KONRAD ADENAUER STIFTUNG

Inklusion *weltweit*

Country Report with a Difference

Malaysia

MALAYSIA

Rights, Representation and Reform:

The Political Struggles of Persons with Disabilities in Malaysia

Pic. 1 – Voting Day in Malaysia

In Malaysia, persons with disabilities face unique challenges when participating in the political process. Whether as voters, advocates, or politicians, persons with disabilities often encounter obstacles that hinder their full engagement in political life. These challenges are compounded by societal attitudes, physical barriers, and a lack of inclusive policies that make it difficult for persons with disabilities to fully exercise their rights and contribute to the political process. This report explores the challenges faced by both civilian persons with disabilities and politicians with disabilities in Malaysia, the progress that has been made to ensure their inclusion in the political process, and opportunities for further advancements.

Progress in supporting people with disabilities

Malaysia has made significant advancements in supporting persons with disabilities, particularly after ratifying the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in July 2010. However, 14 years later, significant gaps remain in terms of ensuring equal access to political participation for all Malaysians with disabilities.

Currently, an estimate of 15 percent of Malaysians (approximately 5.1 million people) live with some form of disability[1], and this number is expected to increase as the population ages. Additionally, according to the National Health Survey 2015, around 29 percent of Malaysians are dealing with some form of mental health issue.[2] Unfortunately, data on mental health is not always collected in Malaysia's national health surveys. The last survey that asked questions on mental health was the 2015 survey, and while no official statistics are available since then, the reported numbers have most likely increased, especially during the pandemic.

With a population of roughly 34 million, the need for policies that address the wide spectrum of disabilities, including mental disabilities is increasingly urgent.

Lack of Political Representation and Advocacy

Malaysia, a federation composed of the 11 States of Malaya, the Borneo States of Sabah and Sarawak, and 3 Federal Territories, operates within a constitutional monarchy similar to the Westminster system of the United Kingdom. This system is categorised as a representative democracy.

People with disabilities in Malaysia are represented under the care of the Federal Ministry of Women, Family, and Community Development, which oversees policies and programs related to their rights and welfare. This ministry plays a key role in ensuring that people with disabilities are supported in areas like employment, healthcare, education, and accessibility, working in tandem with other government bodies to address the specific needs of this community.

Since 2007, Malaysia has, however, only appointed four out of a total of 70 senators representing persons with disabilities to the Dewan Negara, the upper house of Parliament. These appointments are made by the King, and while they symbolize progress in representation of people with disabilities, they are insufficient to reflect the true diversity and challenges faced by Malaysia’s disabled population. The current system allows senators to serve a maximum of two terms, each lasting three years, but the slow pace of these appointments raises concerns about the government’s commitment to more inclusive representation.

Among them is the late Datuk Dr Ismail Salleh, the first appointed senator representing persons with disabilities, who as a visually-impaired person was the head of the Bureau of National Economic and Socio–Economic Policy Studies and rose to the ranks of assistant director-general and deputy director-general at the government think tank, Institute of Strategic & International Studies Malaysia (ISIS Malaysia).

Another example is Bathmavathi Krishnan, an advocate for disability rights and former senator, who after a severe accident, became wheelchair bound.

Pic. 2 – Former Senator, Ras Adiba

Other examples include Ras Adiba Radzi, a former senator who is paralysed from the waist down following a spinal cord injury and founded the non-governmental organisation 'OKU Sentral', which advocates for the rights and needs of people with disabilities in Malaysia. And finally, Isaiah Jacob, the current senator who represents the disabled community and was born with congenital hip dislocation.

Their appointments highlight the importance of having the voices of persons with disabilities heard in the legislative process, ensuring that the challenges facing this community are considered when laws and policies are being crafted.

These senators have contributed greatly to champion the cause of the disabled community, but the government must recognize that four senators over 17 years do not adequately represent the 15 percent of the population who are disabled. More needs to be done by the Malaysian government to appoint and elect senators who can amplify the voices of people with disabilities and seriously push for more effective change.

Accessibility in the Election Process?

Despite these advancements, persons with disabilities continue to face significant barriers when engaging in the political process, particularly as voters. Accessibility is a critical issue.

Many polling stations, government buildings, and political events remain inaccessible to individuals with physical disabilities, such as wheelchair users. For instance, the late member of parliament, Karpal Singh, who was wheelchair-bound, faced difficulties in attending parliamentary sessions due to inadequate infrastructure. Although a wheelchair ramp was eventually installed, it did not meet the standards outlined in the *MS 1184: Code of Practice on Access for Disabled Persons to Public Buildings*.[3] This case highlights a larger systemic issue: despite Malaysia having developed the necessary building codes and guidelines for accessibility, the government's lack of timely and effective implementation of these standards continues to hinder progress.

Civilian persons with disabilities also struggle with logistical and informational barriers when it comes to voting. Polling stations often lack features such as braille ballots for blind voters or sign language interpreters for the hearing-impaired. As a result, many persons with disabilities are disenfranchised, unable to fully participate in elections or make informed voting decisions. Those with mental disabilities face additional challenges, as election staff are not always trained to provide the support necessary for these individuals to exercise their voting rights independently. Many voters with physical and mental disabilities often rely on family members for voting decisions due to inaccessible campaign information.[4]

Former senator, Ras Adiba Radzi, has emphasized the need for election commission officials and volunteers to attend Disability Equality Training (DET) workshops to better support persons with disabilities during elections stating:

"The ballot paper needs to be visually impaired-friendly with the provision of braille ballot papers, [...] and the table provided for voting must have a suitable height for wheelchair users."[5]

Additionally, political party manifestos are rarely available in Braille, making it challenging for visually impaired voters to access party platforms independently. Providing sign language interpreters and audio-accessible campaign materials, as well as implementing Braille ballot papers, would significantly enhance participation for all persons with disabilities. These measures are crucial to ensuring that every Malaysian, regardless of their disability, can fully engage in the democratic process.[6]

Pic. 3 – Voting facilities must be prepared to support people with disabilities

Advancements and Legal Protections

Malaysia's legal framework to protect people with disabilities is primarily governed by the Persons with Disabilities Act 2008, that sets out the rights of the disabled and outlines measures for their support. A key aspect of the act is the establishment of the National Council for Persons with Disabilities, which is responsible for advising the government on policies and programs related to persons with disabilities. Additionally, the act mandates that persons with disabilities have equal access to public services, transportation, education, employment, healthcare, and recreation, and encourages collaboration between the government and private sectors to enhance inclusion. The registration of persons with disabilities through the issuance of the "Kad OKU" (a special "disability" card given to registered persons with disabilities) also provides access to specific benefits, recognizing their status and ensuring they receive the necessary accommodations.

However, gaps in enforcement and implementation of these policies remain. Although the act guarantees accessibility, many persons with disabilities continue to encounter physical and institutional barriers in everyday life. For instance, while the legislation mandates equal access to

education and employment, persons with disabilities often report discrimination in hiring processes or insufficient accommodations in schools and workplaces.[7] Additionally, mental health disabilities are often overlooked in discussions of disability rights, leaving a large portion of the disabled population underserved and underrepresented.

Further regional advancements in supporting persons with disabilities can be seen in the *ASEAN Enabling Masterplan 2025*, which outlines a framework for mainstreaming the rights of persons with disabilities across the ASEAN region. A critical part of this plan is the ASEAN Political-Security Community (APSC), which promotes the inclusion of persons with disabilities in political-security frameworks across member states. The Masterplan focuses on promoting inclusive governance by encouraging the participation of persons with disabilities in political decision-making processes, ensuring equal access to justice, and including the disabled in disaster risk management and humanitarian aid. The Masterplan also aligns with the principles of the CRPD, encouraging member states to adopt its provisions fully, particularly in relation to Article 29, which guarantees the political rights of persons with disabilities.

As Malaysia is set to host the ASEAN chair for 2025, the country has a significant opportunity to demonstrate leadership by advancing the rights and inclusion of persons with disabilities—an area where more substantial progress is still needed.

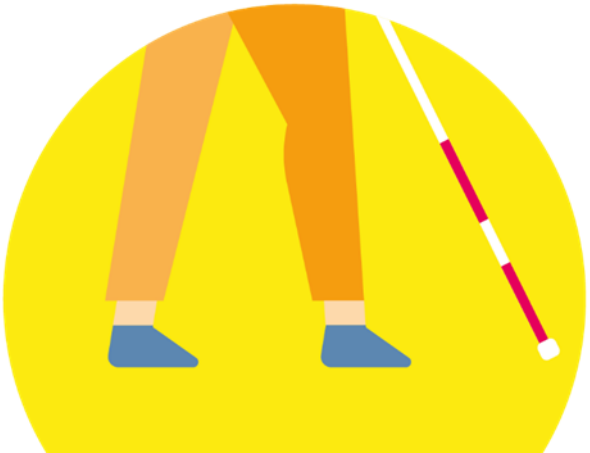
Future perspectives for inclusion

Looking ahead, Malaysia has the opportunity to build on the progress it has made by focusing on the full implementation of accessibility standards and expanding support for persons with disabilities in political and public life. Addressing gaps in infrastructure and policy enforcement is crucial to ensuring that all citizens, regardless of ability, can participate fully in society. There is also a need for better data collection on the political participation of persons with disabilities, as this would provide valuable insights into their needs and help guide future policies.

While Malaysia has made some strides in supporting the political participation of persons with disabilities, particularly through legislative reforms and the appointment of disabled senators, these advancements remain below the bare minimum.

The limited representation in Parliament, coupled with ongoing accessibility challenges in public life, signals that more proactive efforts are needed to ensure that persons with disabilities can fully engage in the sociopolitical life. The government must move beyond token gestures and work toward a more inclusive political landscape where persons with disabilities can exercise their rights and contribute to shaping the nation's future.

The country has come a long way, but there is still a long road ahead in securing full political equality for persons with disabilities. Malaysia must continue to develop policies and infrastructure aimed at fostering inclusivity for persons with disabilities, recognizing that a young nation must continually adapt to ensure that no one is left behind.



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