



4th Session of UN Open-Ended Working Group On Ageing (OEWGA)
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Panel 3: Social Security and the Right to Health

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The Malaysian Context



- Definition – 60 and above (based on UN World Assembly on Ageing 1982)
- By 2030, older persons will constitute 15% of Malaysia's population
- Increase in life expectancy
 - Male - 56 years in 1957 to 71.9 years in 2010
 - Female - 58 years in 1957 to 76.8 years in 2010

Ageing Trend in Malaysia's Population



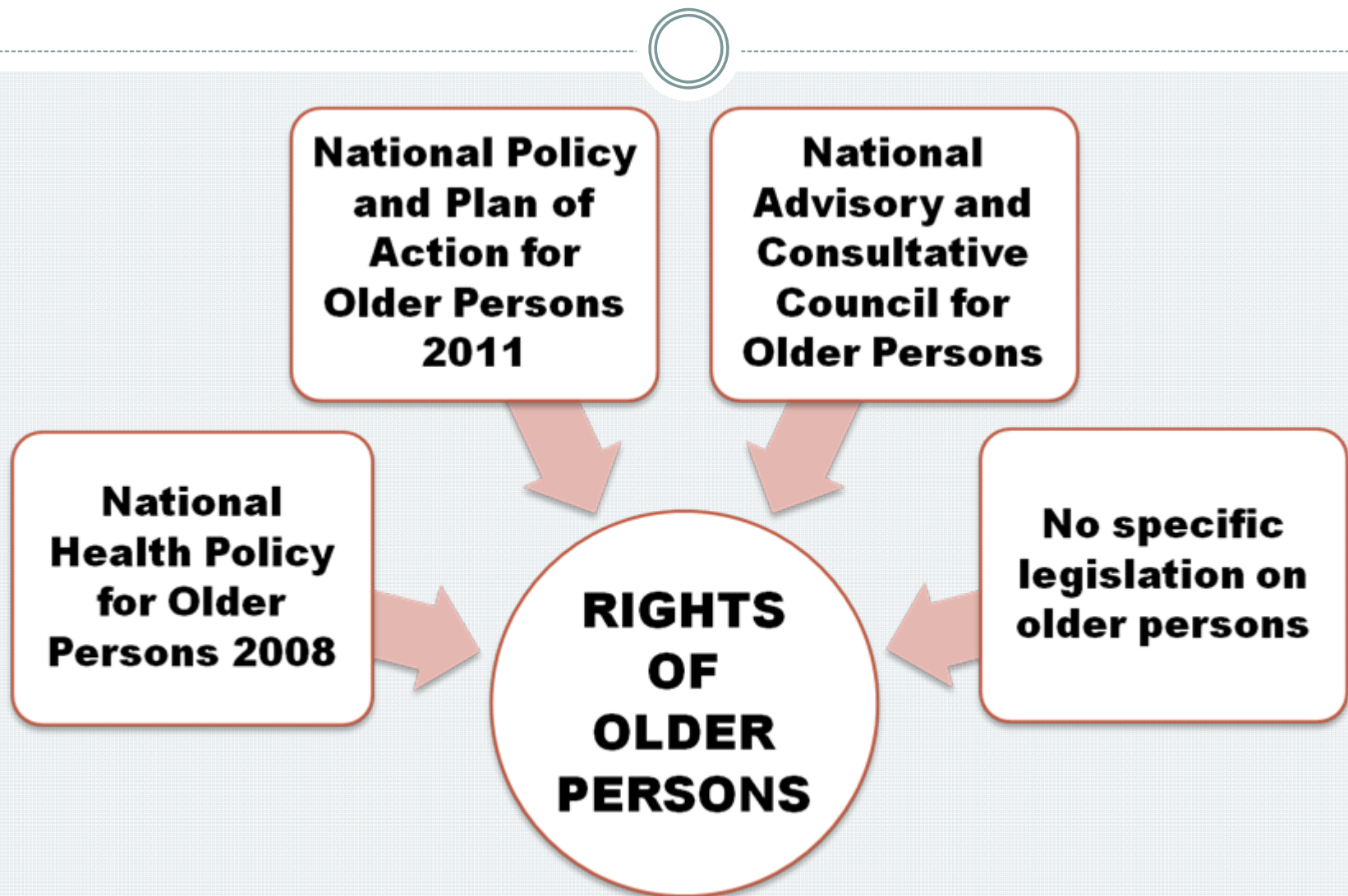
Year	Number of older persons	Percentage of total population
1970	546,000	5.2
1980	745,000	5.7
1991	1,032,000	5.9
2000	1,398,000	6.3
2010	2,251,000	7.9
2020*	3,440,000	9.9
2030**	5,284,000	15.0

Courtesy of Ministry of Women, Family and Community Development

**Projection by Department of Statistics of Malaysia*

***Projection by UN*

Institutional Framework



Relevant Laws



While there is no specific law for older persons, the following are relevant:

Employment Act 1955: Employment (Part-Time Employees) Regulations 2010

- Encourage single mothers, persons with disabilities and retirees to be engaged as part-time workers

Minimum Retirement Age Act 2012

- In line with the increase of compulsory retirement age of public servants from 58 to 60 starting 2012

Domestic Violence Act 1994

- Following amendments in 2012, the Act covers acts of domestic violence against a person who is incapacitated due to **old age**

Care Centre Act 1993

- Provides for the operation of care centres including services and facilities for **older persons**

SUHAKAM's Engagement on Older Persons Prior to **2013**



March
2005

- Organised a Public Forum on “Ageing with Dignity”

November
2009

- Organised a Roundtable Discussion on “Rights of Older Persons”

September
2012

- Participated as panel member at the UN ESCAP Meeting in Bangkok

Older Persons as a Priority for 2013



SUHAKAM identified rights of older persons as one of its core priorities for 2013 for the following reasons:

Demography of older persons in Malaysia

- Current statistics and future projections

Regional and international discourse

- Discussion/debate on rights of older persons gaining prominence at the regional and international levels

Human rights issues relating to older persons

- Many issues relating to older persons need to be addressed, yet very little has been done

Care Service and Support for Caregivers



- Due to limited resources, SUHAKAM decided to focus on a specific issue at the moment - “***care services and support for caregivers***”
- Why?
 - Most feasible and practical entry-point in addressing rights of older persons
 - From here, SUHAKAM plans to extend its focus to other areas – healthcare, employment, discrimination, etc.

Care Service and Support for Caregivers



The main objectives of SUHAKAM's project are:

To have an overview of care services provided by Govt, NGOs and private sector

To determine whether the care services are welfare-based or rights-based

To determine the types of support given by Govt and stakeholders to caregivers

To look into the possible introduction of a national blueprint for old age retirement healthcare and support system

To examine the need for a national legislation to promote and protect rights of older persons

SUHAKAM's Activities on Older Persons in 2013

Consultation – 4 February 2013

- SUHAKAM organised a consultation meeting with various stakeholders to obtain feedback on issues relating to rights of older persons in Malaysia

Submission to OHCHR – March 2013

- Based on the information obtained from the consultation, SUHAKAM submitted input to OHCHR pursuant to HRC Resolution 21/23

Visits to care centres – April to July 2013

- SUHAKAM visited several care centres run by the Government and private bodies

Seminar – 30 July 2013

- SUHAKAM organised a seminar on care services for older persons and support for caregivers

Issues Raised during Consultation

Lack of promotion and awareness

Lack of data

No specific law on older persons – no clear anti-discriminatory provision on grounds of old age

No universal, integrated and coherent social security

Weak implementation of laws and policies related to CRPD, which also applies to older persons

Promotion and implementation of National Policy lacking

Lack of coordination by agencies concerned

Lack of job opportunities -perception that older persons should withdraw from workforce

Discrimination in accessing financial services

Social Security - Challenges




- Social protection services for older persons governed by various laws including:
 - Pension Act 1980
 - Employees Provident Fund Act 1991
 - Employees Social Security Act 1969
 - Armed Forces Fund Act 1973
- Social protection and retirement system for older persons fragmented - various Govt agencies involved in the delivery of the services.
- Social security system limited to formal sector while informal sector (self-employed) excluded.

Healthcare



- National Health Policy for Older Persons adopted in 2008 - to achieve optimal health for older persons through integrated and comprehensive health services
- Older persons receive free and comprehensive health service and medicines in public hospitals and clinics
- Outpatient registration fee at public hospitals/clinics waived
- Charged 50% of normal hospitalization cost
- 1Malaysia Family Care (1MFC) Programme

Healthcare - Challenges



- ❖ Shortage of geriatric healthcare professionals and workers, formal and non-formal community care
- ❖ Service providers not well trained – will affect delivery of quality healthcare service to older persons

General Observations and Recommendations



- A lot of attention and work need to be dedicated to address rights of older persons in Malaysia
- SUHAKAM call for the inclusion of ‘age’ as one of the grounds upon which discrimination is prohibited in Federal Constitution

General Observations and Recommendations



- SUHAKAM calls for the enactment of a national legislation on older persons
- SUHAKAM supports the drafting of a binding UN convention on the rights of older persons
 - Alternatively, SUHAKAM is supportive of a regional (ASEAN) convention on rights of older persons

Thank You!



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