelek berkenaan dengan kebudayaan secara menyeluruh.	KPKM KPDNKK	✓	✓	✓
		13.2 Melindungi hak dan karya penulis berkaitan kebudayaan dengan mewujudkan dasar khusus berkenaan hak cipta.	KPDNKK KPKM	✓		
		13.3 Mempertimbangkan untuk meratifikasi <i>Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled</i> untuk memberikan pengecualian kepada orang kurang penglihatan bertujuan	KPDNKK MyIPO			✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		mendapatkan akses kepada karya boleh format dan mempertimbangkan pindaan terhadap Akta Hak Cipta 1987 agar besesuaian dengan keperluan Marrakesh Treaty.				
14.	Hak bahasa	14.1 Meneruskan usaha untuk menggalakkan bahasa Melayu dimartabatkan sebagai bahasa pengantar tunggal dalam urusan rasmi kecuali di Sabah dan Sarawak.	DBP KPKM	✓	✓	✓
		14.2 Menggalakkan penggunaan bahasa etnik tempatan lain untuk mengelakkan kepupusan bahasa sesuatu kaum yang akan memberikan kesan terhadap kemandirian kebudayaan kaum tersebut.	KPKM DBP	✓	✓	✓
15.	Warisan kebudayaan	15.1 Meneruskan pelaksanaan dasar pemeliharaan dan pemuliharaan warisan kebudayaan termasuk bangunan warisan, penemuan bahan sejarah dan amalan kebudayaan.	KPKM	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		15.2 Menetapkan dasar dan SOP yang jelas dalam kes penemuan bahan sejarah dalam tapak bina atau kontrak pembinaan berhubung kewajipan yang menyeluruh termasuk kewajipan menanggukkan projek, mengeluarkan bahan dan syarat-syarat menyambung semula projek pembinaan.	KPKM Jabatan Warisan Negara	✓		
		15.3 Menilai dan merujuk panduan pemeliharaan dan pemeliharaan warisan yang dinyatakan dalam instrumen antarabangsa secara konsisten.	KPKM Jabatan Warisan Negara	✓		
		15.4 Menitikberatkan aspek kesedaran masyarakat tentang kewujudan peruntukan undang-undang berkaitan warisan kebangsaan serta kepentingan melindungi dan menguruskan bahan sejarah dengan wajar demi ketamadunan manusia.	KPKM Jabatan Warisan Negara	✓	✓	✓

TERAS 3

HAK GOLONGAN RENTAN



TERAS 3: HAK GOLONGAN RENTAN

Golongan Wanita

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
1.	Wanita di tempat kerja/wanita bekerja	1.1 Menggalakkan penyertaan lebih ramai wanita untuk bekerja dengan menyediakan tempat kerja yang mesra dan waktu kerja yang fleksibel kepada wanita dan kempen-kempen kesedaran tentangnya dijalankan kepada agensi-agensi Kerajaan dan swasta.	KSM	✓	✓	✓
		1.2 Menilai keperluan mengadakan peruntukan undang-undang khusus berkenaan dengan gaji sama rata (<i>equal pay</i>).	KSM		✓	
		1.3 Menilai semula keperluan untuk mengadakan undang-undang spesifik berkaitan gangguan seksual di sektor swasta.	KSM	✓		

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		1.4 Meneruskan usaha untuk memberikan pendedahan kepada pekerja tentang gangguan seksual di tempat kerja.	KSM JPA	✓	✓	✓
		1.5 Meneruskan usaha mempercepat penubuhan bank yang mesra wanita dan menubuhkan Majlis Tindakan Ekonomi Wanita.	KPWKM			✓
		1.6 Mewajibkan caruman KWSP sebagai prasyarat membaharui lesen perniagaan.	KPDNKK MOF			✓
2.	Kes-kes perceraian dan tuntutan nafkah	2.1 Mengkaji mekanisme baharu dan terbaik bagi memudahkan hal-hal perceraian diselesaikan dengan efektif dan cepat di mahkamah.	JPM JKSM		✓	
		2.2 Meneruskan usaha untuk mewujudkan mekanisme yang bersepadu untuk memantau pelaksanaan perintah mahkamah selepas kes diputuskan.	KPWKM JKSM PKPMP		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
3.	Keganasan rumah tangga	3.1 Membangunkan Garis Panduan Pengurusan Tempat Selamat di bawah pengendalian Kerajaan.	KPWKM		✓	
		3.2 Meneruskan usaha untuk memberikan kesedaran melalui program advokasi dan promosi supaya ramai mangsa keganasan rumah tangga tampil mendapatkan bantuan.	KPWKM	✓	✓	✓
		3.3 Memperkuatkan Garis Panduan dan Piawaian Rumah Perlindungan bagi Mangsa Keganasan Rumah Tangga secara tegas.	KPWKM	✓	✓	✓
4.	Kebajikan mangsa perdagangan orang	4.1 Meningkatkan usaha untuk memperkuatkan perundangan berkaitan perdagangan termasuk pegawai yang bersubahat.	KDN	✓	✓	✓
		4.2 Meneruskan kerjasama dengan pertubuhan bukan Kerajaan, pertubuhan antarabangsa dan negara asal mangsa perdagangan dalam aspek penjagaan mangsa perdagangan.	KDN KPWKM		✓	

Bil.	Keutamaan	Tindakan		Agensi Peneraju			Jangka Masa		
							Pendek	Sederhana	Panjang
		4.3	Meningkatkan kemahiran agensi perundangan dan penguatkuasaan tentang cara menangani kes pmerdagangan.	KDN	✓	✓	✓	✓	✓
5.	Hak wanita untuk didengari	5.1	Mempergiatkan keterlibatandengan pihak yang berkepentingan dalam penggubalan dasar atau undang-undang.	KPWKM	✓				
		5.2	Meneruskan pelantikan wakil wanita Sabah, Sarawak dan memulakan pelantikan Orang Asli sebagai ahli Majlis Penasihat dan Perundingan Wanita (MPPW) bagi memastikan setiap golongan wanita mempunyai wakil dalam MPPW.	KPWKM		✓			
		5.3	Meneruskan usaha mencapai 30% dasar wanita di peringkat pembuat keputusan di pelbagai sektor korporat dan swasta.	KPWKM	✓	✓	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
6.	Ibu tunggal/golongan miskin	6.1 Meneruskan usaha untuk memberikan kesedaran tentang kebajikan ibu-ibu tunggal di kalangan kakitangan Kerajaan di jabatan-jabatan Kerajaan.	KPWKM	✓	✓	✓

Golongan Kanak-kanak

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
7.	Keganasan/salah laku terhadap kanak-kanak	7.1 Meluaskan pemakaian sistem <i>Nur A/ert</i> kepada kanak-kanak hilang yang berumur 12 tahun ke atas.	KPWKM PDRM	✓	✓	✓
		7.2 Meningkatkan kesedaran semua pihak tentang kesalahan membuat pendedahan identiti kanak-kanak di media massa dan media sosial.	KPWKM KDN KKMM	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		7.3 Mewujudkan daftar pelaku jenayah terhadap kanak-kanak.	KPWKM PDRM		✓	
		7.4 Memperbaiki dan memperluas peranan pelindung kanak-kanak mengikut keperluan dan menyediakan latihan bagi meningkatkan kemahiran dan kecekapan mereka dalam mengendalikan kes-kes keganasan, penderaan dan salah laku terhadap kanak-kanak serta meningkatkan bilangan Pasukan Pelindung Kanak-kanak (PPKK) mengikut keperluan supaya perkhidmatan susulan berterusan yang berkesan dapat dilaksanakan.	KPWKM	✓	✓	✓
		7.5 Meneruskan usaha untuk meningkatkan kesedaran dan pengetahuan pegawai dan kakitangan di semua agensi yang terlibat secara langsung dan tidak langsung dalam mengendalikan kes keganasan, penderaan dan salah laku terhadap kanak-kanak.	KPWKM JKM	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
8.	Kanak-kanak dan proses mahkamah	8.1 Meneruskan pelaksanaan cadangan-cadangan yang dikemukakan oleh Jawatankuasa bagi Kanak-kanak dalam Tahanan Reman bagi menambah baik elemen hak asasi kanak-kanak dalam prosedur tangkapan, siasatan dan tahanan kanak-kanak di bawah tahanan reman.	PDRM	✓	✓	✓
		8.2 Mewajibkan kanak-kanak yang dituduh di mahkamah diwakili oleh peguam (termasuk bantuan guaman percuma) bagi perbicaraan kes jenayah kanak-kanak.	KPWKM JBG		✓	
		8.3 Menggalakkan kanak-kanak diwakili oleh peguam dalam kes pertelingkahan sivil dan syariah yang melibatkan nafkah dan hak penjagaan anak.	JKSM JBG		✓	✓
		8.4 Memperluas perlindungan saksi kanak-kanak kepada Mahkamah Syariah.	JPM JKSM		✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		8.5 Melengkapkan semua mahkamah bagi kanak-kanak dengan kemudahan seperti <i>video-conferencing</i> , <i>video link</i> dan sebagainya terutama bagi mahkamah kanak-kanak di daerah-daerah kecil di samping menyediakan bilik menunggu yang mesra kanak-kanak di setiap mahkamah.	PKPMP JKSM JKM BHEUU			✓
9.	Perkahwinan bawah umur	9.1 Mengemas kini SOP permohonan kebenaran perkahwinan bawah umur untuk melindungi kepentingan kanak-kanak.	JKSM		✓	✓
10.	Kanak-kanak tanpa pengenalan diri	10.1 Menambah baik perkhidmatan di Jabatan Pendaftaran Negara untuk mengatasi masalah kanak-kanak tanpa dokumen pengenalan diri yang lahir di Malaysia. 10.2 Menambah baik SOP di Mahkamah supaya proses pengesahan kelayakan pemohon dapat dipercepat dan seragam.	JPN PKPMP	✓ ✓		

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
11.	Hak untuk didengari	11.1 Meneruskan usaha untuk melibatkan kanak-kanak dalam penggubalan dasar atau undang-undang yang berkaitan dengan kanak-kanak.	KPWKM		✓	
12.	Pendidikan kanak-kanak	12.1 Meningkatkan kesedaran dalam kalangan ibu bapa dan masyarakat tentang kepentingan pendidikan awal kanak-kanak seperti yang ditawarkan oleh TASKA, TABIKA dan TADIKA mampu biaya.	KKLW JKM ECCE JPNIN KPM KPWKM Bahagian PERMATA, JPM	✓	✓	✓
		12.2 Meneruskan Kempen Klik dengan Bijak kepada murid sekolah yang berumur 11 hingga 18 tahun dengan melibatkan guru dan ibu bapa agar mereka lebih berpengetahuan atau	KKMM	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		celik teknologi untuk memudahkan pemantauan.				
		12.3 Meningkatkan kefahaman pengusaha bas sekolah dan ibu bapa tentang kepentingan penggunaan bas sekolah yang mendaftar dengan SPAD supaya kanak-kanak dapat dilindungi insurans.	SPAD	✓	✓	✓
		12.4 Meneruskan kesedaran tentang akses kepada peluang pendidikan kepada kanak-kanak yang tidak dapat disahkan identiti kedua-dua ibu bapa tertakluk kepada perakuan dan pengesahan agensi Kerajaan yang berkaitan.	KPM KPWK		✓	
		12.5 Meningkatkan bilangan kelas pendidikan awal kanak-kanak yang mampu biaya untuk rakyat.	KPWKM KKLW JPNIN KPM		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		12.6 Meneruskan inisiatif untuk menambah bilangan TASKA yang boleh diakses, berkualiti dan mampu bayar dan pemantauan berterusan di TASKA untuk memastikan kebajikan kanak-kanak terjaga.	KPWKM KKLW PERMATA		✓	✓
13.	Kesihatan kanak-kanak	13.1 Meningkatkan kesedaran tentang kepentingan vaksin.	KKM	✓	✓	✓
		13.2 Menangani golongan anti vaksin untuk menjaga kepentingan kanak-kanak.	KKM	✓	✓	✓
14.	Eksplotasi kanak-kanak sebagai peminta sedekah	14.1 Meneruskan kempen kesedaran kepada orang ramai supaya melaporkan tentang operasi kutipan wang yang melibatkan kanak-kanak kepada pihak berkuasa.	KPWKM	✓	✓	✓
		14.2 Meneruskan usaha untuk membanteras kegiatan meminta sedekah atau apa-apa kegiatan berbentuk kutipan wang oleh kanak-kanak secara bersepadu.	PDRM Pihak Berkuasa Tempatan (PBT)	✓	✓	✓
		14.3 PBT meningkatkan penguatkuasaan	KPKT		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		dengan membatalkan lesen perniagaan mana-mana individu atau syarikat yang menjalankan kegiatan perniagaan dengan mengeksploitasi kanak-kanak.				
		14.4 Mengambil tindakan di bawah Akta Pertubuhan 1966 terhadap mana-mana pertubuhan atau rumah perlindungan yang mempergunakan kanak-kanak untuk meminta sedekah atau menjalankan apa-apa aktiviti kutipan wang.	KDN	✓	✓	✓

Golongan OKU

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
15.	Pendaftaran OKU	15.1 Meneruskan usaha untuk menjalin kerjasama secara aktif dengan klinik kesihatan terutama di luar bandar bagi membantu menjalankan pemeriksaan dan pengesahan status OKU.	KKM JKM	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
16.	Pendidikan OKU	16.1 Menambah jumlah TASKA OKU (berdasarkan keperluan) terutama untuk OKU di luar bandar.	KPWKM		✓	✓
		16.2 Meneruskan latihan peningkatan profesionalisme kepada guru pendidikan khas menerusi latihan formal dalam pendidikan khas.	KPM	✓	✓	✓
		16.3 Meneruskan usaha untuk memperluas kursus diploma dan ijazah pendidikan khas di lebih banyak IPT.	KPT		✓	✓
		16.4 Meneruskan usaha ke arah meningkatkan prasarana fizikal di IPT yang mesra OKU, menyediakan jurubahasa isyarat bagi pelajar kurang upaya pendengaran, komputer mesra OKU, bantuan pencari maklumat di perpustakaan, kemudahan sistem pengangkutan mesra OKU dan menghapuskan kerenah birokrasi.	KPT		✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		16.5 Membina dan menyediakan sekolah menengah pendidikan khas vokasional bagi memenuhi keperluan murid berkeperluan khas di Sarawak.	KPM			✓
17.	Pekerjaan	17.1 Meneruskan usaha mempromosikan bidang kerjaya yang memerlukan perkhidmatan OKU sesuai dengan kelayakan OKU dengan penyediaan latihan dan spesifikasi tugas yang lebih jelas dalam usaha mencapai kuota 1%.	KSM JPA	✓	✓	
18.	Media Telekomunikasi	18.1 Menggalakkan penyediaan perkhidmatan penggunaan bahasa isyarat dan sari kata dalam rancangan televisyen swasta dan berbayar. 18.2 Menggalakkan syarikat komunikasi (Telco) dan media (contohnya, Astro) menyediakan pakej bayaran khas untuk golongan OKU yang menggunakan sebahagian kecil perkhidmatan yang ditawarkan.	KKMM KKMM			✓ ✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		18.3 Menggalakkan penyediaan akses Internet percuma oleh TELCO kepada golongan OKU.	KKMM	✓	✓	
19.	Kemudahan di Hospital	19.1 Memastikan penyedia perkhidmatan kesihatan Kerajaan dan swasta menyediakan kemudahan mesra OKU seperti parkir berhampiran dengan pintu masuk utama.	KKM	✓	✓	✓
		19.2 Menguatkuasakan kompaun atau mengunci kenderaan yang menyalahgunakan kemudahan yang disediakan di bawah Undang-undang Kecil Bangunan Seragam 1984.	KPKT PBT	✓	✓	✓
		19.3 Menyediakan kemudahan katil mesra OKU di hospital secara berperingkat.	KKM			✓
20.	Pemberian bantuan	20.1 Menambah baik syarat pemberian bantuan di bawah Skim Bantuan Galakan Perniagaan Orang Kelainan Upaya (SBGP-OKU).	KSM	✓		

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		20.2 Membuat semakan ke atas syarat permohonan bantuan alat bantuan sokongan/tiruan.	KPWKM	✓		
21.	Kemudahan OKU	21.1 Meneruskan pemberian kuota khas OKU bagi permohonan projek Program Perumahan Rakyat (PPR) (1% bagi setiap projek PPR)	KPKT	✓		
		21.2 Memastikan pemakaian dan penguatkuasaan garis panduan reka bentuk sejagat dalam pelan pembangunan supaya segala kemudahan yang berkenaan dapat disediakan mengikut spesifikasi teknikal yang digariskan.	KPKT		✓	
		21.3 Meningkatkan penguatkuasaan terhadap pemaju yang tidak melaksanakan atau melanggar undang-undang berkaitan reka bentuk sejagat dalam pelan pembangunan.	KPKT	✓	✓	✓
		21.4 Menyediakan kemudahan pengangkutan dan kemudahan awam golongan OKU yang lebih menyeluruh	MOT SPAD KPKT		✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		(dan tidak hanya memberikan tumpuan kepada pengguna kerusi roda).				
		21.5 Melantik pakar-pakar dalam audit pelaksanaan/pematuhan reka bentuk sejagat di PBT.	KPKT	✓		
22.	Salah laku terhadap OKU	22.1 Menambah kemudahan dan perkhidmatan mesra OKU bagi memudahkan golongan OKU membuat laporan polis, proses rakaman percakapan dan sebagainya.	PDRM		✓	✓
23.	Pampasan PERKESO	23.1 Menyemak jenis-jenis penyakit yang melayakkan pekerja yang ditimpa kemalangan menerima pampasan PERKESO seiring dengan keperluan semasa.	KSM	✓		
24.	Pindaan kepada Akta Orang Kurang Upaya 2008	24.1 Mempertimbangkan untuk menambah peruntukan penalti atau hukuman bagi mereka yang menyalahgunakan kemudahan OKU.	KPWKM		✓	
		24.2 PBT meningkatkan penguatkuasaan terhadap pelanggaran undang-undang berkaitan reka bentuk sejagat.	KPKT		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
25.	Hak untuk Didengari	24.3 Menambahkan peruntukan yang melindungi pemohon kerja OKU daripada didiskriminasi kerana faktor ketidakupayaan mereka.	KPWKM		✓	
		25.1 Memastikan pelaksanaan SOP bagi membolehkan hak OKU untuk didengari.	KPWKM	✓		
		25.2 Meneruskan pemerkasaan Majlis Kebangsaan bagi Orang Kurang Upaya dan melibatkan penyertaan OKU dalam Majlis ini.	KPWKM		✓	
		25.3 Mempertimbangkan peruntukan untuk meningkatkan perisian yang boleh membantu golongan OKU yang sukar bertutur.	KPWKM		✓	
		25.4 Menyediakan kemudahan mudah akses kepada golongan OKU untuk mengundi.	SPR	✓		
26.	Sukan untuk OKU	26.1 Menyediakan khidmat kejurulatihan	KBS		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		profesional dan program persediaan latihan kepada atlet pekak yang terpilih untuk mewakili negara ke sukan peringkat antarabangsa.				
		26.2 Mewujudkan kumpulan Atlet Pekak Elit dan Pelapis.	KBS	✓		
		26.3 Mewujudkan Bahagian Sukan Orang Pekak di Majlis Sukan Negara (MSN) untuk menjaga hal ehwal sukan warga pekak.	KBS	✓		
		26.4 Menyediakan Skim Hadiah Kemenangan Sukan (SHAKAM) kepada atlet pekak yang memenangi pingat di Sukan Berprestasi Tinggi di peringkat antarabangsa.	KBS		✓	
		26.5 Mengiktiraf Sukan Orang Pekak Malaysia (SOPMA) dalam Akta Pembangunan Sukan 1997.	KBS			✓
27.	Hak Pesakit Mental	27.1 Meneruskan perbincangan dengan organisasi-organisasi yang mewakili pesakit mental bagi menyediakan	MOF		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		perlindungan insurans yang sesuai untuk golongan pesakit mental.				
		27.2 Mengkaji semula Akta Pencen 1980 yang tidak memasukkan orang dengan masalah mental yang teruk, skizofrenia dan gangguan bipolar kerana masalah mental di bawah Akta Pencen 1980 hanyaterhad kepada masalah intelektual dan autisme.	JPA		✓	
		27.3 Mengadakan SOP untuk melepaskan pesakit-pesakit mental yang ditahan di hospital sakit mental selepas menjalani tempoh hukuman.	KKM KPWK		✓	
		27.4 Mewujudkan kaedah penyelesaian jangka sederhana dan jangka panjang bagi pesakit mental gelandangan yang diselamatkan dalam operasi di bawah Akta Orang Papa 1977.	KPKWK KKM		✓	✓
		27.5 Menyediakan penempatan alternatif untuk pesakit mental di bawah kendalian JKM.	KPKWK		✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		27.6 Menambah bilangan pegawai psikologi (klinikal) di hospital Kerajaan dan pegawai psikologi di klinik kesihatan.	KKM		✓	✓
		27.7 Meningkatkan bilangan pusat kesihatan mental komuniti dan rumah jagaan kejurawatan psikiatri di bawah Akta Kesihatan Mental 2001.	KKM		✓	✓

Golongan Warga Emas

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
28.	Perkhidmatan kesihatan dan perkhidmatan awam	28.1 Menguatkuasakan Undang-undang Penjagaan Kesihatan Warga Emas.	KKM KPWK			✓
		28.2 Menambah bilangan unit geriatrik khas di hospital dan hospital rehabilitasi.	KKM		✓	
		28.3 Mewujudkan mekanisme untuk mengenal pasti keupayaan warga emas untuk memandu.	JPJ KKM		✓	

Bil.	Keutamaan	Tindakan		Agensi Peneraju	Jangka Masa		
					Pendek	Sederhana	Panjang
29.	Hak untuk didengari dan bersatuan	29.1	Memperibadikan pelantikan wakil warga emas di peringkat PBT.	KPWKM KPKT		✓	
		29.2	Mengadakan Mesyuarat Majlis Penasihat dan Perundingan Warga Emas Negara dengan lebih kerap.	KPWKM	✓		
30.	Kempen kesedaran dan persediaan menghadapi hari tua	30.1	Meneruskan kempen kesedaran kepada golongan muda tentang warga emas.	KPWKM	✓	✓	✓
		30.2	Memperkenalkan Modul Persaraan bagi pekerja-pekerja swasta oleh KWSP dengan kerjasama agensi-agensi lain.	KWSP		✓	
		30.3	Meneruskan Program Taklimat Awam KWSP kepada ahli sebagai persediaan sebelum bersara.	KWSP	✓	✓	✓
31.	Latihan dan Penyelidikan Berkaitan dengan Warga Emas	31.1	Mengalakkan penyelidikan ginekologi di IPT dan penyelidikan berkaitan warga emas.	KPT		✓	✓
32.	Akses kepada pembelajaran sepanjang hayat	32.1	Meningkatkan enrolmen 10,000 warga emas menjelang 2020 dalam akses kepada pembelajaran sepanjang hayat.	KPT		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		32.2 Menggalakkan akses Internet percuma untuk warga emas.	KKMM	✓		
		32.3 Meluaskan promosi tentang kewujudan kursus-kursus di institusi-institusi yang memberikan pengecualian yuran untuk warga emas.	KPT	✓	✓	✓
33.	Penjagaan warga emas di rumah	33.1 Memberikan kursus yang bersesuaian kepada pemberi khidmat (<i>caregivers</i>) warga emas di rumah untuk memberikan pendedahan dan persediaan mental kepada warga emas.	KPWKM		✓	✓
		33.2 Mempergiatkan promosi sukarelawan kebajikan khidmat bantu di rumah penjagaan warga emas.	KPWKM	✓	✓	✓
		33.3 Memberikan sagu hati atau kemudahan tertentu kepada sukarelawan-sukarelawan terlatih yang menyertai Program Khidmat Bantu di Rumah.	KPWKM		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
34.	Standard dan kualiti pusat penjagaan warga emas	34.1 Mewajibkan latihan khusus kepada kakitangan yang bekerja di setiap Pusat Jagaan Warga Emas.	KPWKM KKM		✓	
		34.2 Mewujudkan sijil profesional khusus kepada penjaga (<i>cara givers</i>) tentang penjagaan warga emas dan OKU.	KPWKM KKM		✓	

Golongan “Pelarian”

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
35.	Memantapkan pengurusan “pelarian”	35.1 Mengenal pasti isu-isu utama berkaitan penentuan dan perlindungan “pelarian” serta tindakan-tindakan yang sesuai bagi menanganinya.	MKN			✓
		35.2 Meneruskan kerjasama dalam bentuk Pasukan Petugas Bersama (<i>Joint Task Force</i>) antara Kerajaan Malaysia dengan <i>United Nations High Commissioner for Refugees</i> (UNHCR)	KDN		✓	

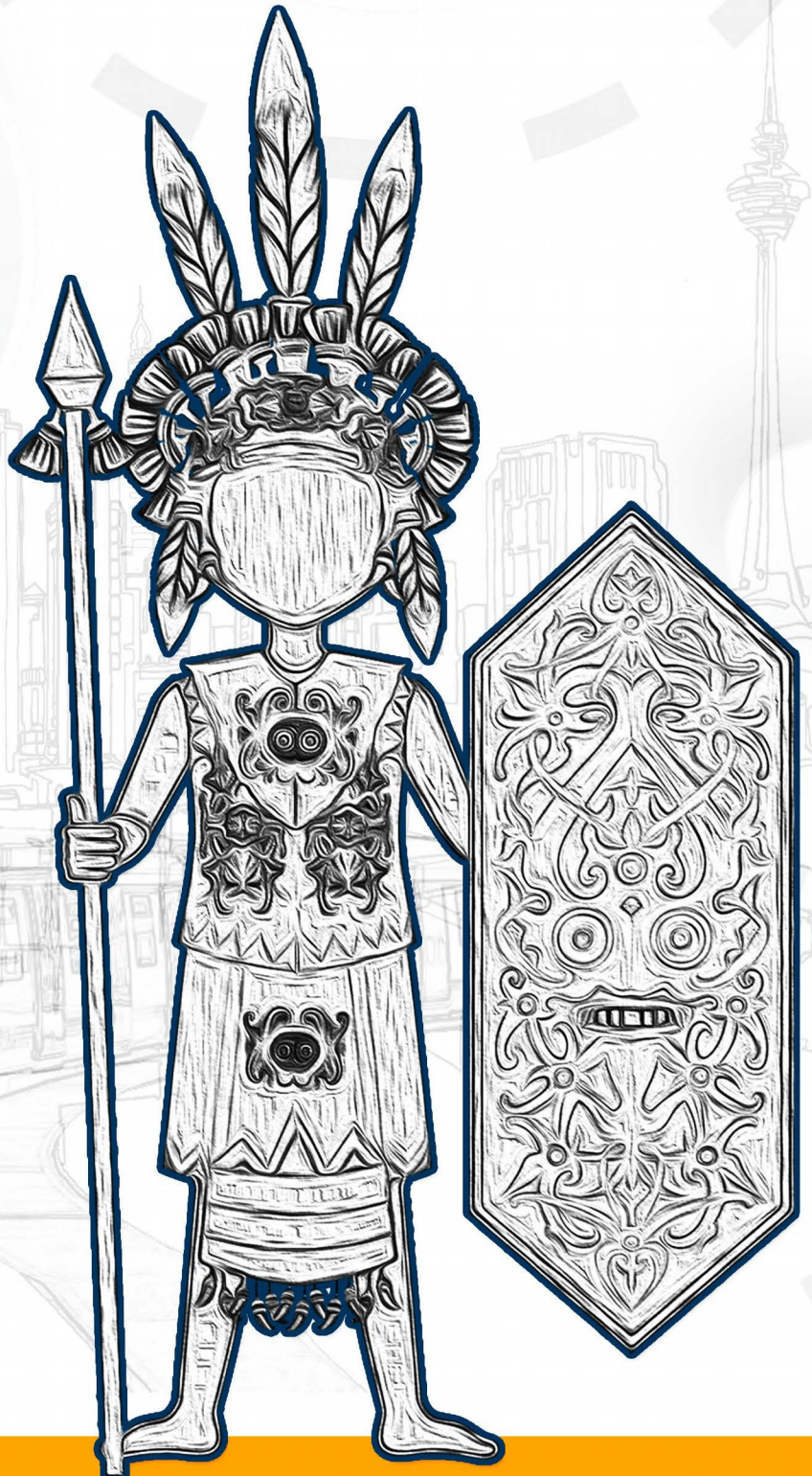
Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		tentang mekanisme pengurusan “pelarian”.				
		35.3 Meningkatkan <i>stakeholders</i> seperti UNHCR, NGO, SUHAKAM dan sebagainya menerusi dialog secara formal dan konsisten tentang isu-isu yang melibatkan golongan “pelarian.”	MKN			✓
		35.4 Menambah pengetahuan pegawai-pegawai yang terlibat dalam isu “pelarian” tentang pengendalian “pelarian.”	KDN		✓	
36.	Akses kepada penjagaan kesihatan	36.1 Mempertimbangkan kebenaran akses kepada NGO yang ingin memberikan bantuan kesihatan dan penjagaan kesihatan terhadap golongan migran yang berada di penjara dan pusat tahanan imigresen.	KKM KDN	✓	✓	✓
		36.2 Meneruskan pengecualan fi bagi “pelarian” yang menghadapi penyakit berjangkit berdasarkan Surat Pekeliling KSU KKM Bil.2, 2016 Garis Panduan	KKM		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju			Jangka Masa	
			Pendek	Sederhana	Panjang		
		Pengecualian Fi bagi Penyakit Berjangkit di kalangan warga asing.					
		36.3 Meneruskan pemberian akses One Stop Crisis Centre (OSCC) kepada golongan “pelarian” yang menjadi mangsa keganasan gender dan seksual.	✓	✓		✓	
		36.4 Menjalinkan kerjasama dengan NGO dan UNHCR dalam menyediakan pekerja khidmat komuniti yang ditempatkan di hospital yang boleh bertindak sebagai jurubahasa dan menyebarkan maklumat tentang akses kepada penjagaan kesihatan kepada golongan “pelarian.”		✓		✓	
		36.5 Mengkaji semula arahan atau SOP bagi melaporkan imigran haram kepada pihak berkuasa.		✓			
		36.6 Memperluas akses penjagaan kesihatan yang bersifat secepat merangkumi golongan “pelarian” .				✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
37.	Meningkatkan kepada pendidikan akses	37.1 Meneruskan sokongan kepada program pendidikan yang disediakan oleh NGO kepada golongan “pelarian”.	KPM	✓	✓	✓

TERAS 4

HAK ORANG ASLI, ANAK NEGERI SABAH DAN *NATIVES OF SARAWAK*



TERAS 4: HAK ORANG ASLI, ANAK NEGERI SABAH DAN NATIVES OF SARAWAK

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
1.	Isu hak penentuan sendiri	1.1 Mencadangkan supaya perayaan Hari Orang Asal Sedunia diiktiraf dalam kalendar/ takwim utama negara.	KKLW			
			Kerajaan Negeri Sarawak	✓		
			Kerajaan Negeri Sabah	✓	✓	✓
		1.2 Meneruskan usaha memperuntukkan kategori kaum dalam borang rasmi Kerajaan.	MAMPU	✓		
			Kerajaan Negeri Sarawak	✓		
			Kerajaan Negeri Sabah	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Pendek	Jangka Masa Sederhana	Panjang
		1.3 Mengkaji semula keperluan untuk menubuhkan Suruhanjaya Bebas Orang Asal dengan berbincang bersama pihak-pihak berkepentingan.	BITU, JPM			✓
			Kerajaan Negeri Sarawak	✓	✓	
			Kerajaan Negeri Sabah	✓	✓	✓
		1.4 Memperkasakan Jawatankuasa Khas Kabinet mengenai Hak Tanah Orang Asal/Asli (JKKTHOA)	BITU, JPM	✓		

Orang Asli

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Pendek	Jangka Masa Sederhana	Panjang
2.	Isu hak penentuan sendiri Orang Asli	2.1 Mewujudkan kerangka atau SOP bagi penyertaan aktif masyarakat berlandaskan prinsip Izin Maklum Awal Bebas Telus (IMABT).	JAKOA		✓	
		2.2 Menggunakan prinsip IMABT sebelum sesuatu projek pembangunan dilaksanakan.	JAKOA		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
3.		2.3 Mengkaji keperluan memasukkan peruntukan dalam Akta Orang Asli 1954 [Akta 134] tentang penyertaan Orang Asli dalam proses pembuatan keputusan.	KKLW		✓	
		2.4 Meningkatkan penglibatan Orang Asli dalam JAKOA.	KKLW SPA JPA	✓	✓	
		2.5 Melaksanakan kajian sosioperundangan yang menyeluruh tentang konsep pegangan adat, hak-hak dan undang-undang berkaitan Orang Asli.	BITU		✓	
	Isu tanah a) Persempadanan tanah b) Pewartaan tanah c) Tanah adat	3.1 Menyediakan peruntukan yang mencukupi bagi kerja-kerja ukur halus dan kasar untuk persempadanan kawasan/penempatan Orang Asli.	EPU KKLW JAKOA		✓	
		3.2 Melaksanakan pewartan tanah bagi penempatan Orang Asli di bawah seksyen 7 Akta Orang Asli 1954 [Akta 134] dan Kanun Tanah Negara.	Pihak Berkuasa Negeri JAKOA		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		3.3 Mengkaji secara menyeluruh tentang konsep tanah adat dan mengenal pasti mekanisme yang sesuai untuk menentukan kawasan yang didakwa sebagai tanah adat.	BITU		✓	
		3.4 Menyediakan kertas dasar di peringkat Majlis Tanah Negara.	KKLW JAKOA NRE		✓	
		3.5 Mengadakan peruntukan undang-undang berkaitan tanah adat Orang Asli.	KKLW JAKOA			✓
		3.6 Mewujudkan SOP sebagai garis panduan bagi memperbaiki mekanisme, proses dan prosedur perundingan untuk menjaga kepentingan Orang Asli dan pihak berkaitan.	JAKOA KKLW			✓
		3.7 Menyelaraskan pentadbiran tanah melalui mesyuarat penyelarasan antara agensi dan mengemas kini maklumat tanah Orang Asli ke dalam pangkalan data tanah dan <i>geospatial</i> / Negara.	KKLW NRE		✓	
		3.8 Mengkaji keperluan penubuhan	KKLW			✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		mekanisme penyelesaian khas isu tanah.	Kerajaan Negeri NRE			
		3.9 Memberikan pendedahan dan pemahaman tentang konsep tanah adat kepada pembuat dan pelaksana dasar.	KKLW NRE JAKOA Kerajaan Negeri	✓	✓	✓
		3.10 Membincangkan isu-isu tanah adat di dalam mesyuarat secara berkala.	KKLW NRE JAKOA	✓	✓	✓
4.	Isu infrastruktur	4.1 Menjalankan pemantauan terhadap pematuhan prosedur dan menguatkuasakan pemantauan terhadap projek-projek pembangunan yang dilaksanakan.	KKLW JAKOA	✓	✓	✓
		4.2 Meneruskan projek-projek pembangunan yang dilaksanakan di kawasan pedalaman.	KKLW	✓	✓	
5.	Isu kesihatan	5.1 Meneruskan usaha-usaha untuk	KKM	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		meningkatkan kesedaran Orang Asli tentang kepentingan kesihatan dan perkhidmatan kesihatan yang disediakan oleh Kerajaan.	JAKOA			
6.	Isu pendidikan	6.1 Mengkaji keperluan penubuhan sekolah komuniti bagi petempatan yang tiada sekolah terutamanya kawasan pedalaman dan terpencil.	KKLW JAKOA KPM Kerajaan Negeri	✓		✓
		6.2 Meneruskan latihan peningkatan profesionalisme kepada guru-guru yang mengajar murid-murid Orang Asli.	JAKOA KPM	✓	✓	✓
		6.3 Meneruskan program-program untuk meningkatkan kesedaran Orang Asli berkaitan kepentingan pendidikan kepada anak-anak.	JAKOA	✓	✓	✓
		6.4 Meneruskan usaha untuk memperkasakan pendidikan murid Orang Asli.	KKLW JAKOA KPM KKM	✓	✓	✓
7.	Isu alam sekitar	7.1 Meningkatkan pemantauan terhadap	JAKOA		✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		aktiviti pembangunan yang melibatkan penerokaan tanah yang dijalankan berhampiran dengan kawasan Orang Asli supaya tidak menjejaskan aspek sosial dan ekonomi Orang Asli.	KKLW NRE Kerajaan Negeri			
8.	Isu ekonomi	8.1 Mengkaji semula keberkesanan program-program peningkatan ekonomi dan sosial yang telah dilaksanakan untuk Orang Asli.	JAKOA KKLW		✓	
		8.2 Menjalin kerjasama dengan institusi keusahawanan seperti INSKEN untuk menyediakan latihan keusahawanan sesuai dengan kemahuan Orang Asli.	JAKOA KKLW		✓	✓
		8.3 Mengkaji sama ada skop latihan kemahiran yang dijalankan bersesuaian dengan kehendak Orang Asli.	JAKOA KKLW		✓	✓

Anak Negeri Sabah

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
9.	Native Customary Rights (NCR)	9.1 Mengkaji secara menyeluruh tentang konsep tanah adat Anak Negeri Sabah / <i>Native Customary Rights (NCR)</i> dan urusan pentadbirannya selaras dengan ordinan tanah Negeri Sabah Bab(68).	Kerajaan Negeri Sabah	✓	✓	✓
		9.2 Mengkaji dan mengenal pasti mekanisme yang sesuai untuk menentukan kawasan yang didakwa sebagai <i>Native Customary Rights (NCR)</i> selaras dengan ordinan tanah Negeri Sabah Bab(68).	Kerajaan Negeri Sabah	✓	✓	✓
		9.3 Mengkaji keperluan penubuhan mekanisme penyelesaian khas isu konsep tanah adat Anak Negeri Sabah / <i>Native Customary Rights (NCR)</i> selaras dengan ordinan tanah Negeri Sabah Bab(68).	Kerajaan Negeri Sabah	✓	✓	✓
		9.4 Menambah baik SOP yang sedia ada sebagai garis panduan bagi memperbaiki mekanisme, proses dan prosedur perundingan untuk menjaga	Kerajaan Negeri Sabah	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		kepentingan hak Anak Negeri / <i>Native Customary Rights (NCR)</i> dan pihak berkaitan selaras dengan ordinan tanah Negeri Sabah Bab(68).				
		9.5 Memberikan pendedahan dan pemahaman tentang konsep <i>Native Customary Rights (NCR)</i> kepada pembuat dan pelaksana dasar serta pihak yang kepentingan mengikut ordinan tanah Negeri Sabah Bab (68).	Kerajaan Negeri Sabah	✓	✓	✓
		9.6 Mempercepatkan pengukuran dan pemberian geran tanah adat kepada Anak Negeri Sabah / <i>Native Customary Rights (NCR)</i> yang berjaya membuktikan bahawa tanah tersebut adalah tanah adat mengikut ordinan tanah Negeri Sabah Bab (68).	Kerajaan Negeri Sabah	✓	✓	✓
		9.7 Meneruskan pemantuan terhadap aktiviti pembangunan melibatkan penerokaan tanah yang dilaksanakan berhampiran dengan tanah adat supaya tidak menjejaskan aspek sosial dan ekonomi Anak Negeri Sabah.	Kerajaan Negeri Sabah	✓	✓	✓

Natives of Sarawak

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
10.	Native Customary Rights (NCR)	10.1 Mengkaji secara menyeluruh tentang konsep tanah hak adat Bumiputera/NCR dan urusan pentadbirannya.	Kerajaan Negeri Sarawak (agensi-agensi berkaitan)	✓	✓	✓
		10.2 Mengkaji dan mengenal pasti mekanisme yang sesuai untuk menentukan kawasan yang didakwa sebagai tanah hak adat Bumiputera/NCR.	Kerajaan Negeri Sarawak (agensi-agensi berkaitan)	✓	✓	✓
		10.3 Mengkaji keperluan penubuhan mekanisme penyelesaian khas isu tanah hak adat Bumiputera/NCR.	Kerajaan Negeri Sarawak (agensi-agensi berkaitan)	✓	✓	✓
		10.4 Menambah baik SOP dan garis panduan bagi mekanisme, proses dan	Kerajaan Negeri	✓	✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		prosedur perundingan mengenai tanah hak adat Bumiputera/NCR untuk menjaga kepentingan <i>Natives of Sarawak</i> dan pihak berkaitan.	Sarawak (agensi-agensi berkaitan)			
		10.5 Memberikan pendedahan dan pemahaman tentang konsep tanah hak adat Bumiputera/NCR kepada umum dan pihak-pihak berkepentingan.	Kerajaan Negeri Sarawak (agensi-agensi berkaitan)	✓	✓	✓
		10.6 Meneruskan usaha pengukuran perimeter dan mempercepat pengukuran lot-lot individu tanah hak adat.	Kerajaan Negeri Sarawak (Jabatan Tanah dan Survei Sarawak) EPU ICU	✓	✓	✓
		10.7 Meneruskan pemantauan terhadap aktiviti pembangunan yang melibatkan	Kerajaan Negeri	✓	✓	✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		penerokaan tanah yang dijalankan berhampiran dengan kawasan tanah hak adat Bumiputera/NCR supaya tidak menjejaskan aspek sosial dan ekonomi <i>Natives of Sarawak</i> .	Sarawak (agensi-agensi berkaitan)			

TERAS 5

KEWAJIPAN ANTARABANGSA



TERAS 5: KEWAJIPAN ANTARABANGSA

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
1.	Komitmen Malaysia terhadap baki Instrumen Hak Asasi Manusia Antarabangsa Utama yang masih belum disertai.	1.1 Mempertimbangkan untuk membuat kesertaan kepada <i>International Convention on Economic Social and Cultural Rights</i> (ICESCR).	KLN			✓
		1.2 Mempertimbangkan untuk membuat kesertaan kepada <i>International Convention for the Protection of All Persons from Enforced Disappearance</i> (ICPPED).	KDN			✓
		1.3 Mengkaji kesesuaian dan mempertimbangkan untuk membuat kesertaan kepada <i>International Convention on the Elimination of All Forms of Racial Discrimination</i> (ICERD).	JPNIN			✓
		1.4 Menjalankan kajian terperinci bagi menentukan keupayaan Malaysia dan implikasinya sebelum mempertimbangkan untuk membuat kesertaan kepada <i>Convention against</i>	KDN			✓

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
		<i>Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).</i>				
		1.5 Mengkaji kesesuaian dan implikasi sebelum mempertimbangkan untuk membuat kesertaan kepada <i>International Convention on Civil and Political Rights (ICCPR)</i> .	KLN			✓
2.	Komitmen Malaysia terhadap Protokol Pilihan di bawah CEDAW, CRC dan CRPD.	2.1 Meneruskan kajian bagi menentukan keupayaan dan kesediaan Malaysia untuk membuat kesertaan kepada <i>Optional Protocol to the Convention on the Elimination of Discrimination against Women 1999 (OP CEDAW)</i> , <i>Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure 2014 (OP CRC IC)</i> dan <i>Optional Protocol to the Convention on the Rights of Persons with Disabilities 2006 (OP CRPD)</i> .	KPWKM			✓
3.	Komitmen Malaysia terhadap Reservasi di	3.1 Mengkaji semula undang-undang domestik untuk mempertimbangkan kesesuaian penarikan semula reservasi	KPWKM		✓	

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
	bawah CEDAW, CRC and CRPD	Perkara 9(2), 16(1)(a), (c), (f) dan (g) di bawah CEDAW.				
		3.2 Mengkaji semula undang-undang domestik untuk mempertimbangkan kesesuaian penarikan semula reservasi Perkara 2, 7, 14, 28(1)(a), dan 37 di bawah CRC.	KPWKM		✓	
		3.3 Mengkaji semula undang-undang domestik untuk mempertimbangkan kesesuaian penarikan semula reservasi Perkara 3(b), 3(e), 5(2) dan 30 <i>Convention on the Rights of Persons with Disabilities 2006 (CRPD)</i> .	KPWKM		✓	
4.	Komitmen Malaysia dalam Penggubalan dan semakan undang-undang domestik bagi penguatkuasaan CEDAW.	4.1 Mengkaji semula undang-undang domestik untuk memberi penguatkuasaan kepada peruntukan CEDAW.	KPWKM			✓
5.	Komitmen Malaysia dalam penghantaran	5.1 Memastikan laporan awal di bawah Protokol Pilihan (<i>Optional Protocols</i>)	KPWKM	✓		

Bil.	Keutamaan	Tindakan	Agensi Peneraju	Jangka Masa		
				Pendek	Sederhana	Panjang
	Laporan Negara di bawah CEDAW, CRC dan CRPD.	CRC dihantar mengikut tempoh yang ditetapkan.				
		5.2 Memastikan laporan di bawah CRPD dihantar mengikut tempoh yang ditetapkan.	KPWKM	✓		
6.	Komitmen Malaysia terhadap Instrumen antarabangsa lain yang mempunyai implikasi hak asasi manusia.	6.1 Menjalankan kajian terperinci berkenaan implikasi terhadap Malaysia sekiranya <i>ILO Convention No. 169 on Indigenous and Tribal People</i> ditandatangani dan diratifikasi.	KKLW Kerajaan Negeri Sabah Kerajaan Negeri Sarawak KSM	✓		

EXECUTIVE SUMMARY

Human rights has become an agenda often emphasized by all parties whether at the national or international level, as it is the basis for humans to live in harmony and peace. Hence, the Government has the responsibility in promoting and protecting the human rights of its people. One of the important indicators in preserving human rights is the development of a National Human Rights Action Plan (NHRAP).

In this regard, Malaysia has developed its own NHRAP, as an initiative to promote and protect human rights in Malaysia. This is in line with recommendations which the country has accepted during the 2009 Universal Periodic Review session in Geneva, Switzerland. The government conducted a *baseline study* and subsequently develop the Malaysian NHRAP which covers five (5) main thrusts:

- (a) Thrust 1: Civil and Political Rights
- (b) Thrust 2: Economic, Social and Cultural Rights
- (c) Thrust 3: Rights of the Vulnerable Groups (Women, Children, Older Persons, Persons with Disabilities (OKU) and Refugees)
- (d) Thrust 4: Rights of *Orang Asli*, *Anak Negeri Sabah* and Natives of Sarawak
- (e) Thrust 5: International Obligations

In developing the NHRAP, various stakeholders such as ministries, agencies, departments, NGOs, CSOs and human rights experts have been involved extensively. The main methods used during the study comprise interviews, surveys, public consultations, a human rights seminar and round table discussions.

Malaysia's NHRAP is developed by taking into account five important aspects in developing an action plan, namely, "*Specific, Measurable, Achievable, Realistic and Timely*" (SMART). In addition, it also fulfils other important elements, such as: i) action-oriented; ii) clear strategy and action iii) implementing agency; iv) timeline for implementation; v) monitoring and supervision; and vi) assessment on implementation. These aspects are matters which need to be considered in

developing the NHRAP and are very significant in ensuring that the NHRAP is not only relevant but able to be realised in line with the spirit embodied therein.

In ensuring the successful implementation of the Malaysian NHRAP and human rights protection in the country, all parties must unite and ensure high level of commitment, support and cooperation.

DEVELOPMENT AND FORMATION OF DRAFT NHRAP

A. INTRODUCTION

Human rights are the basic rights of humans. It include honour, dignity, freedom and pride as humans. The Government has an obligation and responsibility to fulfil and protect the human rights of the people. Human rights are universal demands and should not be violated by any person, including the Government. The neglect and deprivation of these basic rights may cause failure in producing a harmonious, independent and prosperous nation. These rights not only safeguard and protect the physical aspect, but also the spiritual aspect of humans.

The baseline study on the *National Human Rights Action Plan* (NHRAP) is an initiative of the Government of Malaysia in line with the country's acceptance of recommendations made to promote and protect human rights in Malaysia, during the 2009 Universal Periodic Review session in Geneva.

In this regard, the Legal Affairs Division (BHEUU) of the Prime Minister's Department (JPM) has been given the responsibility to develop the NHRAP for Malaysia. The Baseline Study on NHRAP commenced in November 2015 for a period of 18 months. This study involves five (5) main thrusts:

- (a) Thrust 1: Civil and Political Rights
- (b) Thrust 2: Economic, Social and Cultural Rights
- (c) Thrust 3: Rights of the Vulnerable Groups (Women, Children, Older Persons, Persons with Disabilities (OKU) and Refugees)
- (d) Thrust 4: Rights of *Orang Asli*, *Anak Negeri Sabah* and Natives of Sarawak
- (e) Thrust 5: International Obligations

The United Nation Handbook on National Human Rights Action Plan (UN Handbook on NHRAP) produced by the Office of the United Nations High Commissioner for Human Rights (OHCHR) is the main reference in developing Malaysia's NHRAP. According to the OHCHR guideline, development of NHRAP requires a baseline study on human rights which is comprehensive and corresponds to the condition of

human rights in Malaysia at the time the NHRAP is developed. The baseline study assesses the current condition of human rights protection and identify the weaknesses as well as recommend ways to improve the promotion and protection of human rights.

Malaysia's NHRAP has been successfully developed based on the extensive involvement of numerous parties. The NHRAP comprises 294 action plans which cover 83 priority issues. As most of the action plans proposed in this study are interrelated between the 5 thrusts and involve the performance of functions among various agencies, efforts must be made in order to avoid overlapping and duplication of tasks. Continuous discussions are important to ensure that the implementation of the NHRAP meets its objectives.

B. MALAYSIA'S HUMAN RIGHTS FRAMEWORK

In developing the NHRAP, the Federal Constitution, UDHR and *Cairo Declaration* are significant references as well as other human rights instruments. Malaysia's political and sociocultural characteristics are given due attention and consideration in ensuring that the NHRAP is suitable to the country's context and model.

(i) The Federal Constitution

The Federal Constitution is the supreme law of the country and an important reference in developing Malaysia's NHRAP. The Federal Constitution does not provide the definition of "human rights". However, section 2 of the Human Rights Commission of Malaysia Act 1999 [Act 597] defines "human rights" as referring to the "fundamental liberties as embodied in Part II of the Federal Constitution."

The provisions relating to human rights in Part II of the Federal Constitution refer to Article 5 to Article 13 as follows:

- Article 5 – Liberty of the person;
- Article 6 – Slavery and forced labour prohibited;

- Article 7 – Protection against retrospective criminal laws and repeated trials;
- Article 8 – Equality;
- Article 9 – Prohibition of banishment and freedom of movement;
- Article 10 – Freedom of speech, assembly and association;
- Article 11 – Freedom of religion;
- Article 12 – Rights in respect of education; and
- Article 13 – Rights to property.

All articles stated above are very important. They are not solely related to civil and political rights but are rights related to all 5 thrusts under the baseline study on NHRAP.

(ii) Universal Declaration of Human Rights (UDHR)

In 1948, the United Nations Conference adopted the *Universal Declaration of Human Rights* (UDHR) with vote of support by 48 out of 88 member states. The declaration consists of 30 articles outlining the views of the United Nations General Assembly on human rights which are guaranteed to all people.

This declaration functions as the basis for the two original non-binding UN covenants on human rights, namely, ICCPR and ICESCR. Among the rights enshrined in UDHR include:

- Article 9 – Freedom from being subjected to arbitrary arrest, detention or exile.
- Article 13 – Freedom of movement.
- Article 16 – Right to marry and to found a family.
- Article 20 – Right to freedom of peaceful assembly and association.
- Article 21 – Right to take part in the Government of his country, directly or through freely chosen representatives.
- Article 23 – Right to just and favourable conditions of work.

- Article 25 – Right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care.
- Article 26 – Right to education.

UDHR have become a common measure of achievement by mankind and all nations. It aims to ensure that each individual and each organ of the society keeps this Declaration constantly in mind and shall strive by teaching and educating to promote respect for these rights and freedoms. Further, it should be implemented by progressive measures, national and international, to secure their universal and effective recognition and observance.

(iii) **Cairo Declaration on Human Rights in Islam (CDHRI)**

In relation to human rights, member states of the Organisation of Islamic Cooperation (OIC) (previously known as the Organisation of Islamic Conference) have their own interpretation as defined in the Cairo Declaration on Human Rights in Islam (CDHRI) with description of 25 Articles, and emphasizing on Article 25, namely, “The Islamic Sharia is the only source of reference for the explanation or clarification of any of the articles of this Declaration.” This declaration was tabled during the 19th Conference of Islamic Foreign Ministers in Cairo in 1990.

This declaration further strengthens that universal fundamental rights and freedoms are part of the core of Islam. Islam emphasizes that in the efforts to advocate and assert human rights, to protect man from exploitation and persecution as well as to affirm his freedom and right to a dignified life, it must be carried out based on the teaching of Islam where the Quran and Sunnah become the source of reference.

This is so because although mankind has reached an advanced stage in materialistic science, they still, and shall remain, in dire need of faith (belief-religious faith) to support civilization and as a self-motivating force to themselves and mankind in order to preserve their rights.

UDHR should not be made the only reference in understanding human rights in the world. On the contrary, other instruments especially CDHRI, should also be made as the primary reference by Islamic countries.

In Malaysia's context, human right issues, particularly those related to the role of religion, ethics and culture must be addressed in parallel to the requirements of the religion of Islam and constitution of the country. Otherwise, it will affect religious life and cause moral decadence in society.

(iv) Malaysia's Political and Sociocultural Aspects

The political and sociocultural aspects of the country have been taken into account in order to ensure that suggestions, recommendations or proposals made do not affect existing principles and values. In Malaysia's context, which comprises Federation of Malaya, Sabah and Sarawak, the political structure as well as the government and administration of the country are important factors which have been considered in the development of NHRAP.

In order to support the formation of the country, the Federal Constitution was drafted to become the main law of the country. After independence, the concept of constitutional monarchy was introduced in the Federation of Malaya and it is preserved until today. Malaysia's head of state is His Majesty the Yang di-Pertuan Agong who is appointed every five years amongst the nine Malay rulers.

Any action plan undertaken must take into account the uniqueness of the governance structure In Malaysia. For example, the monarchy is an institution inherited from one generation to another in Malaysia's history. It has a special position and privileges and these factors are an aspect which have to be given due attention.

Malaysia also practises the system of Parliamentary Democracy which means that the people are involved in the administrative system of the government.

Through this system, the people have the opportunity to form the Government as they are free to choose their representatives by election. Besides that, Malaysia also practises a federal system or federalism. This system means that the administration of the country is divided into federal government and state governments. The federal government is entirely responsible for Malaysia whilst the state governments are specifically responsible for their respective states. The administrative power is divided between the federal government and state governments. This jurisdiction is also clearly provided for in the Federal Constitution.

In other aspects, Malaysia is also a unique country because of its multiracial society such as the Malays, Indians, and Chinese, *Anak Negeri Sabah* and Natives of Sarawak as well as other races. This plurality can be seen not only from the aspects of ethnicity and race but also in terms of culture, lifestyle, food and clothing of the people in the country. The plural society also cannot be ignored when conducting a study on human rights in Malaysia. It is important to understand the cultural diversity which exists in Malaysia in drafting any action plan related to culture in Malaysia.

Indeed, it cannot be denied that Malaysia is a unique country in its own way. The difference in its political and sociocultural conditions requires that any policy, action or initiative drafted must take into account such aspects as an essential fundamental component.

C. PROCESS OF DEVELOPMENT OF NHRAP

The development of NHRAP has undergone several comprehensive processes to ensure that the action plan developed can promote and protect human rights in Malaysia.

(i) Baseline Study Phase of NHRAP

The baseline study on NHRAP is divided into three main phases. This division by phases is important in order to conduct a clearer, more structured and systematic study.

(a) Phase I: Data collection

Phase I is known as the data collection phase. In this phase, data collection is carried out by using specified data collection methods which include literature reviews, interviews, surveys, seminar and public consultations.

(b) Phase II: Data analysis

Phase II is the analysis phase for data collected. In this phase, the data collected is analysed using data analysis methods determined, namely, jurisprudence method, historical method, comparison method, and analytical and critical methods. These methods are used to obtain accurate patterns and appropriate findings for Malaysia's model.

(c) Phase III: Drafting of NHRAP and Final Report

Phase III is the main phase which becomes the essence in the baseline study on NHRAP. Phase III is divided into two stages, namely, the NHRAP drafting stage and the final report drafting stage.

In the first stage, the drafting process of NHRAP is carried out based on the findings and analysis done. The prepared draft of the NHRAP is discussed in detail with stakeholders especially the implementing agencies to ensure that the draft prepared achieves all the five components of "SMART." The prepared draft contains priority issues as well as the proposed action plans which need to be executed, with appropriate timeline and identified lead agency.

The second stage of Phase III is focused on drafting the final report of the study. The final report on the study conducted includes the summary on overall study which, among others, contains matters such as full results of the study, methodology of study, scope of the main thrusts of the study as well as the monitoring and assessment aspects of NHRAP.

(ii) Preparation of Preliminary and Interim Reports

In the baseline study on NHRAP, three types of reports are prepared, namely, the Preliminary Report, Interim Report and Final Report.

(a) Preliminary Report

At the early stage of study, the preliminary report containing the general framework of the overall baseline study on NHRAP including the objectives and importance of NHRAP, methodology as well as the scope of main thrusts of the study, is prepared.

(b) Interim Report

There are four interim reports which are prepared according to the progress of study. These reports contain information obtained from the data collection methods and data analysis methods.

(c) Final Report

The Final Report comprises the full results of the study including the findings from all the methodologies used besides the analysis in respect of the specified scope of study.

(iii) Monitoring of Study

In order to ensure that this study is carried out according to the objectives and achieves its targets, there are mechanisms established to monitor the conduct and progress of the study, namely:

(a) Technical Committees

The main mechanism in monitoring the baseline study on NHRAP is the Technical Committee (TC). In this study, there are five TCs established according to the five main thrusts of the study. Each thrust has its own TC and it comprises representatives of the relevant ministries, agencies and departments.

All results of the study according to the thrusts are presented before the TC respectively before each report is sent to BHEUU. The presentation is important to verify the data, scrutinise the findings of the study and discuss issues which arise according to the thrusts. The presentation before the TC is an important forum in obtaining feedback from the members of the TC.

(b) Monitoring Committee

Besides the TC, a Monitoring Committee is established as an additional mechanism to monitor the baseline study on NHRAP on a periodic basis. After going through the process of presentation before the TC, the summary of report in general will be presented before the Monitoring Committee (MC), and before the report is finalised. The MC is chaired by the Director-General of BHEUU and comprises five representatives of TC and other appointed parties. At this stage, the representatives of the TC will deliver the report of the TC to the MC. At the end of the presentation, the MC will deliberate on the report brought forward for approval..

(c) Presentation before the Steering Committee

The highest level of monitoring in the baseline study on NHRAP is the Steering Committee. This committee is chaired by the Minister in the Prime Minister's Department who is charged with the responsibility for this study. Its members consist of the representatives of the MC and the TC and appointed or invited stakeholders.

(iv) Important Aspects in the Development of NHRAP

Development of Malaysia's NHRAP takes into consideration five important aspects in developing an action plan, namely, "Specific, Measurable, Achievable, Realistic, and Timely" (SMART). These aspects are very significant to ensure that the NHRAP is not only relevant but can be realized in parallel to the spirit embodied therein. SMART is the basis for the development of an action plan as it includes the main features which become the indicators of the relevance and suitability of an action plan.

As time passes, SMART has evolved into SMARTER which includes "evaluation" and "re-evaluation" as additional components. However, these additional components are not something new as the aspects of evaluation and re-evaluation have indeed been the aspects discussed in NHRAP.

In order to ensure that the NHRAP is specific, focused, and clear, the study formulates questions using expression such as who, what, when, where, and why. The NHRAP can be measured in terms of the effectiveness of its implementation because the implementation of NHRAP will be effectively monitored through progress reporting by lead agencies as well as the review and assessment by the proposed monitoring agency of NHRAP.

An action plan must be achievable. The feasibility of the plan is important and it cannot be too difficult. The NHRAP which is drafted are action plans which can be achieved and implemented by the lead agencies according to their own ability and capacity. This was determined through a series of consultations and

discussions. One important aspect in the development of NHRAP is the time frame for implementation. In this context, Malaysia's NHRAP sets its time frame as short, medium or long term.

(v) Determination of Format, Lead Agencies and Time frame

The NHRAP developed for Malaysia is prepared in the form of a matrix comprising:-

- (a) priority issue;
- (b) action;
- (c) lead agency; and
- (d) time frame for implementation.

In the UN Handbook on NHRAP, there is no specific or compulsory format specified for NHRAP. Therefore, each country may develop their NHRAP using a format suitable to their own requirement. Comparatively, it appears that there are several formats being used for NHRAP and one of them is the matrix form which is structured, systematic and simple to understand. The matrix format emphasises only important and significant information as the main content.

For the purpose of Malaysia's NHRAP, it is better and more appropriate to use the matrix format and this has been decided upon after a series of discussion with the agencies involved in policy formulation and implementation in Malaysia.

One of the main aspects of NHRAP is the determination of lead agencies. The lead agency is very important because it is the institution that will become the main executor of the action plan. A lead agency becomes the coordinator and a reference point for the implementation of specific strategy from the aspects mentioned in NHRAP.

The selection and appointment of an agency as the lead agency is based on several indicators such as:-

- (a) the scope of work of the lead agency covers the proposed action;
- (b) the lead agency is involved as an implementing agency;
- (c) the lead agency has authority to lead an action plan; and
- (d) the involvement of lead agency in priority issues.

In addition, each action plan has a time frame to ensure that the action is implemented within a specified period of time. The time frame for the implementation of NHRAP is divided into three (3) categories, namely, short, medium and long term.

In NHRAP, short-term refers to a period of less than two (2) years, medium-term refers to a period between three (3) to five (5) years and long-term refers to a period between five (5) to ten (10) years. The determination of time frame is based on the general practice in terms of the implementation of a policy, strategic plan or programme in Malaysia. The criteria used are as follows:

- (a) the type of proposed action such as to continue, prepare or review;
- (b) the existence of an existing proposed action plan in the strategic plan or planning of the implementing agency;
- (c) the capacity of an agency in implementing an action;
- (d) the financial allocation by the Government for an action; and
- (e) the difficulty or complexity in implementing an action plan due to the process to be undergone (for example, the process of amending the law).

The determination of time frame for an action allows the process of monitoring and evaluating to be conducted by the authorized party. It is one of the basic

aspects in measuring the achievement of an action plan and therefore, has to be relevant, reasonable, and proper.

(vi) Engagement with Stakeholders

When conducting a baseline study, it is important to emphasize on the engagement with numerous parties including policy makers, policy implementers, NGO, CSO and the public. Without the involvement of all these parties, the accuracy and reliability of the study conducted is questionable. The important aspect in engagement is the extent of opportunity or room to engage given to all stakeholders. If reasonable steps are taken towards providing this opportunity, the findings of the study is likely to be more undisputable.

As described earlier, there are various data collection methods employed in this study. Each of the methods involves stakeholders. The details of all parties involved in this study based on methodology are described hereinafter.

1. Interview

39 ministries, departments and agencies, 48 NGOs and 36 individuals and experts, were interviewed.

2. Questionnaire

Interviews using structured questionnaires were conducted on 3030 respondents who represent the general population of Malaysia. This survey uses structured questionnaires and is conducted on adult respondents (18 years and above). Respondents are selected based on the random stratified sampling method and the questionnaire instrument allows the determination of respondents' profile.

3. Public Consultation

Public consultations are conducted in several locations based on zones namely, Kuala Lumpur for Central, Johor Bahru for Southern, Penang for Northern and Kuala Terengganu for Eastern.

For the Sarawak Zone, public consultations are conducted in three areas, namely, Kuching, Miri and Bintulu. Public consultations in Sabah were also conducted in three areas, namely, Kota Kinabalu, Tawau and Sandakan.

4. National Human Rights Seminar 2016 (SeHAM 2016)

The National Human Rights Seminar 2016 (SeHAM 2016) is one of the important methodologies in the development of NHRAP. SeHAM 2016 is an important platform used to collect data and information related to the status of human rights in Malaysia. SeHAM 2016 is also a medium to provide explanation on the concept of human rights to public servants and the public. For the keynote session, a total of 67 ministries, Government departments and agencies, public universities, Department of Syariah Judiciary throughout Malaysia and others participated. In addition, a total of 20 research papers by human rights researchers were presented.

5. Roundtable Discussion (RTD)

Several series of Roundtable Discussions (RTD) were conducted with representatives of ministries, government agencies and departments which are involved as the lead agencies to discuss the development of NHRAP.

6. Other Methods

Apart from the aforementioned methods, in order to encourage involvement of all stakeholders in the NHRAP study, a web page on NHRAP having its address at www.nhrapmalaysia.com was developed. This web page is accessible to anyone who wishes to provide information, opinion, suggestion and feedback regarding human rights. This is an online data collection method. In addition, BHEUU has also developed its own web page for the purpose of the same study, accessible through www.nhrap.bheuu.gov.my.

Furthermore, other mediums such as telephone, facsimile, and e-mail were also used as mechanism in furnishing information, opinion, suggestion and feedback regarding the baseline study to all stakeholders including the public.

7. Draft NHRAP Consultation

After developing the draft of NHRAP and presenting it in the RTD comprising the ministries, government agencies and departments, the consultation paper on draft NHRAP was presented to the public. The purpose of the consultation paper is to obtain feedback in the form of opinions, suggestions, critics, reviews from NGOs, the public, human rights experts and all other parties regarding the NHRAP developed for Malaysia.

(vii) Recommendation and Feedback of the Universal Periodic Review (UPR)

The development of Malaysia's NHRAP takes into consideration the suggestion or recommendation received by the Government of Malaysia during the UPR, especially the UPR in 2013. The feedback of the Government of Malaysia whether to accept in full, accept in principle, accept in part; or not to support recommendations submitted by the countries during UPR is given consideration in the development of Malaysia's NHRAP.

Malaysia received 232 recommendations during the UPR in 2013 from UN member states. From that total, Malaysia accepted 150 recommendations and rejected 82 recommendations. From the total of 150 recommendations received by Malaysia, 113 recommendations were accepted in full, 22 recommendations were accepted in principle and 15 recommendations were accepted in part.

All recommendations presented to Malaysia during UPR including the feedback of the Government against the said recommendations were examined since the beginning of the initial study on NHRAP. A more specific focus was given to the recommendations received by Malaysia when developing NHRAP as the Government has the responsibility to address these questions related thereto in the next UPR. Indeed, the NHRAP considers the UPR recommendations as an important framework towards the protection of human rights in Malaysia.

(viii) Selection of Priority Issues

At the early stage of the Baseline Study on NHRAP, there are numerous issues on human rights identified based on the application of various methodologies. However only issues identified as having gaps become a priority in Malaysia's NHRAP.

The selection method for priority issues in NHRAP is based on the guidelines stated in the UN Handbook on NHRAP. The UN Handbook on NHRAP, among others, stipulates that issues related to rights and personal liberty such as the right to life without being subjected to torture and abuse as well as security of individual must be given priority. Other issues to be considered, are determined based on the concept of impartiality and substantive equality and not only impartiality and formal equality which may assist in abolishing any form of discrimination based on ethnicity, gender and other aspects.

The UN Handbook on NHRAP also lists some important criteria to be considered when deciding priority issues, such as the following:

- (a) the severity of a problem in terms of human rights impact;

- (b) the cost implications in solving human rights problems by taking into account the availability of resources;
- (c) the impact of the solution of human rights problems on the objectives of other action plans; and
- (d) the extent of public concern over the issue of human rights.

The criteria stated above form the basis for selection of priority issues after the baseline study was conducted on the status of human rights in Malaysia. All feedback received from stakeholders were examined and compared to determine the gap in human rights. If there were a big gap, the issue will be given priority to be included in the action plan.

This action does not mean that only human rights of a certain group of people are being considered. The concept of human rights for all is still maintained to ensure that overall objective of the action plan is materialised.

The selection of priority issues was carefully conducted so as to ensure that the actions taken meet the objectives and not side-tracked. The selection was based on the urgent necessity to fulfil the intention as shown from the baseline study conducted. In addition, the selection of priority issues was also conducted according to the time frame for resolution. This is to ensure that the proposed action plans are implemented properly and effectively.

D. CONCLUSION

The involvement of all parties and agencies in the development of NHRAP provide a positive indication that there is a process of education on human rights in Malaysia. In fact, through this study, all parties and agencies involved are beginning to have a better understanding about human rights besides having an important role in ensuring that human rights are protected in this country. The development of NHRAP contributes to the nurturing of human rights culture in Malaysia.

The baseline study in the development of NHRAP is relevant and significant to become the foundation for implementation of NHRAP in Malaysia. All inputs, feedback and findings obtained from various ministries, departments, agencies, organizations and individuals throughout the period of this study has shown remarkable indication that all sectors in the country provide strong support in the development of NHRAP. This impressive effort will definitely have a positive impact on Malaysia, which is constantly committed in fulfilling the responsibility as a sovereign and respected state.

MAIN THRUST OF THE NATIONAL HUMAN RIGHTS ACTION PLAN (NHRAP)

A. THRUST 1: CIVIL AND POLITICAL RIGHTS

The scope of Thrust 1 covers civil and political rights. Generally, civil rights is rather wide and include the right to equality without discrimination; protection from civil offences such as nuisance, trespass, breach of contract, breach of trust; preservation of special position of the *bumiputera*/Malays; protection of fundamental rights; liberty of the person; freedom of movement; protection against slavery and forced labour; social protection such as right to protection, security, education, basic amenities, health; economic protection such as right to ownership and protection of property; access to justice system and conflict settlement instruments; right to identity; data protection and personal security.

For political rights, they include freedom of speech and expression; right to assemble peaceably and without arms; right to association; right to information; right to publish; access to media, right to take part in elections and vote; right to guarantee of security including the right to protection against abuse of power, attacks, threats and aggression; freedom of religion; and protection of the royal institution.

Although it is called civil and political rights, studies have shown that both rights are referred to as one and not in isolation. For the purposes of NHRAP, research conducted by Thrust 1 in respect of civil and political rights is based on Part II of the Federal Constitution which covers the right to life; right of detainees; right to personal liberty; right not to be held as forced labour/in slavery; right not to be tried again for the same offence; right to freedom of movement; right to assemble, freedom of association, thought and speech; right to freedom of religion; right to be treated fairly and justly without discrimination on the ground only of religion, race, descent or place of birth; right to citizenship; right to vote freely, fairly and justly; right to politics; right to fair trial; freedom of media; and right to public information.

Nonetheless, the Constitution also provides that civil and political rights are not absolute in nature by providing some exceptions for these freedom such as provisions on special position of the Malays and rights of other natives, restrictions

on freedom of speech and expression, and limitation on fundamental liberties in the case of subversion or during emergency.

In addition, the Parliament may also impose certain restrictions in the interest of security, public order or morality. For example, it is an offence to question sensitive matters such as the special position of the Malays and the use of Malay language as the national language; and the Parliament may make laws to provide for restrictions which are necessary or expedient in the interest of the security of the Federation or any part thereof, or public order” under Article 10 of the Federal Constitution.

In terms of protection, civil and political rights protect people from all citizens. Nevertheless, there are categories of people who should be given more consideration compared to others. Civil and political rights related to liberty of the person (such as issues on death and abuse in prison) are more focused on the police, prison authorities and the persons being held for remand, and imprisoned. As for issues pertaining to preventive detention, they are focused on providing explanation to the public regarding preventive laws.

Besides that, civil and political rights also provide protection to women and the poor in respect of issues on access to justice. Research shows that in the pursuit of justice, some of the women and the poor face difficulties in courts due to lack of knowledge or other constraints.

For civil and political rights such as freedom of speech and right to information, such rights provide benefit to public as they enable the public to express themselves freely within a confined scope. This includes the proposal to review the laws pertaining to sedition and freedom of information. This exercise will help to increase the level of transparency and good governance. Other rights which relate to public are freedom of association and right to assemble peaceably. Another matter given consideration is on interracial relations namely issues on racial discrimination and religious differences. Issues on the minorities such as Lesbian, Gay, Bisexual, and Transgender (LGBT) are also discussed.

In preserving civil and political rights of the people, international recommendations especially those stated in the UPR are taken into consideration, namely, the recommendation to abolish the mandatory death penalty in some criminal cases; to strengthen and promote the rights of journalists and bloggers to freely exercise their right to freedom of expression; to continue to encourage the right to peaceful assembly in accordance with national legislation; to improve domestic legislation in order to guarantee the right of detainees to a fair trial; and to strengthen measures to prevent and eliminate all forms of ill-treatment, including torture.

Issues pertaining to civil and political rights of people in Sabah and Sarawak are also given specific consideration, namely, those concerning rights to citizenship and security.

PRIORITY ISSUES AND OBJECTIVES

No.	Priority Issue	Objective to be achieved
1.	Self-protection of detainees in lock-up/prison.	To eliminate death in lock-up/prison (zero-death) and torture on detainees in lock-up/under remand (zero-torture).
2.	Strengthening the management of lock-up.	To enhance the efficiency of enforcement officers in managing the lock-up in order to protect the human rights of the detainees.
3.	Improvement of guidelines on detainees under remand by all enforcement agencies.	To strengthen the process in management of detainees under remand by enforcement agencies.
4.	Right of detainees to obtain health care consistently.	To increase the health condition of detainees and to prevent death in custody.
5.	Review of mandatory death sentence.	To ensure that death sentence is imposed on the most serious criminal offence and consistent with the relevant international legislation.

No.	Priority Issue	Objective to be achieved
6.	Increase of public awareness on preventive laws.	To provide awareness to the public on the spirit and objectives of preventive laws.
7.	Right to information Restrictions on right to information.	To create balance between the rights of public and the responsibility of the government to preserve national security.
8.	Right to equality/No discrimination a) Issues on unfairness to woman litigant due to delay in matters pertaining to divorce and other claims in Syariah Courts.	To guarantee the right to equality and to prevent discrimination in cases where woman litigants encounter delay in matters pertaining to divorce and other claims in Syariah Courts.
	b) Strengthening racial and religious unity.	To ensure that each person is granted fair justice in Syariah Courts specifically on effectiveness of Syariah Courts order, inconsistency of laws pertaining to subject matter on syariah in the states and outstanding cases in Syariah Courts.
9.	Right to vote • Issues on misuse of theme relating to religion in politics. • Issues on fair and just access to media for political parties during election campaign. • Issues on freedom of politics namely to elect the political party supported.	To guarantee that the election carried out is independent and transparent by enhancing access in a fair and just manner.
10.	Right to access to justice in Syariah Courts	To strengthen the functions of Syariah Courts and to enhance its efficiency as a fair and just

No.	Priority Issue	Objective to be achieved
	(a) Effectiveness of Syariah Courts order. (b) Inconsistency of laws related to syariah matters in the states. (c) Outstanding cases in Syariah Courts including those relating to execution of orders.	institution.
11.	Professionalism and integrity of enforcement bodies.	To improve existing working SOP and guidelines for enforcement agencies to enhance the level of credibility of public towards the integrity of such institution and to provide for SOP on immediate action to be taken against any enforcement officers for any misconduct.
12.	Granting of pardons to prisoners.	To guarantee that prisoners detained, especially prisoners punished with lifetime imprisonment, life imprisonment or death sentence are granted the right to make submission for pardons.
13.	Identity document in Sabah and Sarawak.	To improve existing programmes in order to address the issue of delay in obtaining identity card in Sabah and Sarawak; to provide awareness on the importance of having identity card; to address issues on citizenship and those without identity card; and to resolve the problem of illegal immigrants (PATI), Pala'u group (in Sabah) and refugees.
14.	Security Issues in Sabah and Sarawak.	To enhance the security of people in Sabah and Sarawak, especially in areas bordering the international border and to safeguard national and international security from

No.	Priority Issue	Objective to be achieved
		aggression by enhancing cooperation between enforcement agencies of bordering countries.

B. THRUST 2: ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Thrust 2 covers economic, social and cultural rights under the National Human Rights Action Plan (NHRAP) of Malaysia. For this research, it is very pertinent to highlight that the research for economic, social and cultural rights is conducted based on the philosophy of cultural relativism which is not total universalism in nature. It means that this research takes into consideration the aspects of sociocultural and religion in interpreting and determining human rights. This is different from the approach which recognizes that human rights is absolute in nature as in this research, the interpretation of human rights is balanced with the aspects of religion and sociocultural.

The scope of Thrust 2 comprises 3 important rights, namely, the economic, social and cultural rights.

Economic rights cover six subject matters, namely:

- (i) Business Rights and Consumerism;
- (ii) Right to Work;
- (iii) Right to Eradication of Poverty and Reducing Inequality;
- (iv) Right to Basic Necessities;
- (v) Right to Basic Facilities; and
- (vi) Human Rights and International Trade Agreement.

Social rights consist of five subject matters, namely:

- (i) Right to Education;
- (ii) Right to Health;
- (iii) Right to Environment;
- (iv) Right to Social Services, Social Security and National Unity; and

- (v) Right to Recreation.

Cultural Rights refer to four subject matters, namely:

- (i) Right to Cultural Practices;
- (ii) Intellectual Property Rights;
- (iii) Language Rights; and
- (iv) Cultural Heritage Rights.

This plan of action which is specifically on economic, social and cultural rights is based on the Federal Constitution. This is in parallel with section 2 of the Human Rights Commission of Malaysia Act 1999 which defines “human rights” as “fundamental liberties as enshrined in Part II of the Federal Constitution.” This plan of action on economic, social and cultural rights is developed in detail by taking into consideration the baseline study carried out. In addition, it is also important to consider national plans and policies such as the Eleventh Malaysia Plan (RMK11), 2030 Agenda SDG Roadmap, 2050 Malaysia Transformation and New Economic Model.

Although in general the basic foundation for this plan of action is the Federal Constitution, the research conducted also takes into account other human rights instruments as reference and these include UDHR, ICESCR, Cairo Declaration of Human Rights in Islam (CDHRI) and ASEAN Human Rights Declaration (AHRD). This is to ensure that NHRAP of Malaysia is more universal in nature in addition to maintaining the human rights framework according to a Malaysian model. NHRAP of Malaysia also takes into consideration the scope of economic, social and cultural rights which include the human rights framework of Malaysia; international human rights commitment; legal protection; human rights framework; access to justice; rights of employee; poverty and inequality; condition of socioeconomic and culture; and cultural preservation and conservation. Thrust 2 also makes reference to ICESCR as one of the main references in developing NHRAP for economic, social and cultural rights. This is in line with international development where 47 OIC Member States become parties to ICESCR.

PRIORITY ISSUES AND OBJECTIVES

No.	Priority Issue	Objective to be achieved
1.	Business rights and consumerism.	To protect and guarantee business rights and consumer rights including equal and fair investments rights.
2.	Right to work.	To protect and guarantee the right to work which covers rights of employee, rights of employer, trade unions rights and welfare of employees.
3.	Eradication of poverty and reducing inequality.	To increase economic and living standards of the people by eradicating poverty and reducing inequality gap which become one of the aspects highlighted in international instruments including Sustainable Development Goals (SDG).
4.	Basic Facilities.	To guarantee economic rights in respect of basic facilities for the people such as water, electricity, telecommunication and energy supply which must be fully preserved and protected.
5.	Basic Needs.	To guarantee and enhance appropriate basic housing needs for the people in order to guarantee a better life.
6.	TPPA and International Trade Agreement.	To ensure that each International Trade Agreement to be signed must be able to guarantee the human rights of the people.
7.	Right to Education.	To guarantee the quality, access and services in respect of education is consistent with international standards.

No.	Priority Issue	Objective to be achieved
8.	Right to Health.	To guarantee and protect social rights of the people in the aspect of health which must be of primary concern and provided for equally.
9.	Right to Environment.	To enhance efforts and improve planning in order to protect the environment from pollution and any damage as one of the social rights.
10.	Right to Social Services and Social Security, and National Unity.	To ensure that Malaysians live in harmony and concord through efforts undertaken in enhancing social security and national unity.
11.	Right to Recreation.	To guarantee social rights of the people by providing recreational facilities in order to foster a healthy and harmonious lifestyle.
12.	Cultural Practices.	To preserve and guarantee the right to cultural practices in line with international instruments as well as the spirit of Federal Constitution.
13.	Intellectual Property.	To ensure that cultural works and products are being protected and preserved effectively in order to maintain the sustainability of cultural rights of Malaysians so that those rights continue to exist.
14.	Language Rights.	To uphold the official language of Malaysia and at the same time to preserve other local ethnic languages.
15.	Cultural Heritage.	To enhance efforts and planning in order to preserve and conserve cultural heritage which includes heritage buildings, historical material and other categories of heritage.

C. THRUST 3: RIGHTS OF THE VULNERABLE GROUP

For NHRAP Baseline Study, Thrust 3 focuses on five (5) vulnerable groups:

(a) Women

Generally, women are classified as vulnerable due to the discrimination against them. Compared to developed countries, the protection of women's rights in developing countries still requires serious consideration as this group is extremely vulnerable to poverty, cultural system practices and society which degrades and discriminates women.

(b) Children

Children are categorised as vulnerable due to their limited physical and mental abilities compared to adults. Children, especially in developing countries encounter problems such as abuse, exploitation, poverty, access to education and health care.

(c) Persons with disabilities (OKU)

OKU often become the victims of discrimination and unfair treatment due to their constraints whether physically or mentally.

(d) Older Person

Older persons are classified as vulnerable due to their age factor and condition of health. Older persons are also vulnerable to situations where they become the victims of discrimination, abuse, neglect and unfair treatment.

(e) Refugees

The status of "refugees", being stateless and considered as immigrants who enter the country illegally, causes this group to be vulnerable to the risk of

abuse and exploitation, being in conflict with laws and having no protection under the law. Although Malaysia is not a party to the Convention Relating to the Status of Refugees, Malaysia considers and gives attention to “refugees” on humanitarian grounds.

PRIORITY ISSUES AND OBJECTIVES

(a) Women

No.	Priority Issue	Objective to be achieved
1.	Women at workplace/ working women.	To enhance the participation and protection of women in the employment sector as well as strengthening their economy by drafting workplace policy this is friendly and conducive to women.
2.	Divorce cases and claims of alimony.	To ensure that divorce cases and family disputes in Court can be resolved speedily, efficiently and in a simplified manner; and enforcement of court orders are made by integrated mechanism and effectively.
3.	Domestic violence.	To ensure that issues on domestic violence are resolved effectively.
4.	Welfare of human trafficking victims.	To protect the welfare of human trafficking victims
5.	Women's right to be heard.	To ensure that the voice and opinion of women are taken into consideration by the Government.
6.	Single mothers/the poor.	To ensure that poor women and single mothers are given aid continuously in order for them to be out of poverty.

(b) Children

No.	Priority Issue	Objective to be achieved
1.	Violence/wrongdoing against children.	To ensure that the rights of children are guaranteed and preserved especially in dealing with violence, crime and wrongdoing against children.
2.	Children and court process.	To protect the rights of children during court process in a more comprehensive manner.
3.	Underage Marriage.	To deal with cases on underage marriage which have negative impact on children.
4.	Children without identity.	To deal with problems among children without valid identity document although they are born in Malaysia.
5.	Right to be heard.	To ensure that children's right of expression and right to be heard can be exercised in a holistic manner.
6.	Children's education.	To guarantee and preserve the rights of children from middle and low income groups in obtaining access to education.
7.	Children's health.	To ensure children's access to health care services as well as increasing awareness amongst parents and community on the importance of obtaining health care services provided by the Government for children.
8.	Child Care.	To ensure that children obtain quality care and are safe from abuse and neglect especially in child care centres.

No.	Priority Issue	Objective to be achieved
9.	Exploitation of children as beggars.	To prevent children from being victims of exploitation as beggars and for collecting donations.

(c) Persons with Disabilities (OKU)

No.	Priority Issue	Objective to be achieved
1.	Registration of OKU.	To ensure that OKU are not left out from being registered in SMOKU in order for them to obtain various incentives, assistance and facilities offered to the registered OKU.
2.	Education for OKU.	To protect the rights of OKU in obtaining better access to education.
3.	Employment.	To enhance access by OKU to employment in order for them to be independent and able to contribute to their own income and national economy.
4.	Media and telecommunication.	To enhance access by OKU to media and telecommunication services in order to ensure that they are not being left out in enjoying the current development in media and communication system.
5.	Hospital facilities.	To increase access by OKU to OKU friendly facilities in hospitals.
6.	Granting of aid.	To ensure that OKU who are eligible obtain access to aid provided by the Government and not being left out from receiving such aid.
7.	Facilities for OKU.	To enhance access by OKU to

No.	Priority Issue	Objective to be achieved
		housing facilities, public transport and buildings which are accessible by OKU and OKU friendly.
8.	Wrongdoings towards OKU.	To preserve the security and welfare of OKU from wrongdoings and crimes against OKU.
9.	PERKESO Compensation.	To broaden the scope of compensation and to enhance access to PERKESO compensation amongst employees who become OKU due to occupational hazards or diseases.
10.	Amendment to the Persons With Disabilities Act 2008.	To improve rights of OKU through the Persons With Disabilities Act 2008.
11.	Right to be heard.	To improve the exercise of right to be heard for OKU.
12.	Sports for OKU.	To fulfil the rights of OKU in the sports for the deaf.
13.	Rights of mental patient.	To protect the rights of mental patient.

(d) **Older person**

No.	Priority Issue	Objective to be achieved
1.	Health and public services.	To increase access by older persons to health and public services.
2.	Right to be heard and to form associations.	To enhance the areas and opportunities for older persons to be heard and to form associations.

No.	Priority Issue	Objective to be achieved
3.	Awareness campaign and preparation for old age.	To enhance awareness amongst the community on preparation for old age.
4.	Training and research related to older persons.	To address issues on older persons by emphasizing the need to conduct research and training related to older persons and ageing.
5.	Access to lifelong learning.	To increase access by older persons to lifelong learning.
6.	Home care for older persons.	To ensure that older persons obtain safe and quality home care.
7.	Standard and quality of care centres for older persons.	To ensure that care centres for older persons fulfil the prescribed standard of quality, security and care.

(e) Refugees

No.	Priority Issue	Objective to be achieved
1.	Strengthening the management of “refugees”.	To strengthen the management and handling process of “refugees.”
2.	Access to health care.	To improve access by “refugees” to health care services.
3.	Enhancing the access to education.	To protect the rights of “refugees” children in obtaining access to education by giving support to education programmes provided by NGO.

D. THRUST 4: RIGHTS OF *ORANG ASLI*, *ANAK NEGERI SABAH* AND NATIVES OF SARAWAK

The Community of Indigenous People is a unique and distinct community. In Malaysia, Indigenous People are categorised according to their location in Peninsular Malaysia, Sabah and Sarawak. The Indigenous People are referred to as *Orang Asli* in Peninsular Malaysia, *Anak Negeri Sabah* in the State of Sabah and Natives of Sarawak in the State of Sarawak. The use of specific terminology for *Anak Negeri Sabah* and Natives of Sarawak resulted from the consent of all parties through a series of discussion during this study. These terms represent respective identities and tribes. Use of specific terms such as *Anak Negeri Sabah* and Natives of Sarawak is also appropriate as the term Indigenous People also refers to 18 tribes of Indigenous People in Peninsular Malaysia. The Federal Constitution also refers to people in Sabah and Sarawak as “native” which means “*anak negeri*.” Interpretation (Definition of Native) Ordinance (Sabah Cap. 64) and Interpretation Ordinance, 2005 (Laws of Sarawak) also use the term “native” to refer to the people of Sabah and Sarawak respectively.

Issues related to Indigenous People are given consideration in human rights discussion be it at domestic level or international level. This study focuses on human rights issues amongst Indigenous People, *Anak Negeri Sabah* and Natives of Sarawak which include four main dimensions, namely, politics, economy, social and culture.

This study takes into account various aspects, including evaluation of existing domestic legislation, international legislation, and achievement of policy and plan of action applicable to Indigenous People, *Anak Negeri Sabah* and Natives of Sarawak. Various methods of data collection have been used in obtaining valid information on issues faced by Indigenous People, *Anak Negeri Sabah* and Natives of Sarawak. Issues which have been identified are verified through various processes including cross-checking of information, public consultations and round table discussions. This study also takes into consideration the principles of international law in analysing issues pertaining to Indigenous People, *Anak Negeri Sabah* and Natives of Sarawak.

Based on a study conducted in 2011, *Orang Asli* in Peninsular Malaysia represent 0.6% which is equivalent to 150,000 of the overall total population in Malaysia. *Orang Asli* are divided into three main tribes based on their respective ethnography, namely, *Negrito*, *Senoi* and *Melayu Proto* which consist of 18 tribal communities. These tribes are not regarded as homogenous, but constitute races which are considered as heterogeneous because they are unique and different in their own ways in terms of sociocultural and psychosocial-cognitive. Each tribe is unique and different because of their contrasting language, custom and religion.

PRIORITY ISSUES AND OBJECTIVES

No.	Priority Issue	Objective to be achieved
1.	Issue on Rights to Self-Determination.	To strengthen the rights of <i>Orang Asli</i> , <i>Anak Negeri Sabah</i> and Natives of Sarawak in total by ensuring the preservation of identity, participation, strengthening of institution and legal protection.
2.	Land Issues (a) Delimitation of land; (b) Gazette of land; (c) Customary land.	To recognize and resolve issues related to customary land rights, Native Title and NCR.
3.	Infrastructure Issues.	To improve the standard of living of <i>Orang Asli</i> in remote and rural areas through improvement of infrastructure to the whole community of <i>Orang Asli</i> .
4.	Health Issues.	To improve the overall health condition of <i>Orang Asli</i> by enhancing the quality of health services and promoting healthy lifestyle to <i>Orang Asli</i> .
6.	Education Issues.	To strengthen efforts by Government in dealing with education issues amongst <i>Orang Asli</i> students in order to help <i>Orang</i>

No.	Priority Issue	Objective to be achieved
		<i>Asli</i> to be out of poverty.
7.	Environmental Issues.	To protect the areas of <i>Orang Asli</i> from being affected due to the impact of logging and land development. To increase monitoring of development activities involving land exploration which are carried out close to the areas of <i>Orang Asli</i>.
8.	Economic Issues.	To encourage <i>Orang Asli</i> to earn their own income without having to depend solely on the aid provided by Government. To add value to the skills of <i>Orang Asli</i> in order to support themselves.

E. THRUST 5: INTERNATIONAL OBLIGATION

The scope of Thrust 5 covers international human rights obligation for Malaysia. The study conducted under Thrust 5 seeks to identify the condition of human rights enjoyed in Malaysia based on international standard specified in international human rights instruments and to identify challenges and weaknesses which exist.

As this section of the study relates to international obligation, it takes into account human rights instruments as reference. Thrust 5 refers to all the primary instruments on human rights in evaluating whether it is appropriate for Malaysia to accede to the said instruments.

Consideration is given to the laws in Malaysia especially the Federal Constitution in order to ensure that the execution of international legislation in Malaysia is consistent with the existing principles of legislation in the country.

PRIORITY ISSUES AND OBJECTIVES

No.	Priority Issue	Objective to be achieved
1.	Malaysia's commitment to the remaining main international human rights Instruments which have not been acceded.	To evaluate whether it is appropriate for Malaysia to accede to the remaining main international human rights Instruments which have not been acceded.
2.	Malaysia's commitment to the Optional Protocols under the CEDAW, CRC and CRPD.	To enhance the protection and assurance on welfare of the target groups involved through efforts of Government of Malaysia by taking initiative to accede to CEDAW, CRC and CRPD Protocols which have not been acceded.
3.	Malaysia's commitment on the Reservations under the CEDAW, CRC and CRPD.	To enhance the wellbeing of groups protected under the CEDAW, CRC and CRPD through the efforts of reviewing the reservations made by Malaysia under the CEDAW, CRC and CRPD.
4.	Malaysia's commitment in drafting and revising domestic legislation in order to give effect to the provisions of CEDAW.	To ensure that the provisions of CEDAW is effected in Malaysia.
5.	Malaysia's commitment to submit the Country Reports under CEDAW, CRC and CRPD.	To ensure that Malaysia submits the Country Reports under CEDAW, CRC and CRPD according to the specified period.
6.	Malaysia's commitment to other international Instruments having human rights implications.	To evaluate whether Malaysia is able to accede to other international instruments having human rights implications by giving priority to the <i>Indigenous and Tribal Peoples in Independent Countries Convention, 1989 (No. 169)</i> which is the most important international operating laws that guarantee the rights of Indigenous People.

NATIONAL HUMAN RIGHTS ACTION PLAN (NHRAP)

THRUST 1: CIVIL AND POLITICAL RIGHTS

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
1.	Liberty of the person • Self-protection of detainees in lock-up/prison.	1.1 Investigating Officer to ensure that every detainee is granted rights under the law.	Ministry of Home Affairs	✓		
		1.2 Provide separate investigation room separated from the lock-up and equipped with CCTV.	Ministry of Home Affairs	✓		
		1.3 Provide Centralized Lock-Up in every state and district, equipped with CCTV.	Ministry of Home Affairs		✓	✓
		1.4 Every investigation conducted shall be recorded with CCTV.	Ministry of Home Affairs		✓	✓
		1.5 Improve PDRM SOP on Lock-Up Management.	Ministry of Home Affairs		✓	✓
		1.6 Establish cooperation between PDRM and Ministry of Health	Ministry of Home Affairs	✓	✓	

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		(MOH), Malaysia in providing general medical examination mechanism which covers physical and mental examination of detainees before being sent into PDRM lock-up as required pursuant to Rule 10 of the Lock-Up Rules 1953.				
		1.7 Increase the number of investigating officers and improve office facilities to ensure that investigation on detainees is conducted immediately.	Ministry of Home Affairs		✓	
2.	Enhancement of Lock-up Management.	2.1 Provide courses on human rights to enforcement officers and staff which include aspects of rights of detainees and detention facilities.	Ministry of Home Affairs			
		2.2 Conduct audit and frequent visits to PDRM lock-up, detention centres for Immigration and the National Anti-Drugs Agency (AADK) by the authorities/statutory bodies.	Ministry of Home Affairs			

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
3.	Improvement on guidelines for remand by all enforcement agencies.	3.1 Provide clear guidelines in relation to application for remand.	Ministry of Home Affairs			
		3.2 Improve SOP on handling of detainees from the date of arrest.	Ministry of Home Affairs			
		3.3 Provide guidelines and mechanism for monitoring and taking disciplinary action against enforcement officers who violate any prescribed SOP.	Ministry of Home Affairs			
4.	Right of detainees to obtain consistent health care.	4.1 Improve or modify existing PDRM lock-up in terms of lighting, ventilation, floor finishing, and cleanliness of lock-up and toilets.	Ministry of Home Affairs			
		4.2 Develop Guidelines on Health Examination on detainees for centralized and non-centralized lock-up.	Ministry of Health			
		4.3 Enforce Rule 10 of the Lock-Up Rules 1953 which requires Medical Officer to examine the health of detainees before being sent into PDRM lock-up.	Ministry of Home Affairs			

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		4.4 Provide effective mechanism for detainees to lodge official complaint to Officers in Charge of Lock-Up of any illness or injury suffered by the detainees in order for appropriate treatment to be given.	Ministry of Home Affairs			
		4.5 Provide specific Guidelines on health examination in handling detainees who are drug addicts, alcohol addicts, and children.	Ministry of Home Affairs Ministry of Health			
5.	Review of mandatory death sentence.	5.1 Review criminal laws to ensure that mandatory death sentence will only be imposed on the most serious crimes.	Attorney General's Chambers			
6.	Enhancement of public awareness on preventive laws.	6.1 Establish a committee comprising representatives from the Government and opposition for the purpose of enhancing public awareness on preventive laws.	Prime Minister's Department			
7.	Right to information ● Restrictions on right to	7.1 Review the Official Secrets Act 1972 [Act 88] in order to provide balance between the rights of public and national security.	Chief Government Security Office			

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
	information.		Prime Minister's Department			
		7.2 Provide regulations under Act 88 which explain the application of laws on confidentiality (such as Act 88) for handling of information and documents by underlining:- • types of information or document which shall not be disclosed by public officers in carrying out their duties; • types of information or document where its disclosure by public officers shall be subject to prior approval; • circumstances where any information or document handled without permission may give rise to criminal	Chief Government Security Office Prime Minister's Department			

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
8.	Right to equality/No discrimination a) Issues on injustice to woman litigant due to delay in divorce process and other claims in Syariah Courts.	prosecution; and circumstances where any information or document handled without permission may give rise to disciplinary action.				
		8.1 Continue to have engagement sessions with NGO, women organizations and public throughout the nation for the drafting of policy which does not affect human rights and provides legal access to the community.	Department of Syariah Judiciary Malaysia			
		8.2 Continue the study on the cause of delay in proceedings in Syariah Courts and resolve such cause of delay.	Department of Syariah Judiciary Malaysia			
		8.3 Disseminate widely information on Syariah Court proceedings in the mainstream and social media.	Department of Syariah Judiciary Malaysia			

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		8.4 Ensure that judges, administrators and syarie counsels comply with the KPI prescribed for their respective duties.	Department of Syariah Judiciary Malaysia			
		8.5 Make JKSM as a more efficient co-ordinator body for all Syariah Courts especially as a centre for data collection from Syariah Courts in the states and for implementation of KPI.	Department of Syariah Judiciary Malaysia			
		8.6 Continue to have conferences for Chief Syarie Judges and syarie judges under shared and non-shared services from all states at least 4 times a year as a place for exchange of information in order for the successful implementation of a policy in some Syariah Courts to be followed in other Courts.	Department of Syariah Judiciary Malaysia			
	b) Strengthening of racial and religious unity.	8.7 Establish monitoring mechanism or special committee to monitor the implementation of the National Unity Action Plan (<i>Pelan Tindakan Perpaduan Nasional</i>)	Prime Minister's Department Department of			

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
9.		(PTPN)).	National Unity and Integration			
	Right to vote - Issues on misuse of theme relating to religion in politics. - Issues on fair and just access to media for political parties to campaign during election period. - Issues on freedom of politics namely to elect the political party supported.	9.1 Enhance the education of voters in order to enable people to understand the election system in Malaysia.	Election Commission			
10.	Right of access to justice in Syariah Courts. (a) Effectiveness of Syariah Courts order.	10.1 Continue the study on the extent of problems encountered in the enforcement of Syariah Courts order.	Department of Syariah Judiciary Malaysia			

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
	(b) Inconsistency of laws related to syariah matters in the states.	10.2 Monitor and re-evaluate the legal provisions including the Practice Directions in Syariah Courts.	Department of Syariah Judiciary Malaysia Department of Islamic Development Malaysia			
		10.3 Review and re-evaluate the Practice Directions in Syariah Courts in order for proceedings to be carried out more efficiently and speedily.	Department of Syariah Judiciary Malaysia			
	(c) Outstanding cases in Syariah Courts including those relating to execution of orders.	10.4 Specify KPI for all categories of cases.	Department of Syariah Judiciary Malaysia			
		10.5 Continue and improve mechanism for litigants to submit complaints in a much easier and more effective manner at national level, and in coordination with judicial departments in the states.	Department of Syariah Judiciary Malaysia			

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		10.6 Provide a more effective social media management system.	Department of Syariah Judiciary Malaysia			
		10.7 Continue the study on new rules for a more effective execution of the Syariah Courts order.	Department of Syariah Judiciary Malaysia			
		11.1 Improve the working SOP of enforcement agencies in order to enhance public's level of credibility towards the integrity of the relevant institutions.	Enforcement agencies	✓		
11.	Professionalism and integrity of enforcement bodies	11.2 Provide SOP on immediate action (such as disciplinary action as recommended by an authority such as EAIC) that needs to be taken against any enforcement officer.	Prime Minister's Department			

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
12.	Granting of pardons to prisoners	12.1 Study and improve the SOP and documentation on matters pertaining to granting of pardons to prisoners, at State and Federal levels.	Legal Affairs Division			
13.	Identity document in Sabah and Sarawak	13.1 Increase the frequency of proceedings / operation of courts / mobile courts in Sabah in order to hear outstanding cases on late registration of birth and to endorse and certify the Birth Certificate of Late Registration for the issuance of identity cards. 13.2 Improve and strengthen the effectiveness of the Mobile Special Unit (UKB) of the National Registration Department to enable the unit to carry out more frequent and scheduled "outreach" operations in remote area and/or isolated areas.	Office of the Chief Registrar Federal Court of Malaysia			
		13.3 Integrate the Mobile Special Unit (UKB) services with other services such as health, education and legal (i.e. Civil and	National Registration Department			
			National Strategy Unit, Ministry of Finance			

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		Syariah Courts).	Government of the State of Sabah Government of the State of Sarawak			
		13.4 Continue the production of identity documents with high security features to coordinate with IMM13 Card holders.	Ministry of Home Affairs			
		13.5 Increase the operations on repatriation of existing illegal immigrant in Sabah with coordination of all enforcement agencies.	National Security Council			
		13.6 Enhance awareness continuously in relation to registration of births to the public by government agencies, religious leaders, district officers, health clinics, midwives, community leaders and the general public in Sabah/Sarawak.	Ministry of Home Affairs			

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
14.	Security Issues in Sabah	13.7 Enhance awareness continuously by disseminating information on the importance of identity documentation through media, including radio, television and social media and by having collaboration with NGO.	National Registration Department			
		13.8 Conduct regional discussions in relation to the issue of Palau Group, Indonesian and Philippines workers, and Philippines refugees to establish cooperation network in understanding issues related to them.	Ministry of Home Affairs			
		14.1 Enhance intelligence and exchange of information activities with the Philippines authorities to overcome kidnapping problems in Sabah waters.	National Security Council Eastern Sabah Security Command (ESSCOM)			
		14.2 Enhance cooperation between villagers and the authorities to	National Security			

No.	Priority Issue and Sarawak	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		overcome problems on leakage of land borders in Sarawak and to overcome kidnapping problems in Sabah as there are residents who are abetting the kidnappers.	Council Eastern Sabah Security Command (ESSCOM)			
		14.3 Continue the establishment of a joint force between Malaysia, Indonesia and Philippines which may patrol the land, air and sea jointly.	National Security Council Eastern Sabah Security Command (ESSCOM)			

THRUST 2: ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Economic Rights

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
1.	Business rights and consumerism.	1.1 Empower and enhance the initiatives on business and consumer rights.	Ministry of International Trade and Industry Ministry of Domestic Trade, Co-operatives and Consumerism	✓	✓	✓
		1.2 Conduct revision of law relating to business and investments rights from time to time.	Ministry of International Trade and Industry Ministry of Domestic Trade, Co-operatives and Consumerism	✓	✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		1.3 Continue and enhance the efforts to facilitate business dealings.	Ministry of Domestic Trade, Co-operatives and Consumerism Ministry of International Trade and Industry	✓	✓	✓
		1.4 Continue and enhance the efforts to create equal investment opportunities.	Ministry of Domestic Trade, Co-operatives and Consumerism Ministry of International Trade and Industry	✓	✓	✓
		1.5 Continue and enhance enculturation programmes, training and skills entrepreneurship comprehensively.	Ministry of Domestic Trade, Co-operatives and Consumerism	✓	✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
			Ministry of Higher Education Ministry of International Trade and Industry			
		1.6 Enhance the enforcement of laws relating to consumerism rights in more systemic and effective way.	Ministry of Domestic Trade, Co-operatives and Consumerism	✓	✓	✓
		1.7 Review the laws relating to consumerism rights for further improvement.	Ministry of Domestic Trade, Co-operatives and Consumerism		✓	
		1.8 Enhance awareness programmes on consumerism rights among consumers.	Ministry of Domestic Trade, Co-operatives and Consumerism	✓	✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
2.	Right to Work.	2.1 Continue and enhance the enforcement of labour laws to ensure the rights of employers and employees are protected.	Ministry of Human Resources Ministry of Home Affairs	✓	✓	✓
		2.2 Continue and enhance awareness programmes and understanding as well as legal literacy on trade unions rights.	Ministry of Human Resources	✓	✓	✓
		2.3 Conduct revision and study on the implementation of minimum wages to prevent negative impact on human rights.	Ministry of Human Resources		✓	
		2.4 Implement the Employment Insurance System (EIS) in more extensive and comprehensive way nationwide.	Ministry of Human Resources	✓	✓	✓
		2.5 Continue revision of labour laws comprehensively to improve the existing labour laws from time to time	Ministry of Human		✓	

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		including protection and rights of foreign workers.	Resources			
		2.6 Continue and enhance training and skills programmes to increase job employability.	Ministry of Human Resources Economic Planning Unit	✓	✓	✓
3.	Eradication of poverty and inequality.	3.1 Continue and intensify the efforts to increase household income of B40 to elevate them towards middle class earners.	Economic Planning Unit		✓	
		3.2 Continue the programmes and implement short and long-term planning to handle absolute poverty issues in urban, rural and remote areas, especially among <i>Orang Asli</i> , <i>Anak Negeri Sabah</i> and Natives of Sarawak.	Economic Planning Unit Ministry of Rural and Regional Development		✓	✓
		3.3 Deal relative and multi-dimensional poverty issues by focusing mainly on states with high rates of poor and low-income household category.	Economic Planning Unit		✓	
		3.4 Set reasonable household debt limits	Ministry of	✓		

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		rate and plan to reduce the percentage of Malaysians household debt.	Finance			
4.	Basic facilities.	4.1 Continue the efforts to enhance quality of service and basic facilities as well as telecommunication.	Ministry of Energy, Green Technology and Water Ministry of Rural and Regional Development	✓	✓	✓
		4.2 Conduct study on the impact of reducing energy subsidy to the industry and general public and control the increase of energy price effectively.	Ministry of Energy, Green Technology and Water		✓	
		4.3 Enhance basic energy facilities and ensure their quality in urban, rural and remote areas.	Ministry of Rural and Regional Development Ministry of Energy, Green Technology and Water Government of the State of	✓	✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
			Sarawak Energy Berhad Sabah Electricity Sdn. Bhd.			
		4.4 Continue the efforts to enhance the services, basic facilities and telecommunication especially in rural and remote areas.	Ministry of Communications and Multimedia Malaysia	✓	✓	✓
5.	Basic needs.	5.1 Continue the implementation and enforcement of affordable housing policy by considering the needs to provide affordable house.	Ministry of Urban Wellbeing, Housing and Local Government	✓	✓	✓
		5.2 Continue and enhance the access to housing (ownership/tenancy) among low and middle-income household based on the needs and affordability.	Economic Planning Unit Ministry of Urban Wellbeing, Housing and Local Government	✓	✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
6.	TPPA and International Trade Agreement.	5.3 Enhance the initiatives and corporation with public and private to provide affordable house.	Economic Planning Unit Ministry of Urban Wellbeing, Housing and Local Government		✓	✓
		6.1 Conduct study on the impact of International Trade Agreement on human rights in Malaysia from time to time.	Ministry of International Trade and Industry	✓	✓	✓
		6.2 Increase Government transparency and involve all stakeholders in the implementation of International Trade Agreement.	Ministry of International Trade and Industry	✓	✓	✓

Social Rights

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
7.	Right for education.	7.1 Continue the agenda to ensure the student universal enrolment at the upper secondary level.	Ministry of Education		✓	✓
		7.2 Continue and enhance the implementation of strategies and efforts to ensure no citizen left out from the national education system.	Ministry of Education		✓	✓
		7.3 Continue the efforts to provide educational services, facilities and conducive learning environment comprehensively.	Ministry of Education Ministry of Works		✓	✓
		7.4 Continue the implementation of programme and allocate funds based on needs to close the gap between Government schools and Sekolah Agama Rakyat.	Department of Islamic Development Malaysia Islamic Religious Council of all States	✓	✓	✓

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
		7.5 Continue and enhance educational training and support to Sekolah Agama Rakyat.	Department of Islamic Development Malaysia			
			Islamic Religious Council of all States	✓	✓	✓
			Ministry of Education			
		7.6 Enhance access to higher education.	Ministry of Higher Education Economic Planning Unit	✓	✓	✓
8.	Right to health.	8.1 Enhance public and private cooperation to improve healthcare services.	Ministry of Health	✓	✓	✓
		8.2 Continue the efforts to improve the level of existing health care services in line with Focus Area A – Achieving Universal Access to Quality Healthcare in Strategic Thrust 2,	Ministry of Health	✓	✓	✓

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
		Eleventh Malaysia Plan: i) Review the congestion level in the existing Government hospitals and health clinics; ii) Increase the number of new hospitals or health clinics in densely populated areas; iii) The proper waiting time of the patients; iv) The proper and appropriate appointment period for the patient to receive follow-up treatment.				
	8.3	Continue the efforts to improve health facilities in rural and remote areas especially in the area of Orang Asli and Indigenous People as well as Sabah and Sarawak including the expansion of services to poor and low-income households to enhance access to health.	Ministry of Health	✓	✓	✓

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
		8.4 Increase the number of and upgrade the health clinics for treatment and healthcare of pregnant women and children.	Ministry of Health		✓	✓
		8.5 Continue the mobile health services including “flying doctor services” in remote areas to reduce the problem of inability of the citizens to obtain health services since the number of mobile health team are subject to requirement of service in the operating area.	Ministry of Health		✓	✓
		8.6 Improve services on accident and emergency treatment by collaborating with agencies to optimize the utilization of resources as well as to improve the efficiency of health services.	Ministry of Health	✓	✓	✓
		8.7 Increase the ratio of a doctor to population in line with the target to achieve ratio of 1:400 by 2020 by empowering the concept of family doctors in health clinics.	Ministry of Health		✓	✓
		8.8 Enhance the coverage of risk group which have knowledge on the status	Ministry of	✓	✓	✓

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
		of HIV infection by expanding the access on HIV testing in Government health facilities and community-based testing.	Health			
		8.9 Continue and enhance the efforts to end AIDS in line with National Strategic Plan on Ending AIDS 2016-2030.	Ministry of Health	✓	✓	✓
		8.10 Continue and implement the strategies to prevent HIV/AIDS and other infectious diseases by collaborating with NGOs and local community as planned in the MOH Strategic Plan 2016-2020.	Ministry of Health	✓	✓	✓
		8.11 Continue with Government special funds and give support to NGOs and community programmes dealing with the efforts on prevention and support to address HIV/AIDS and other infectious diseases including campaigns on personal and environmental hygiene as prevention to disease outbreak.	Ministry of Health	✓	✓	✓

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
9.	Right to environment.	9.1 Enforce strictly the existing laws such as the National Forestry Act 1984 [Act 313], the Wildlife Conservation Act 2010 [Act 716], the Environmental Quality Act 1974 [Act 127], the Natural Resources & Environmental Ordinance (Cap. 84 – Law of Sarawak, 1958 Ed.), the National Parks & Nature Reserve Ordinance 1998 (Chap. 27), the Wildlife Protection Ordinance, 1998, Sarawak Biodiversity Centre Ordinance, 1997 (Chapter 24) and Forest Enactment 1968 (Sabah No. 2 of 1968) to protect the environment including flora and fauna.	Ministry of Natural Resources and Environment Government of the State of Sarawak/ Forest Department Sarawak/ Sarawak National Park and Wildlife Department/ Natural Resources and Environment Board Sarawak/ Sarawak Biodiversity Centre Government of	✓		

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
			the State of Sabah/Sabah Forestry Department/ Sabah Wildlife Department/ Sabah Environment Protection Department/ Sabah Parks Forestry Department Peninsular Malaysia Department of Wildlife and National Parks			
		9.2 Maintain at least 50% of the country's land area covered by trees and forest.	Ministry of Natural Resources and Environment Forestry	✓	✓	✓

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
			Department Peninsular Malaysia Sabah Forestry Department Government of the State of Sarawak/ Forest Department Sarawak			
		9.3 Reassess and strengthen existing regulation, procedures or guidelines relating to activities that could affect the environment and ecosystem.	Ministry of Natural Resources and Environment Forestry Department Peninsular Malaysia Government of the State of Sarawak (Ministry of Urban Development	✓		

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
			and Natural Resources Sarawak) Department of Wildlife and National Parks			
		9.4 Continue to revise and study the laws to improve the National Forestry Act 1984 [Act 313] and Forest Enactment 1968 (Sabah No. 2 of 1968) to protect the environment.	Ministry of Natural Resources and Environment Government of the State of Sabah Government of the State of Sarawak (Forest Department Sarawak) Forestry Department Peninsular Malaysia	✓	✓	✓

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
		9.5 Continue and enhance the efforts to preserve and conserve the environment, biodiversity and natural resources in line with the National Biodiversity Policy 2016-2025 and Policy related to environment.	Ministry of Natural Resources and Environment	✓	✓	✓
		9.6 Intensify existing awareness campaigns by government through increasing the networking with various parties.	Ministry of Natural Resources and Environment	✓	✓	✓
		9.7 Monitor compliance with international standards on human rights in carrying out development activities affecting the environment implemented by the Government and private sector.	Ministry of Natural Resources and Environment Ministry of Urban Wellbeing, Housing and Local Government Government of the State of Sarawak (Related Agencies)		✓	

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
		9.8 Implement transparent and accurate Environmental Impact Assessment (EIA) to assess the overall positive and negative impact on environment.	Ministry of Natural Resources and Environment Government of the State of Sarawak (Related Agencies)	✓	✓	✓
		9.9 Give attention and priority to issue of climate change that become the current challenge affecting human rights.	Ministry of Natural Resources and Environment	✓		
		9.10 Coordinate the implementation as planned in the National Climate Change Policy.	Ministry of Natural Resources and Environment	✓	✓	✓

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
10.	Right to social security and services and national unity.		National Disaster Management Agency			
		10.1 Prepare a National Unity Action Plan to implement the recommendations under the Blueprint of Unity Plan (<i>Pelan Perpaduan, Kesepaduan dan Penyatupaduan</i>).	Department of National Unity and Integration	✓	✓	✓
		10.2 Enhance the facility and accessibility of social welfare services among the citizen equally.	Department of Social Welfare Department of Orang Asli Development Ministry of Rural and Regional Development	✓	✓	✓

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
		10.3 Increase the activities on understanding and harmonization by the Committee to Promote Inter-Religious Understanding and Harmony.	Department of National Unity and Integration	✓	✓	✓
		10.4 Establish Malaysian Multicultural Council.	Ministry of Tourism and Culture		✓	
		10.5 Create Rukun Negara Day.	Department of National Unity and Integration	✓	✓	✓
		10.6 Promote social cohesion and combat violence and extreme attitudes.	Department of National Unity and Integration	✓	✓	✓
		10.7 Provide a specific legislation to maintain racial and religious harmony.	Department of National Unity and Integration			✓
11.	Right to recreation.	11.1 Enhance and strengthen the implementation of the National Sports Policy and the National Youth Policy relating to recreational rights.	Ministry of Youth and Sports	✓	✓	✓

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
		11.2 Implement and comply with policies in the National Physical Plan which recommends that a minimum of 10% from the total development area should be reserved as public open space including recreational parks.	Ministry of Urban Wellbeing, Housing and Local Government	✓	✓	✓

Cultural Rights

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
12.	Cultural Practices.	12.1 Make the National Culture Policy as a main policy to all existing cultures and enforce it as a guideline preserves the definition of national culture.	Ministry of Tourism and Culture	✓	✓	✓
		12.2 Assess and monitor the implementation of the National Creative Industry Policy relating to cultural practices.	Ministry of Tourism and Culture	✓	✓	✓

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
13.	Intellectual Property.		Ministry of Communications and Multimedia Malaysia			
		12.3 Enhance awareness and enforcement of JAKIM Guidelines Relating to Culture without denying the rights of cultural practices which are not contrary to Islamic teachings.	Department of Islamic Development	✓	✓	✓
		13.1 Enhance the efficacy of legal enforcement on intellectual property relating to culture comprehensively.	Ministry of Tourism and Culture Ministry of Domestic Trade, Co-operatives and Consumerism	✓	✓	✓
		13.2 Protect the author's rights and works relating to culture by providing special policy on copyright.	Ministry of Domestic Trade, Co-operatives and Consumerism	✓		

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
			Ministry of Communications and Multimedia Malaysia			
		13.3 Consider to ratify Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled to provide exception to visually impaired people in getting access to formatted works and consider amending the Copyright Act 1987 [Act 332] in accordance with the requirement of Marrakesh Treaty.	Ministry of Domestic Trade, Co-operatives and Consumerism Intellectual Property Corporation of Malaysia			✓
14.	Language Rights.	14.1 Continue the efforts to encourage the upholding of Malay language as the sole medium of instruction in all official business except for Sabah and Sarawak.	Dewan Bahasa dan Pustaka Ministry of Tourism and Culture	✓	✓	✓
		14.2 Encourage the use of other local ethnic languages to avoid the extinction of language of certain tribes which will affect their cultural sustainability.	Ministry of Tourism and Culture	✓	✓	✓

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
15.	Cultural Heritage.		Dewan Bahasa dan Pustaka			
		15.1 Continue the implementation of policy on preservation and conservation of cultural heritage including heritage building, discovery of historical material and cultural practices.	Ministry of Tourism and Culture	✓	✓	✓
		15.2 Establish a clear policy and SOP in the case of discovery of historical material in construction sites or in construction contract relating to overall obligations including the obligation to postpone project, to remove the material and provide conditions to continue the construction project.	Ministry of Tourism and Culture Department of National Heritage		✓	
		15.3 Assess and refer the guidelines on preservation and conservation of heritage as stipulated in the international instruments consistently.	Ministry of Tourism and Culture Department of National Heritage		✓	

No.	Priority	Action Plan	Lead Agency	Time Frame		
				Short	Medium	Long
		15.4 Emphasize public awareness on legal provisions related to national heritage and the importance of protecting and handling historical material appropriately for the purpose of human civilization.	Ministry of Tourism and Culture Department of National Heritage	✓	✓	✓

THRUSTS 3: RIGHTS OF THE VULNERABLE GROUPS

Women Segment

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
1.	Women at workplace/ working women	1.1 Encourage more women to participate in the workforce by providing friendly work space and flexible working hours for them and by conducting awareness campaigns to Government and private agencies.	Ministry of Human Resources	✓	✓	✓
		1.2 Evaluate the need to provide for specific legal provision in respect of equal pay.	Ministry of Human Resources		✓	
		1.3 Re-evaluate the need to provide for specific law related to sexual harassment in the private sector.	Ministry of Human Resources	✓		
		1.4 Continue the effort to provide exposure to employees on sexual harassment at workplace.	Ministry of Human Resources Public Service Department	✓	✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		1.5 Continue the effort to expedite the establishment of women-friendly bank and establish Women's Economic Action Council.	Ministry of Women, Family and Community Development			✓
		1.6 Make EPF contribution compulsory as prerequisite to renew business licence.	Ministry of Domestic Trade, Co-operatives and Consumerism Ministry of Finance			✓
		2.1 Study new and best mechanism to facilitate and expedite settlement of divorce matters in Court.	Prime Minister's Department Department of Syariah Judiciary Malaysia		✓	
2.	Divorce cases and maintenance claims					

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		2.2 Continue the effort to establish an integrated mechanism to monitor the execution of Court order after decision of the case.	Ministry of Women, Family and Community Development Department of Syariah Judiciary Malaysia Office of the Chief Registrar Federal Court of Malaysia		✓	
3.	Domestic violence	3.1 Develop Guidelines on the Management of Safe Place operated by the Government. 3.2 Continue the effort to provide awareness through advocacy programmes and promotions in order for more victims of domestic violence seek for assistance.	Ministry of Women, Family and Community Development Ministry of Women, Family and Community Development		✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		3.3 Enforce strictly the Guidelines and Standards on Shelter for Victims of Domestic Violence.	Ministry of Women, Family and Community Development	✓	✓	✓
4.	Welfare of human trafficking victims	4.1 Enhance the efforts to enforce the legislation on human trafficking including abetting officers.	Ministry of Home Affairs	✓	✓	✓
		4.2 Continue to collaborate with Non-Governmental Organisations (NGOs), international organisations and the country of origin of human trafficking victims in terms of care for such victims.	Ministry of Home Affairs Ministry of Women, Family and Community Development		✓	
		4.3 Enhance the skills of legal and enforcement agencies in handling human trafficking cases.	Ministry of Home Affairs	✓	✓	✓
5.	Women's rights to be heard	5.1 Intensify the engagement with stakeholders in drafting policies or laws.	Ministry of Women, Family and Community Development	✓		

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		5.2 Continue the appointment of women representative from Sabah, Sarawak and initiate the appointment of Orang Asli as members of the Women's Advisory and Consultative Council to ensure that every woman has representative in the Council.	Ministry of Women, Family and Community Development		✓	
		5.3 Continue the effort to achieve 30% of women policy in decision-making level in various corporate and private sectors.	Ministry of Women, Family and Community Development	✓	✓	✓
6.	Single mother/ poor women	6.1 Continue the effort to provide awareness on the welfare of single mothers among the public servants in Government departments.	Ministry of Women, Family and Community Development	✓	✓	✓

Children Segment

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
7.	Violence/Misconduct against children	7.1 Expand the application of Nur Alert system on missing children aged 12 and above.	Ministry of Women, Family and Community Development Royal Malaysia Police	✓	✓	✓
		7.2 Enhance the awareness of all parties on the offence of exposing the identity of children in mass media and social media.	Ministry of Women, Family and Community Development Ministry of Home Affairs Ministry of Communications and Multimedia Malaysia	✓	✓	✓
		7.3 Establish registry on the perpetrator against children.	Ministry of Women, Family and Community Development		✓	

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
			Royal Malaysia Police			
		7.4 Improve and expand the roles of guardian of children in accordance with needs and provide training to enhance their skills and competence in handling violence, abuse and misconduct cases against children; and increase the number of <i>Pasukan Pelindung Kanak-kanak</i> in accordance with needs for continuous follow-up services to be carried out effectively.	Ministry of Women, Family and Community Development	✓	✓	✓
		7.5 Continue the effort to enhance the awareness and knowledge of officers and staff in all agencies involved directly and indirectly in handling violence, abuse and misconduct cases against children.	Ministry of Women, Family and Community Development Department of Social welfare	✓	✓	✓
8.	Children and court process	8.1 Continue the implementation of proposals presented by Committee for Children under Detention for	Royal Malaysia Police	✓	✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		Remand to improve the element on rights of children in procedure of arrest, investigation and detention of children under remand.				
		8.2 Make compulsory for children charged in Courts to be represented by lawyers (including free legal aid) in criminal trial.	Ministry of Women, Family and Community Development Legal Aid Department		✓	
		8.3 Encourage children to be represented by lawyers in civil and syariah disputes which involve maintenance and child custody.	Department of Syariah Judiciary Malaysia Legal Aid Department		✓	✓
		8.4 Expand protection of child witness in Syariah Courts.	Prime Minister's Department Department of Syariah Judiciary Malaysia		✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		8.5 Equip all Courts for Children with facilities such as video-conferencing, video link and etc especially in small districts apart from providing children-friendly waiting room in every court.	Office of the Chief Registrar Federal Court of Malaysia Department of Syariah Judiciary Malaysia Department of Social Welfare Legal Affairs Division			✓
9.	Underage marriage	9.1 Update the SOP on application for underage marriage approval to protect the interest of children.	Department of Syariah Judiciary Malaysia		✓	✓
10.	Children without identity	10.1 Improve the service in National Registration Department to overcome the problem of children without identity document who born in Malaysia. 10.2 Improve the SOP in Courts to expedite and standardise the process to validate qualification of applicant.	National Registration Department Office of the Chief Registrar Federal Court of Malaysia	✓		

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
11.	Right to be heard	11.1 Continue the effort to involve children in drafting policies or laws related to children.	Ministry of Women, Family and Community Development		✓	
12.	Education for children	12.1 Enhance awareness among the parents and community on the importance of early childhood education as offered by affordable TASKA, TABIKA and TADIKA.	Ministry of Rural and Regional Development Department of Social Welfare Early Childhood Care and Education Council Department of National Unity and Integration Ministry of Education Ministry of Women, Family and Community Development PERMATA	✓	✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
			Division, Prime Minister's Department			
		12.2 Continue the "Click Wisely" Campaign to school children aged 11 to 18 by involving teachers and parents in order for them to become more knowledgeable or technology literate to facilitate monitoring.	Ministry of Communications and Multimedia Malaysia	✓	✓	✓
		12.3 Enhance the understanding of school bus operators and parents on the importance of using the school buses registered with the Land Public Transport Commission for children to be protected by insurance.	Land Public Transport Commission	✓	✓	✓
		12.4 Continue the awareness on access to education opportunity for children whose parents' identities could not be identified, subject to certification and validation of the relevant Government agencies.	Ministry of Education Ministry of Women, Family and Community Development		✓	
		12.5 Increase the number of affordable classes for early childhood education for the people.	Ministry of Women, Family and Community		✓	

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
			Development Ministry of Rural and Regional Development Department of National Unity and Integration Ministry of Education			
		12.6 Continue the initiative to increase the number of accessible, quality and affordable TASKA, and continue monitoring to ensure the welfare of children is taken care of.	Ministry of Women, Family and Community Development Ministry of Rural and Regional Development PERMATA		✓	✓
13.	Health of children	13.1 Enhance awareness on the importance of vaccination.	Ministry of Health	✓	✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
14.	Exploitation of children as beggars	13.2 Handle the anti-vaccine group to safeguard the interest of children.	Ministry of Health	✓	✓	✓
		14.1 Continue the awareness campaign to public in encouraging them to lodge reports to the authorities on collecting money activities involving children.	Ministry of Women, Family and Community Development	✓	✓	✓
		14.2 Continue the effort to eradicate begging activities or any activities in the form of collecting money by the children, in an integrated manner.	Royal Malaysia Police Local Authorities	✓	✓	✓
		14.3 Enhance enforcement by Local Authorities by revoking business licence of any individual or company carrying out business activities by exploiting children.	Ministry of Urban Wellbeing, Housing and Local Government		✓	
		14.4 Take action under the Societies Act 1966 against any organisation or shelter home which uses children to beg or carry out any money collecting activities.	Ministry of Home Affairs	✓	✓	✓

Persons with Disabilities (OKU) Segment

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
15.	Registration of OKU	15.1 Continue the effort to cooperate actively with health clinics especially in rural areas to facilitate health screening and status verification for OKU.	Ministry of Health Department of Social Welfare	✓	✓	✓
16.	Education for OKU	16.1 Increase the number of TASKA for OKU (based on the need) especially in rural areas. 16.2 Continue professionalism enhancement training to special education teachers by providing formal training in special education.	Ministry of Women, Family and Community Development		✓	✓
		16.3 Continue the effort to expand diploma and degree courses in special education in more institutes of higher education.	Ministry of Education	✓		✓
		16.4 Continue the effort towards enhancing the OKU-friendly physical infrastructure in institutes of higher	Ministry of Higher Education		✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		education; provide sign language interpreter for hearing impaired students, OKU-friendly computers, information-seeking aid in libraries, OKU-friendly transportation system; and to eliminate red tape.				
		17.5 Build and provide for vocational special education secondary schools to fulfil the need of students with special needs in Sarawak.	Ministry of Education			✓
17.	Employment	17.1 Continue the effort to promote career which requires the service of OKU and suits their qualification by providing training and clearer job specifications to achieve the 1% quota.	Ministry of Human Resources Public Service Department	✓	✓	
18.	Media Telecommunication	18.1 Encourage the provision of sign language service and subtitles in private and paid television programmes.	Ministry of Communications and Multimedia Malaysia			✓
		18.2 Encourage telecommunications and media companies (e.g.: Astro) to provide special payment package for	Ministry of Communications and Multimedia			✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
19.	Hospital facilities	OKU who use a small part of the services offered.	Malaysia			
		18.3 Encourage the provision of free internet access by telecommunications company for OKU.	Ministry of Communications and Multimedia Malaysia	✓	✓	
		19.1 Ensure the public and private health care service providers to provide OKU-friendly facilities such as parking bay near the main entrance.	Ministry of Health	✓	✓	✓
		19.2 Enforce compound or clamping of vehicles which misuse facilities provided under the Uniform Building By-Laws 1984.	Ministry of Urban Wellbeing, Housing and Local Government Local Authorities	✓	✓	✓
		19.3 Provide OKU-friendly beds facilities in hospitals by stages.	Ministry of Health			✓
20.	Granting of aid	20.1 Enhance the conditions for granting of aid under the SBGP-OKU.	Ministry of Human Resources	✓		

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
21.	Facilities for OKU	20.2 Revise the conditions on application for support aid or artificial aid assistance.	Ministry of Women, Family and Community Development	✓		
		21.1 Continue the granting of special quota for OKU (1% for every project) on application for People's Housing Programme (PPR) project.	Ministry of Urban Wellbeing, Housing and Local Government	✓		
		21.2 Ensure the application and enforcement of guidelines on universal design in development plans in order to provide all such facilities according to the specified technical specifications.	Ministry of Urban Wellbeing, Housing and Local Government		✓	
		21.3 Enhance enforcement against developers who fail to implement or comply with legislation related to universal design in development plans.	Ministry of Urban Wellbeing, Housing and Local Government	✓	✓	✓
		21.4 Provide transportation and public facilities for OKU comprehensively	Ministry of Transport		✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		(not only focusing on wheelchair users)	Land Public Transport Commission Ministry of Urban Wellbeing, Housing and Local Government			
		21.5 Appoint experts in auditing the implementation of/compliance with universal design in Local Authorities.	Ministry of Urban Wellbeing, Housing and Local Government	✓		
22.	Misconducts against OKU	22.1 Increase OKU-friendly facilities and services in order to facilitate OKU in lodging police report, the process of recording cautioned statement and etc.	Royal Malaysia Police		✓	✓
23.	SOCOSO compensation	23.1 Review the types of disease which entitle workers who are involved in accidents to receive SOCOSO compensation in line with current needs.	Ministry of Human Resources	✓		

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
24.	Amendment to the Persons with Disabilities Act 2008	24.1 Consider to increase the provision on penalty or punishment for those who misuse facilities for OKU.	Ministry of Women, Family and Community Development		✓	
		24.2 Enhance enforcement by Local Authorities on violation of law related to universal design.	Ministry of Urban Wellbeing, Housing and Local Government		✓	
		24.3 Include provision that protects OKU job applicants from discrimination due to their disabilities.	Ministry of Women, Family and Community Development		✓	
25.	Right to be heard	25.1 Ensure the execution of SOP in order to allow the right of OKU to be heard.	Ministry of Women, Family and Community Development	✓		
		25.2 Continue the empowerment of the National Council for Persons with Disabilities (OKU) and involve OKU participation in the Council.	Ministry of Women, Family and Community Development		✓	

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
26.	Sports for OKU	25.3 Consider allocation to enhance the software that can help OKU with speaking disabilities.	Ministry of Women, Family and Community Development		✓	
		25.4 Provide accessible facilities for OKU to cast their votes.	Election Commission	✓		
		26.1 Provide professional coaches service and preparatory training programme for athletes with hearing disabilities who are chosen to represent the country in sports at international level.	Ministry of Youth and Sports		✓	
		26.2 Establish a group of Elite Deaf Athletes and its successor.	Ministry of Youth and Sports	✓		
		26.3 Establish Sports for the Deaf Division in the National Sports Council in order to oversee the affairs of sports for the deaf.	Ministry of Youth and Sports	✓		
		26.4 Provide Sports Victory Prize Scheme (SHAKAM) to deaf athletes who won medals in High Performance Sports at international level.	Ministry of Youth and Sports		✓	

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
27.	Rights of Mental Patient	26.5 Recognize Malaysian Sports for the Deaf (SOPMA) in the Sport Development Act 1997.	Ministry of Youth and Sports			✓
		27.1 Continue having discussion with organisations that represent mental patients in order to provide insurance coverage suitable for this group.	Ministry of Finance		✓	
		27.2 Review the Pensions Act 1980 which excludes persons with severe mental illness, schizophrenia and bipolar disorder because mental illness under the Pensions Act 1980 is limited only to intellectual disability and autism.	Public Service Department		✓	
		27.3 Provide SOP on the release of offenders with mental illness detained in psychiatric hospitals after serving their sentence.	Ministry of Health Ministry of Women, Family and Community Development		✓	
		27.4 Provide moderate and long-term method of solution for saved homeless mental patients during	Ministry of Women, Family and Community		✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		operations under the Destitute Persons Act 1977.	Development Ministry of Health			
		27.5 Provide alternatives placement for mental patients operated by the Department of Social Welfare.	Ministry of Women, Family and Community Development		✓	✓
		27.6 Increase the number of psychology officers (clinical) in public hospitals and health clinics.	Ministry of Health		✓	✓
		27.7 Increase the number of community mental health centres and psychiatric nursing homes under the Mental Health Act 2001.	Ministry of Health		✓	✓

Older Person Segment

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
28.	Health and public services	28.1 Enforce the Older Persons' Health Care Act.	Ministry of Health Ministry of Women, Family and Community Development			✓
		28.2 Increase the number of Special Geriatric Unit in hospitals and rehabilitation hospitals.	Ministry of Health		✓	
		28.3 Provide mechanism to identify the driving abilities of the older persons.	Road Transport Department Ministry of Health		✓	
29.	Right to be heard and to involve in associations	29.1 Consider the appointment of representative for older persons at local authority level.	Ministry of Women, Family and Community Development Ministry of Urban Wellbeing, Housing and Local Government		✓	

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
		29.2 Conduct the Meeting of National Advisory and Consultative Council for Older Persons frequently.	Ministry of Women, Family and Community Development	✓		
30.	Awareness campaign and preparation for old age.	30.1 Continue with awareness campaigns on older persons among younger generation. 30.2 Introduce Retirement Module for private sector employees by Employees Provident Fund (EPF) in collaboration with other agencies. 30.3 Continue EPF Public Briefing Programme to members as preparation before retirement.	Ministry of Women, Family and Community Development Employees Provident Fund Employees Provident Fund	✓ ✓	✓ ✓	✓ ✓
31.	Training and research related to older persons	31.1 Encourage research on gynaecology in institutes of higher education and research relating to older persons.	Ministry of Higher Education		✓	✓
32.	Access to lifelong learning	32.1 Increase the enrolment of 10,000 older persons by 2020 to participate in lifelong learning.	Ministry of Higher Education		✓	

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
33.	Home care for older persons	32.2 Encourage free internet access for older persons.	Ministry of Communications and Multimedia Malaysia	✓		
		32.3 Expand the promotion on existence of courses in institutes which provide exemption of fees to older persons.	Ministry of Higher Education	✓	✓	✓
		33.1 Provide appropriate courses to caregivers for older persons at home to give exposure and mentally prepared for the task.	Ministry of Women, Family and Community Development		✓	✓
		33.2 Intensify the promotion on welfare volunteers on home help services for older persons' care.	Ministry of Women, Family and Community Development	✓	✓	✓
		33.3 Provide incentives or certain facilities to the trained volunteers who participate in the Home Help Services Programme.	Ministry of Women, Family and Community Development		✓	
34.	Standards and quality of care centres for older persons	34.1 Make compulsory for special training to be conducted for staff working in each Care Centres for Older Persons.	Ministry of Women, Family and Community Development		✓	

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
			Ministry of Health			
		34.2 Provide professional certificate specifically for caregivers on care for older persons and OKU.	Ministry of Women, Family and Community Development Ministry of Health		✓	

Refugees Segment

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
35.	Strengthening the management of refugees	35.1 Identify main issues related to the determination and protection of refugees, as well as appropriate actions in order to overcome the issues.	National Security Council			✓
		35.2 Continue having collaboration in the form of a Joint Task Force between the Government of Malaysia and UNHCR on mechanism for management of refugees.			✓	

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
36.		35.3 Enhance the participation of stakeholders such as UNHCR, NGO, SUHAKAM and others through consistent formal dialogues on issues involving refugees.	National Security Council			✓
		35.4 Enhance the knowledge of officers involved in issues on refugees in handling the refugees.	Ministry of Home Affairs		✓	
		36.1 Consider the approval of access for NGOs intend to provide health assistance and health care services for migrants in prison and immigration detention centres.	Ministry of Health Ministry of Home Affairs	✓	✓	✓
	Access to health care	36.2 Continue the exemption of fees for refugees suffering infectious disease based on the Circular of KSU KKM No.2, 2016 Guidelines on Exemption of Fees for Infectious Disease among the foreigners.	Ministry of Health		✓	
		36.3 Continue granting the access to One Stop Crisis Centre (OSCC) for refugees who are victims of gender-based and sexual violence.	Ministry of Health	✓	✓	✓

No.	Priority Issue	Action	Lead Agency	Time Frame		
				Short	Medium	Long
37.		36.4 Collaborate with NGO and UNHCR in providing community service workers to be placed in hospitals, act as interpreter and disseminate health care access information to refugees.	Ministry of Health		✓	✓
		36.5 Revise the instructions or SOP for lodging report on illegal immigrants to the authority.	Ministry of Home Affairs		✓	
		36.6 Expand the health care access which is universal in nature including refugees.	Ministry of Health			✓
	Enhance access to education	37.1 Continue to support education programmes provided by NGOs for refugees.	Ministry of Education	✓	✓	✓

THRUST 4: RIGHTS OF ORANG ASLI, ANAK NEGERI SABAH AND NATIVES OF SARAWAK

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
1.	Issue on rights to self-determination	1.1 Propose to recognize the World's Indigenous Peoples Day celebration in the national calendar.	Ministry of Rural and Regional Development	✓		
			Sarawak State Government	✓		
			Sabah State Government	✓	✓	✓
		1.2 Continue to allocate categories of indigenous group in the Government official form.	Malaysian Administrative Modernisation and Management Planning Unit	✓		
			Sarawak State Government	✓	✓	✓
			Sabah State Government			

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
		1.3 Review the need to establish an Independent Commission for Indigenous Peoples by consulting stakeholders.	Integrity and Governance Division, Prime Minister's Department			✓
			Sarawak State Government	✓	✓	
			Sabah State Government	✓	✓	✓
		1.4 Empower the Cabinet Special Committee for Land Rights of Indigenous Peoples.	Integrity and Governance Division, Prime Minister's Department	✓		

ORANG ASLI

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
2.	Issue on rights to self-determination of <i>Orang Asli</i>	2.1 Develop a framework or SOP for the active participation of the community based on the principle of free, prior and informed consent (FPIC).	Integrity and Governance Division		✓	
		2.2 Apply the principle of free, prior and informed consent (FPIC) prior to the implementation of development project.	Integrity and Governance Division		✓	
		2.3 Study on the need to include the provisions on participation of <i>Orang Asli</i> in decision-making process in the Aboriginal Peoples Act 1954 (Act 134).	Ministry of Rural and Regional Development		✓	
		2.4 Increase the participation of <i>Orang Asli</i> in the Department of Orang Asli Development (JAKOA).	Ministry of Rural and Regional Development Public Service Commission	✓	✓	

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
			Public Service Department			
		2.5 Conduct a comprehensive socio-legal study on the concept of indigenous titles, rights and laws pertaining to <i>Orang Asli</i> .	Integrity and Governance Division		✓	
3.	Land issues (a) Delimitation of land (b) Gazette of land (c) Customary Land	3.1 Provide adequate allocation for fine and rough survey work for the delimitation of <i>Orang Asli</i> areas/settlements. 3.2 Gazette the <i>Orang Asli</i> settlements under section 7 of the Aboriginal Peoples Act 1954 (Act 134) and the National Land Code.	Economic Planning Unit Ministry of Rural and Regional Development Department of Orang Asli Development State Authority Department of Orang Asli Development		✓	

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
		3.3 Conduct a comprehensive study on the concept of customary land and identify appropriate mechanism for the determination of areas claimed as customary land.	Integrity and Governance Division		✓	
		3.4 Prepare policy papers at the National Land Council level.	Ministry of Rural and Regional Development Department of Orang Asli Development Ministry of Natural Resources and Environment		✓	
		3.5 Provide legal provisions pertaining to customary land of <i>Orang Asli</i> .	Ministry of Rural and Regional Development Department of Orang Asli Development			✓

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
		3.6 Develop SOP as a guideline to improve the mechanism, process and procedure for consultation to safeguard the interests of <i>Orang Asli</i> and relevant parties.	Department of Orang Asli Development Ministry of Rural and Regional Development			✓
		3.7 Coordinate land administration through inter-agency coordination meeting and update information on <i>Orang Asli</i> land in the national land and geospatial database.	Ministry of Rural and Regional Development Ministry of Natural Resources and Environment		✓	
		3.8 Study the need to establish a special settlement mechanism for land issues.	Ministry of Rural and Regional Development State Authority Ministry of			✓

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
			Natural Resources and Environment			
		3.9 Provide exposure and understanding on the concept of customary land to policy makers and implementers.	Ministry of Rural and Regional Development Ministry of Natural Resources and Environment Department of Orang Asli Development State Authority	✓	✓	✓
		3.10 Discuss the issues of customary land in meeting on regular basis.	Ministry of Rural and Regional Development Ministry of	✓	✓	✓

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
			Natural Resources and Environment Department of Orang Asli Development			
4.	Infrastructure issues	4.1 Monitor the compliance of procedures and enforce monitoring on the implemented development projects.	Ministry of Rural and Regional Development Department of Orang Asli Development	✓	✓	✓
		4.2 Continue the development projects in remote areas.	Ministry of Rural and Regional Development	✓	✓	
5.	Health issues	5.1 Continue the effort to enhance awareness among <i>Orang Asli</i> on the importance of health and health services provided by the Government.	Ministry of Health Department of Orang Asli Development	✓	✓	✓

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
6.	Education issues	6.1 Study on the need to establish community schools in settlement with no school especially in remote areas.	Ministry of Rural and Regional Development Department of Orang Asli Development Ministry of Education State Authority		✓	✓
		6.2 Continue the training to enhance professionalism among teachers who teach <i>Orang Asli</i> students.	Department of Orang Asli Development Ministry of Education	✓	✓	✓
		6.3 Continue programmes to enhance awareness among <i>Orang Asli</i> on the importance of education to children.	Department of Orang Asli Development	✓	✓	✓
		6.4 Continue efforts to empower education among <i>Orang Asli</i> students.	Ministry of Rural and Regional	✓	✓	✓

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
			Development Department of Orang Asli Development Ministry of Education Ministry of Health			
7.	Environmental issues	7.1 Enhance monitoring on the development activities involving exploration of land near to the Orang Asli area to avoid any social and economic effect on <i>Orang Asli</i> .	Department of Orang Asli Development Ministry of Rural and Regional Development Ministry of Natural Resources and Environment State Authority		✓	✓

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
8.	Economic issues	8.1 Review the effectiveness of implemented economic and social enhancement programmes to <i>Orang Asli</i> .	Department of Orang Asli Development Ministry of Rural and Regional Development		✓	
		8.2 Collaborate with entrepreneurship institutions such as the National Entrepreneurship Institute (INSKEN) to provide entrepreneurial training in line with the need of <i>Orang Asli</i> .	Department of Orang Asli Development Ministry of Rural and Regional Development		✓	✓
		8.3 Study whether the implemented scope of training skills is suitable to the need of <i>Orang Asli</i> .	Department of Orang Asli Development Ministry of Rural and Regional Development		✓	✓

ANAK NEGERI SABAH

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
9.	Native Customary Rights (NCR)	9.1 Conduct comprehensive study on the concept of customary land of <i>Anak Negeri Sabah</i> /Native Customary Rights (NCR) and its administration in accordance with the Land Ordinance (Sabah Cap. 68).	Sabah State Government	✓	✓	✓
		9.2 Study and identify the appropriate mechanism to determine the area claimed as Native Customary Rights (NCR) in accordance with the Land Ordinance (Sabah Cap. 68).	Sabah State Government	✓	✓	✓
		9.3 Study on the need for the establishment of special settlement mechanism on the issue of the concept of customary land of <i>Anak Negeri Sabah</i> /Native Customary Rights (NCR) in accordance with the Land Ordinance (Sabah Cap. 68).	Sabah State Government	✓	✓	✓

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
		9.4 Enhance the existing SOP as a guideline to improve the mechanism, process and procedure for consultation to safeguard the interest of <i>Anak Negeri Sabah</i> /Native Customary Rights (NCR) and related parties in accordance with the Land Ordinance (Sabah Cap. 68).	Sabah State Government	✓	✓	✓
		9.5 Provide exposure and understanding on the concept of Native Customary Rights (NCR) to policy makers and implementers as well as to stakeholders in accordance with the Land Ordinance (Sabah Cap. 68).	Sabah State Government	✓	✓	✓
		9.6 Expedite the survey and surrender customary land grant to <i>Anak Negeri Sabah</i> /Native Customary Rights (NCR) who successfully proves that the land is a customary land in accordance with the Land Ordinance (Sabah Cap. 68).	Sabah State Government	✓	✓	✓
		9.7 Continue to monitor development activities involving exploration of land near to the customary land to avoid	Sabah State Government	✓	✓	✓

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
		effects to the social and economic aspects on <i>Anak Negeri Sabah</i> .				

NATIVES OF SARAWAK

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
10.	Native Customary Rights (NCR)	10.1 Conduct a comprehensive study on the concept of customary land of <i>Bumiputera</i> /Native Customary Rights (NCR) and its administration.	Sarawak State Government (relevant agencies)	✓	✓	✓
		10.2 Study and identify the appropriate mechanism to determine the area claimed as customary land of <i>Bumiputera</i> /Native Customary Rights.	Sarawak State Government (relevant agencies)	✓	✓	✓
		10.3 Study on the need for the establishment of special settlement mechanism on the issue of customary land of <i>Bumiputera</i> /Native Customary Rights.	Sarawak State Government (relevant agencies)	✓	✓	✓

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
		10.4 Enhance SOP and guidelines on the mechanism, process and procedure for consultation on customary land of <i>Bumiputera</i> /Native Customary Rights to safeguard the interest of Natives of Sarawak and related parties.	Sarawak State Government (relevant agencies)	✓	✓	
		10.5 Provide exposure and understanding on the concept of customary land of <i>Bumiputera</i> /Native Customary Rights to public and stakeholders.	Sarawak State Government (relevant agencies)	✓	✓	✓
		10.6 Continue the survey of perimeter and expedite the survey of individual lots of customary land.	Sarawak State Government (Land and Survey Department Sarawak) Economic Planning Unit Implementation Coordination Unit	✓	✓	✓

NO.	PRIORITY ISSUE	ACTION	LEAD AGENCY	TIME FRAME		
				SHORT	MEDIUM	LONG
		10.7 Continue to monitor development activities involving exploration of land near to the customary land to avoid effect to the social and economic aspects on <i>Natives of Sarawak</i>	Sarawak State Government (relevant agencies)	✓	✓	✓

THRUST 5: INTERNATIONAL OBLIGATIONS

No.	Priority Issue	Action	Lead Agency	Timeline		
				Short	Medium	Long
1.	Commitment of Malaysia to accede the remaining core International Human Rights Instruments.	1.1 Consider to accede to the International Convention on Economic Social and Cultural Rights (ICESCR).	Ministry of Foreign Affairs			✓
		1.2 Consider to accede to the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).	Ministry of Home Affairs			✓
		1.3 Study the appropriateness and consider acceding to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).	Department of National Unity and Integration			✓
		1.4 Conduct a study to determine Malaysia's ability and the implication before considering acceding to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).	Ministry of Home Affairs			✓

No.	Priority Issue	Action	Lead Agency	Timeline		
				Short	Medium	Long
2.	Commitment of Malaysia to the Optional Protocols under the CEDAW, CRC and CRPD.	1.5 Study the appropriateness and the implication before considering acceding to the International Convention on Civil and Political Rights (ICCPR).	Ministry of Foreign Affairs			✓
		2.1 Continue the study to determine Malaysia's capacity and preparedness to accede to the Optional Protocol to the Convention on the Elimination of Discrimination against Women 1999 (OP CEDAW), Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure 2014 (OP CRC IC) and Optional Protocol to the Convention on the Rights of Persons with Disabilities 2006 (OP CRPD).	Ministry of Women, Family and Community Development			✓
3.	Commitment of Malaysia on the Reservations under the CEDAW, CRC and CRPD.	3.1 Review the domestic laws in order to consider the appropriateness to withdraw the reservations on Articles 9(2), 16(1)(a), (c), (f) and (g) of the CEDAW.	Ministry of Women, Family and Community Development		✓	
		3.2 Review the domestic laws in order to consider the appropriateness to withdraw the reservations on Articles 2, 7, 14, 28(1)(a), and 37 of the CRC.	Ministry of Women, Family and Community		✓	

No.	Priority Issue	Action	Lead Agency	Timeline		
				Short	Medium	Long
			Development			
		3.3 Review the domestic laws in order to consider the appropriateness to withdraw the reservations on Articles 3(b), 3(e), 5(2) and 30 of the <i>Convention on the Rights of Persons with Disabilities 2006 (CRPD)</i> .	Ministry of Women, Family and Community Development		✓	
4.	Commitment of Malaysia in enacting and revising of the domestic laws for the enforcement of the provisions of CEDAW	4.1 Review the domestic laws in order to enforce the provisions of CEDAW.	Ministry of Women, Family and Community Development			✓
5.	Commitment of Malaysia to submit the Country Reports under CEDAW, CRC and CRPD	5.1 Ensure the initial report under the CRC Optional Protocols is submitted within the stipulated period.	Ministry of Women, Family and Community Development	✓		

No.	Priority Issue	Action	Lead Agency	Timeline		
				Short	Medium	Long
		5.2 Ensure the report under CRPD is submitted within the stipulated period.	Ministry of Women, Family and Community Development	✓		
6.	Commitment of Malaysia to other international instruments having human rights implications.	6.1 Conduct a detailed study on the implications against Malaysia with regard to the signing and ratification of the <i>ILO Convention No. 169 on Indigenous and Tribal People</i> .	Ministry of Rural and Regional Development Government of the State of Sabah Government of the State of Sarawak Ministry of Human Resources		✓	