Chapter Six

Understanding CRPD Implementation in Malaysia
Ruzita Mohd. Amin, Rohana Jani, and Norhayati Zakaria

INTRODUCTION

Malaysia has signed the United Nations Convention on the Rights of Persons with Disabilities (CRPD) on April 8, 2008, and ratified it on July 19. 1 However, Malaysia has made reservations under Article 15 (Freedom from torture or cruel, inhuman or degrading treatment or punishment) and Article 31 (Liberty of movement and nationality) of the Convention, and until today the country has also not signed the Optional Protocol. This has sparked criticisms from civil society organizations as persons with disabilities will not be able to bring issues to the international supervisory committee in the case of non-compliance to the CRPD agreement by the government. It has also raised much concern from the Malaysian Bar Council as it casts doubts as to the seriousness of the Malaysian government to fully comply with all the CRPD requirements. 2 As such, Malaysia’s capability to effectively implement the CRPD needs to be examined as it has raised questions from many stakeholders.

This study seeks to examine the processes and mechanisms adopted by Malaysia in the implementation of Article 33 of the CRPD. Specifically, it analyzes the content and capacity of the national disability legal framework and the administrative capacity in implementing the CRPD at the federal, state, and local governments. It also looks at the extent of the involvement of Civil Society Organizations (CSO) in monitoring the implementation process of the CRPD.