

Part 1: Issues raised in the Term of Reference

Question 1

The following information comes directly from the website of the Malaysian Ministry of Education:¹

Malaysia's National Education Philosophy:

“Education in Malaysia is an on-going effort towards further developing the potential of individuals in a holistic and integrated manner, so as to produce individuals who are intellectually, spiritually, emotionally and physically balanced and harmonic, based on a firm belief in and devotion to God. Such an effort is designed to produce Malaysian citizens who are knowledgeable and competent, who possess high moral standards and who are responsible and capable of achieving high level of personal well-being as well as being able to contribute to the harmony and betterment of the family, the society and the nation at large”.

Malaysia provides 11 years of free schooling and officially Malaysian children begin primary school education at age 7 with over 95% of them being enrolled in public funded schools for free education. While the student enrolment rate in the secondary schools recorded more than 85%, Malaysia's 93% literacy rate is one of the highest in the world, which is a reflection of the enormous importance the Government places in the pursuit of knowledge and education.

Beginning the year 2003, primary schooling is mandatory for all children. Thus, children between the ages of seven and 12 have to register and enroll in primary schools. Home schooling or home-based teaching, i.e., teaching children at home, is allowed but permission must be sought from the Ministry of Education.

The national education system conducts education from pre-school to higher education and is grouped as below:

- *Pre-school education*
- *Primary education from age 7*
- *Lower secondary education*
- *Upper secondary education*
- *Post-secondary (Form Six/Matriculation) education*
- *Tertiary education*

Primary and secondary education in government schools is handled by the Ministry of Education, but policies regarding tertiary education are handled by the Ministry of Higher Education, created in 2004.

At primary and secondary levels, the national curriculum prepares students for the common public examinations, the first being at the end of the sixth year of their primary education, called the Primary School Achievement Test or more commonly known as the UPSR. The next is the Lower Secondary Assessment known as the PMR at the end of

¹ <http://www.moe.gov.my/tayang.php?laman=home&bhs=en&id=0&info=0>

the third year in the lower secondary level (Form 3), and then the SPM examination or the Malaysian Certificate of Education at the end of the upper secondary level (Form 5). The pre-schooling curriculum is provided by the government but there is no common public examination at this level.

Bahasa Melayu (Malay language), the country's national language, is the main medium of instruction, while English is a compulsory subject taught in school and beginning in the year 2003, the English language is used as the medium of instruction for Science and Mathematics at specific entry levels, i.e., for Standards 1, Forms 1, and Lower 6th Forms. In order to meet the needs of the multi-ethnic nature of the population, the vernacular primary schools (known as national-type schools) are allowed to be set up and to use Mandarin or Tamil as the medium of instruction.

These legislations cover pre-school to higher education in both public and private educational institutions. They are:

- *The Education Act, 1996*
- *The Private Higher Educational Institutions Act, 1996*
- *National Council on Higher Education Act, 1996*
- *National Accreditation Board Act, 1996*
- *Universities and University Colleges (Amendment) Act, 1996*
- *National Higher Education Fund Board Act, 1997 (further amended in 2000)*
- *The Private Higher Educational Institutions Act, 1996 (further amended in 2003)*

All educational institutions operating in Malaysia are subject to one or more of the above legislations depending on whether the provider is publicly or privately owned. However the international or expatriate schools are not subject to these laws, instead their operation is supervised by the Ministry of Education of Malaysia. Both public and private schools exist in the national education system and are governed by education laws. Below are the education levels offered from pre-school right up to tertiary level:

Pre-School

Pre-school comprises three categories, namely:

- *Public-Funded Kindergartens*
- *Private-Funded Kindergartens*
- *International / Expatriate Kindergartens*

Pre-school education is not compulsory and generally children will begin their pre-school at about 5 years of age in either public or private kindergartens. All operators (whether private or public), will adhere to the curriculum guidelines provided by the Ministry of Education, except for the International/Expatriate Schools that follow either the British or US curriculum as well as the syllabus of that country.

Primary Education

There are two categories of public-funded primary schools in the country to which 95% of primary school children are being enrolled in, namely:

- The National Schools
- The National-Type Schools.

The medium of instruction in national schools is the Malay language (Bahasa Melayu) and English is a compulsory subject. However, in the national-type schools that use Chinese and Tamil as the medium of instruction, Malay and English languages are compulsory subjects. Beginning in the year 2003, English is being used as the medium of instruction for Science and Mathematics subjects in all public schools.

At the end of the six years of primary schooling, pupils are required to sit for a common public examination, called the Primary School Achievement Test (PSAT/UPSR). Under the Education Act 1996, students would normally complete their primary education within 5 to 7 years.

Secondary Education (Form 1 - Form 5)

Upon completion of primary education at public schools, pupils will automatically be promoted to the secondary level education at public secondary schools for another 5 years of free education i.e. 3 years of lower secondary and another 2 years of upper secondary education. Secondary school education in Malaysia is divided into two levels:

The Lower Secondary (Form 1 - Form 3, Age 13 - 15)

This lower secondary level covers a duration of three years i.e. Form 1 to Form 3, and focuses on general education. Pupils from the national primary schools proceed to Form One while pupils from the Chinese and Tamil medium national-type schools undergo a year of transition class (Remove Class) before entering Form One. This transition class serves to strengthen the pupils' proficiency in the Malay language, which is the medium of instruction used in secondary schools. However, pupils with good grades in the PSAT/UPSR examination are exempted from the transition year and allowed to proceed directly to Form 1.

At the end of the third year in lower secondary level, the students will be required to sit for a public examination called the Penilaian Menengah Rendah (PMR) or the Lower Secondary Assessment (LSA). The PMR is however, not a terminal examination; it is instead more of a diagnostic evaluation. Therefore, all students will be promoted to upper secondary level for another 2 years of upper secondary studies, before finally completing 11 years of free education.

The Upper Secondary

Upon completion of the Penilaian Menengah Rendah (PMR) at Form 3, students proceed to upper secondary schools that offer more specialized fields of study. Based on choice, the PMR examination results and aptitude, students can opt to enter either any of the following:

Academic Schools

Students in upper secondary academic schools would pursue a broad based academic education either in the science or arts streams depending on their capabilities and

interest. Students are allowed this choice in the open certification system. (Note: Most secondary schools in the country are academic schools.)

Technical or Vocational Schools

These schools place extra emphasis on technical and vocational subjects and prepare students for the pursuit of technical and scientific tertiary education.

National Religious Secondary Schools

These schools offer Islamic Religious Education and Arabic Studies. Subjects related to science and technology are also included.

Special Education Schools

Specially catered to students with special needs such as the spastics, the handicapped, the visually or hearing-impaired as well as those with learning disabilities.

Malaysia also offers 2 other types of public schooling opportunities, namely:

Smart Schools - one of the seven flagship applications of the Multimedia Supper Corridor (MSC), which uses ICT technology in the learning-teaching process

Sports Schools - aim at nurturing and developing potential athletes among school children

The Finance Division of the Ministry of Education is responsible for distributing optimum financial resources for management expenses for all expenditure programmes in the Education Ministry through an annual budget estimation as well as to control performance of future expenditure.

Question 2

The right to education was raised to the attention of the High Court of Malaysia in the case of *Merdeka University Sdn Bhd v. Government of Malaysia* (full-text of the judgment is attached.) In deciding against the application of Article 26 of the Universal Declaration of Human Rights 1948 to Malaysia, the Court found:

The Universal Declaration of Human Rights was proclaimed and adopted on 10 December 1948, by the General Assembly of the United Nations. It is not a legally binding instrument as such and some of its provisions depart from existing and generally accepted rules. It is merely a statement of principles devoid of any obligatory character and is not part of our municipal law.

Mr. Beloff submits that the reasons for the rejection of the plaintiff's petition are incompatible with Article 26 of the declaration which provides inter alia that technical and professional education shall be made generally available and higher education shall be equally accessible to all

on the basis of merit and that parents have a prior right to choose the kind of education that shall be given to their children. The declaration sets out fundamental rights in absolute and unqualified terms and does not contain any precise specification of the extent or ambit of these rights, but a general limitation is laid down in Clause 2 of Article 29 that in the exercise of his rights and freedoms, everyone shall be subject to such limitations as are determined by law as specified therein, combining in effect the traditional concept of the sphere of individual liberty with the modern rule of social purpose and social utility.

The national education policy reflected in the Education Act does however take into consideration the general principle that pupils are to be educated in accordance with the wishes of their parents in the second recital in the preamble thereto which declares that regard shall be had to this postulate so far as it is compatible inter alia with the policy set out in the first recital thereof to establish a national system of education but subject to the further requirement stipulated in the third recital and in particular that of making the national language the main medium of instruction. The point taken on behalf of the plaintiff in this respect does not therefore arise and in any event the pertinent provisions for consideration are those contained in our municipal legislation.

*I would in disposing of this aspect of the matter briefly refer to what Sir Robert Megarry VC, said in *Malone v. Metropolitan Police Commissioner* [1979] 1 Ch 344, 352-354, 366 (at pp. 352-354, 366) with regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms and repeat what I said in *Lim Cho Hock v. Government of the State of Perak & Ors.* [1980] 2 MLJ 148, 153 (at p. 153) that the Court's power to make declarations is confined to matters justiciable in the Courts and limited to legal and equitable rights and does not extend to moral, social or political matters.²*

Although the decision of the High Court was appealed to the Federal Court, the Federal Court did not dispute the High Court's finding regarding the application of the Universal Declaration of Human Rights.

Question 3

Please refer to the response to question 2.

Question 4

The Malaysian government is not a party to the International Covenant on Economic, Social or Cultural Rights (ICESCR). No public statements have been made regarding the government's view of the proposed Optional Protocol.

² Page 19 of the Judgment.

Question 5

According to SUHAKAM's report entitled "The Human Rights Approach to the Millennium Development Goals (MDGs): Goal 2 – Achieve Universal Primary Education":

From 1996 to 2000, development of preschool, primary and secondary education received the largest share of the Ministry of Education's development allocation received from the Federal Government. During the Eighth Malaysia Plan (8MP) period, education and training received the highest sum of Federal Government Development Allocation and Expenditure. According to the Mid-Term Review of the Eighth Malaysia Plan 2001-2005, the revised 8MP allocation for education was RM40,033.4 million. From this total, RM 376.1million was allocated for pre-school education, RM6,606.0 million for primary education and RM10,901.1³² for secondary education.

Please refer to pages 15 – 16 of the attached extract of this report for further information regarding government budgetary allocation for education and training.

Question 6

Information currently unavailable.

Question 7

Information currently unavailable.

Question 8

Information currently unavailable.

Question 9

Facilities that support education such as dormitories, learning and teaching materials, school buses, sanitation and clean water supply are largely adequate in urban schools. However, there is a level of disparity with rural schools and schools in interior areas of the states of Sabah and Sarawak in Borneo. Basic facilities, including access to clean water supplies are inadequate.

Question 10

The following information has been extracted directly from resources of the Malaysian Ministry of Education:

The Teacher Education Division of the Ministry of Education is responsible for training teachers. Teacher education colleges under its purview offer initial teacher training, in-service teacher training, short courses and workshops for specialized groups, the close relationship between the Teacher Education Division, teacher education colleges and schools facilitates teaching practice and classroom observation, which are integral components of many of the courses for teachers. The Teacher Education Division also

implements and evaluates the curriculum and examination system while being responsible for the selection of candidates into the teacher training programmes.

Primary school teachers in national and national-type Chinese and Tamil schools receive their training in teacher education colleges. Secondary school teachers are either college trained or graduate teachers trained mainly in the Faculties of Centres of Education in local public universities and in teacher education colleges. The national policy is to eventually employ only graduate teachers in all our secondary schools.

There are numerous programmes and courses that are conducted and offered at Teacher Education Division and teacher education colleges. These programmes are intended to prepare teachers for primary and secondary schools according to the projections of the Ministry and demand from non-governmental agencies and the private sector. The programme also aims to produce teachers who are morally upright, knowledgeable, creative and resilient, and who are capable of teaching the students efficiently and effectively.

Question 11

The following information has been extracted directly from resources of the Malaysian Ministry of Education:

Educational Resource Centres

Teaching and learning resources considerably enhance teacher effectiveness in the classroom. A Network of State Education Resource Centres (SERC) and Teacher Activity Centres (TAC) have been set up to provide teachers with facilities and opportunities to share resources, ideas and experiences in producing their own instructional materials. Teachers and pupils have access to media services, equipment, instructional and reference materials. Each Centre acts as a coordinating agency in planning, organizing and conducting in-service education programmes for teachers in its state or district.

Educational Radio and Television

Educational services are provided through radio and television networks. The services provided include educational television programmes for formal education in four core subjects, namely, Bahasa Melayu, English, Mathematics and Science which are broadcast nationwide. Radio programmes are aired in Sarawak only. Television programmes for informal education purposes are also regularly broadcast nationwide.

Question 12

Please refer to attached provisions of the Federal Constitution and Education Act for information on the legislation relating to non-discrimination and the establishment of special schools for children with disabilities.

Question 13

The government of Malaysia is a party to the Convention on the Elimination of Discrimination Against Women (CEDAW). Malaysia has not entered a reservation to Article 10 of CEDAW, which enshrines the rights of women to education.

The government has established a Cabinet Ministry on the Promotion of Gender Equality. The primary aim of the Cabinet Ministry is to facilitate the creation of true gender equality in Malaysia through policy and legislative measures. Amongst recent initiatives of this Cabinet Ministry is the appointment of gender focal point officers in all relevant Ministries. This Cabinet Ministry is Chaired by the Prime Minister of Malaysia. Other Ministers involved include:

- Minister of Housing
- Minister of Information
- Minister of Human Resources
- Minister of Women, Family and Community Development
- Minister of Education
- Minister of Higher Education
- Minister of Rural Development
- Minister of Health
- Minister of Youth and Sports
- Minister in the Prime Minister's Department (Islamic Affairs)
- Minister in the Prime Minister's Department (Legal Affairs)

For information on the enrolment of students in government schools and institutions of higher education, please refer to the attached statistics. The statistics have been presented in a gender disaggregated format.

Question 14

Remote & Indigenous Communities

Many indigenous children have problems attending school, due to the lack of effective and accessible means of transportation to schools, which are usually located in more developed areas. There are some areas in Malaysia where the routes taken by children to reach their schools are unsafe. Education facilities in indigenous settlements are usually inadequate.

Persons with Disabilities

A barrier to accessible education is the lack of disabled-friendly public infrastructures and transport. Existing infrastructures creates a barrier to mobility and accessibility as the infrastructures are modeled without taking into account the needs of persons with disabilities. Besides the lack of special schools, there are usually limited facilities in schools to accommodate the needs of persons with disabilities. Most schools do not have wheelchair ramps and specially modified toilets etc.

Undocumented migrants

Malaysian law does not recognise any rights for undocumented migrants, even bona fide refugees that have been registered with the UNHCR. Upon arrest, all undocumented migrants are vulnerable to a host of penal sanctions, including detention and corporal punishment, ultimately culminating in deportation. The children of undocumented migrants born in Malaysia do not have any rights to education, although there have been a few instances where the Education Authorities have exercised their discretion to allow such children to obtain some basic education in Malaysian schools. However, due to their lack of legal status, such children are usually prevented from sitting for national level examinations to allow them to pursue higher levels of education.

Question 15

The following information is based on resources of the Ministry of Education:

The government's Compulsory Education Policy is aimed at educating parents and society and ensuring that primary education is given to every child. Failure to do so is an offence against the law. Parents may face a fine of not more than RM5000, jail not exceeding 6 months, or both.

Compulsory education at the primary level is required under the law (please refer to the attached extracts of the Education Act). The law requires parents to register their children at primary schools upon reaching the age of six years, on the first day of the current school year. Compulsory education was implemented at the beginning of the school year of 2003 with Year 1 pupils. In 2004, it was extended to Year 2 pupils in all schools throughout Malaysia. The pupils involved were those born between 2 January 1996 and 1 January 1997 in 2003 and those born between 2 January 1997 and 1 January 1998 for year 2004.

Question 16

The following information is based on resources of the Ministry of Education:

Public primary education in Malaysia is not entirely free. Although school fees are not charged, school administrative often imposes other miscellaneous fees such as fees for sports, extra-curricular activities, examinations and insurance, among others. They are also required to buy items such as personal files, a report card, T-shirt for sport activities, school badge and name tags etc. These fees render public primary education in Malaysia chargeable. Scholarships known as the Federal Minor Sponsorship and Pre-University Scholarships are awarded to selected students at the primary and secondary school level.

In 1975, the textbook-on-loan scheme was implemented throughout the country. The programme covers all levels of education, from primary to upper secondary education. The objective is to lessen the financial burden of parents from the lower income group and ultimately ensure access to education for every child. Other assistance such as health and dental care, and supplementary food schemes to children from the rural areas, and urban poor are also implemented by the government.

Question 17

The following information is based on resources of the Ministry of Education:

Upon completion of primary education at public schools, pupils will automatically be promoted to the secondary level education at public secondary schools for another 5 years of free education i.e. 3 years of lower secondary and another 2 years of upper secondary education.

Secondary school offers a comprehensive education programme. The curriculum includes a wide range of subjects from the arts and sciences as well as vocational and technical subjects that provide a practical bias and a hands-on approach to learning. Several religious schools and special education schools also offer secondary education. With the emphasis placed on technological literacy, the smart school concept was introduced in 1996.

Question 18

Same as Number 16

Question 19

The following information is based on resources of the Ministry of Education:

The average fees for public higher education institution includes tuition fees, accommodation fees, student welfare, health, library and sports fees.

The Ministry of Higher Education provides education loans through the National Higher Education Loan Fund Corporation. This assistance takes the form of long-term, low-interest loans to students who have secured places in tertiary institutions but lack the economic resources a necessary for further education.

The National Higher Education Loan Fund Corporation (NHEFC) is a statutory body established under the National Higher Education Fund Board Act 1997 (Act 566). While students at public higher education institutions are allocated a loan of RM 6,500 per annum upon successful application, those at selected private higher education institutions are eligible for a loan of RM 12,000 per annum. A four-percent administration cost is charged and loans are repaid upon employment after graduation. The mode of repayment is via tax deductions over a 15-year period. However, the NHEFC has the right to change the mode of repayment.

To promote science and science-related education a further incentive of an additional loan of RM 500 a year without the admission charge is given. NHEFC evaluates the financial status of the student's family based on the declared total income before approving the loan.

Question 20

Access to non-formal education:

Amongst efforts to reduce adult illiteracy is the implementation of the adult functional-literacy and the reading habit promotion programmes. These are readily made available by the government through the Ministry of Rural Development (MORD) and other relevant ministries. The programmes are especially designed to meet the needs of persons with lower levels of income. There is no age limit for entrance into these programmes, neither are there gender-based restrictions.

The Community Education Division is under the Community Development Department or KEMAS, which provides programmes relating to non-formal education such as Computer Literacy Education, Family Prosperity Education and Skills Education. One of the objectives of these programmes is to provide basic reading, writing and counting education with skills guidance for school dropouts.

The Education and Research Association for Consumers, Malaysia (ERA Consumer Malaysia) is a voluntary, non-profit and non-political civil society organization. ERA Consumer Malaysia is a registered membership organization under The Malaysian Societies Act of 1966. ERA CONSUMER MALAYSIA is currently in the process of establishing community centres for the empowerment of Indian women in Malaysia. The objective of the project is to address discrimination and violence against Indian women. The project seeks to enhance the ability of these women to exercise power in the social institutions that govern their daily lives ie. the household and extended family, local community councils & associations, local elite, local markets and the local government.

The main aims of the community centres are :-

- to build confidence among Indian women and to build awareness of gender issues in the urban and suburban Indian communities
- To raise the socio-economic status of Indian women by enhancing capacities of Indian women to sustain their own living and to participate in self-help groups of the community
- To improve legislation provisions on women's rights in Malaysia through organizing campaigns, seminars and other activities

Question 21

The Ministry of Education facilitates access to education at the primary and secondary school level, without specific use of human rights terminology. The Ministry of Higher Education does the same for tertiary level education.

Question 22

Information not available.

Question 23

Information not available.

Question 24

The University and University Colleges Act restricts the right to freedom of assembly and association of students and staff. Sections 15 and 16 of this Act reads:

15. Prohibition on a student or a students' organisation, body or group associating with societies, etc., except as provided under the Constitution or approved by the Vice-Chancellor.

(1) No person, while he is a student of the University, shall be a member of, or shall in any manner associate with, any society, political party, trade union or any other organisation, body or group of persons whatsoever, whether or not it is established under any law, whether it is in the University or outside the University, and whether it is in Malaysia or outside Malaysia, except as may be provided by or under the Constitution, or except as may be approved in advance in writing by the Vice-Chancellor.

(2) No organisation, body or group of students of the University, whether established by, under or in accordance with the Constitution, or otherwise, shall have any affiliation, association or other dealing whatsoever with any society, political party, trade union or any other organisation, body or group of persons whatsoever, whether or not it is established under any law, whether it is in the University or outside the University, and whether it is in Malaysia or outside Malaysia, except as may be provided by or under the Constitution, or except as may be approved in advance in writing by the Vice-Chancellor.

(3) No person, while he is a student of the University, shall express or do anything which may be construed as expressing support, sympathy or opposition to any political party or trade union or as expressing support or sympathy with any unlawful organisation, body or group of persons.

(4) No organisation, body or group of students of the University which is established by, under or in accordance with the Constitution, or any other organisation, body or group of students of the University, shall express or do anything which may be construed as expressing support, sympathy or opposition to any political party or trade union or as expressing support or sympathy with any unlawful organisation, body or group of persons.

(5) Any person who contravenes or fails to comply with the provisions of subsection (1), (2), (3) or (4) shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding one thousand ringgit or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

16A. Discipline of staff, officers and employees of University.

(1) *The Board shall have disciplinary authority over every staff, officer and employee of the University and shall exercise disciplinary control in respect of all such persons in accordance with this Act and any rules made under section 16c.*

(2) *The Board may, by notification in the Gazette, establish different disciplinary committees for different categories of staff, officer and employee.*

(3) *A disciplinary committee shall exercise its powers in all matters relating to the discipline of every staff, officer and employee placed under its jurisdiction.*

(4) *A staff, officer or employee who is a member of a disciplinary committee shall not be lower in rank than any staff, officer or employee over whom the disciplinary committee has disciplinary authority.*

(5) *In any case where a member of a disciplinary committee is himself a complainant in any disciplinary proceedings before the disciplinary committee, he shall not be present in such proceedings and the Board shall appoint any other person to participate in such proceedings.*

(6) *Subsection (4) shall apply to any other person appointed to a disciplinary committee under subsection (5).*

(7) *In the exercise of its disciplinary functions and powers, a disciplinary committee shall have the power to take disciplinary action and impose any disciplinary punishment or any combination of two or more of the disciplinary punishments provided under the rules made under section 16C.*

(8) *A disciplinary committee shall have no jurisdiction in respect of the Chancellor, Pro-Chancellors and Vice-Chancellor.*

(9) *Any staff, officer or employee who is dissatisfied with the decision of a disciplinary committee may, within thirty days from the date of the service of the decision on him, appeal in writing against such decision to the Board.*

(10) *When the Board considers any appeal under subsection (9), members of the disciplinary committee against whose decision the appeal is made shall not be present or in any way participate in any proceedings relating to that appeal.*

(11) *The Board shall have the power to confirm, reverse or vary the decision of the disciplinary committee or give such directions on the appeal as it deems fit and proper.*

(12) The decision of the Board upon an appeal shall be final.

Human rights organizations and academics have noted that the above-mentioned legislative provisions have been used to penalize politically astute students and academics, thereby restrictively impacting upon freedom in higher educational institutions. Furthermore, like all civil servants, all national university lecturers are required to sign a pledge of allegiance or absolute loyalty to the government (“Akujanji”), which has a severely restrictive effect to academic freedom.

Question 25

Information currently unavailable.

Question 26

The Curriculum Development Centre (CDC) of the Ministry of Education is responsible for developing school curriculum and improving the quality of education, in line with the National Education Policy. The CDC has been focusing on strengthening curriculum through research and evaluation. At the macro level, researches are focused on curriculum policy at three Levels (pre-school, primary and secondary). At the micro level, the CDC runs projects to accumulate information in certain aspects of curriculum implementation and development. Several aspects of research are on Critical and Creative Thinking and Generic Skills.

Question 27

Beginning in 2005, the Ministry of Education begun implementing a new subject in schools, ‘Civics and Citizenship’. Civics refers to the individual’s relationship with the community while citizenship refers to the individual’s relationship with the country. Civics and Citizenship education is designed to provide awareness to students of their role, rights and responsibilities to the community and country. In line with this, SUHAKAM highlighted several areas where human rights elements can be integrated into the curriculum of the subject. The CRC and UDHR were the basic documents used. SUHAKAM also supplied several human rights resource materials including the Human Rights Lesson Plan for Southeast Asian Schools to every school in the country. There is also a section on SUHAKAM in moral education textbooks for form 2 and form 4 secondary school students. There are elective papers on human rights in some higher education institutions under the social studies and law faculties.

Question 28

Information currently unavailable.

Question 29

Please refer to the attachment on Constitutional Provisions for Article 12 (2),(3) and (4), which directly relates to this matter.

Question 30

Please refer to the attachments on the Education Act, and the Children and Young Persons Employment Act.

Question 31

Information currently unavailable.

Question 32

Please refer to the attached legislative provisions on the minimum age for marriage.

Question 33

Amongst efforts to reduce adult illiteracy is the implementation of the adult functional-literacy and the reading habit promotion programmes. These are readily made available by the government through the Ministry of Rural Development (MORD) and other relevant ministries. The programmes are designed to meet the needs of persons in the lower income bracket. There is no age limit for entrance into these programmes, neither are there restrictions based on gender.

Question 34

According to information from the Ministry of Education, this covers:

Early Intervention Programme, Special Education Programme at three Levels (Primary, Secondary and Post Secondary), Special Rehabilitation and Education Programme for Children with Disabilities.

Question 35

There is a severe shortage of human resources in special education in Malaysia especially in terms of quality, quantity, mobility and allocation. More professionals or experts, specially trained teachers, teachers' assistants, trained disabled trainers and volunteers are required. There are some instances where special classes cannot be conducted because of the shortage of specially trained teachers and the refusal of other teachers to teach classes. Some schools also refuse to accept children with disabilities because of social prejudice and the reluctance of teachers to conduct classes for children with disabilities.