PROJEK PANTAU

Final Report of the Pakatan Harapan Government's Performance





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Project Introduction

Projek Pantau was designed to track the progress of the Pakatan Harapan (PH) government's performance based on their manifesto promises pledged in the Buku Harapan. The aim of the project was to provide a transparent assessment of the PH government's performance in a series of report cards published in April, June and December 2019. In the previous series of report cards that we published last year, we used a mechanism called IDEAS Manifesto Scorecard Methodology to indicate the level of progress of each of the sub promises that were broken down from the main promises stated in the Buku Harapan. All these sub promises were then divided into three (3) different categories - Political Commitment, Policy Direction and Implementation. The final verdict on the status of each of the sub promises were decided based on these categories.



Scope of the Final Report

Projek Pantau was originally intended to continue for the full five years of the government's term in office, but following the change in government we needed to rethink our approach. Since there were not many major developments since the December Report Card and the change of government in February 2020, this Final Report Card looks back over the two years of the PH government and highlights the most important promises, including those that were achieved, those that were in progress and those that had fallen behind. The intention of the Final Report Card is also to highlight the current government areas in which they should focus their efforts to ensure further progress in reforming Malaysia's institutions.

How this Report works

For this Report we have decided to focus on 34 high priority promises. This Report is not intended to provide a fully comprehensive account of all of PH's policy commitments, but instead seeks to highlight a selection of the most important issues. For each promise we identify firstly, the performance of PH:

- **Promise Kept:** indicates the promise was more or less delivered during PH's term in office, we allow for some degree of compromise in delivering the promises.
- Work in progress: indicates that efforts were being made to deliver the promise, which we judge were good faith efforts to implement the relevant policy.
- **Promise not kept:** indicates that the promise was effectively abandoned by the PH government or was progressing so slowly that there was no realistic prospect of it being implemented.



Secondly, for each promise we provide a recommendation directed at the Perikatan Nasional (PN) government:

- **Adopt:** indicates a promise where we call on the PN government to reaffirm its commitment to the promise and continue implementation.
- **Review:** indicates areas where we believe the PH government was pursuing the wrong approach, and the new PN government should opt for a different policy.

This Report is non-exhaustive, and includes subjective judgements. The intention is to provide a basis for discussion about the continuity between the Buku Harapan and the PN government's policy commitments. We recognise that in the face of the current COVID-19 crisis, government, media and public attention is inevitably focussed on responding to the pandemic but we also believe it is necessary for the new government to clarify its intentions on the other topics contained in this Report.

Assessment of Promises

In summarising PH's performance during their administration, it must first be acknowledged that most promises in the Buku Harapan are meant to be fulfilled within one term in government, that is over the span of 5 years. Thus, our analysis takes into account that their term in office was cut short due to the change in government when the then former Prime Minister Tun Dr. Mahathir resigned on 24th February 2020, triggering a realignment of political parties that resulted in the Perikatan Nasional coalition gaining power. In their 21 months in power, some major progress was made by PH in delivering its manifesto promises. However, there were also a number of highly ambitious targets which proved to be difficult to reach and although PH produced a comprehensive strategy to achieve these promises, it was not likely to be delivered and implemented in the short time they were in power. Finally, in some areas, it is clear that PH lacked the political will needed to deliver the reform they had promised.

I. Abolish GST and replace with SST

The Goods and Services Tax (GST) was removed on the 1st of June 2018. The Sales and Services Tax (SST) was implemented on the 1st of September 2018.

In light of the pressures on the government's fiscal position, which has come under further pressure because of the ongoing COVID-19 situation and disruption to the price of oil, the new PN government should consider the re-introduction of GST in the medium term.

PH:

Promise kept

PN: Review

2. Abolish big companies monopolies on the market

There is no comprehensive strategy set to achieve this promise and the PH government did not take the necessary action to address the major monopolies.

to PN:

The new PN government should adopt the promise and reinvigorate efforts to address counter productive monopolies - a decision on BERNAS should be the starting point.

Adop

PH:

Promise not kept

Half price internet broadband package 3.

The PH government aimed to "double the speed, half the price" for broadband services. At the end of 2018, the prices of high-speed broadband services had reduced by 49% on average. However, the PH government did not take the necessary action to ensure internet prices and speeds improve sustainably.

PH: Work in progress

The new PN government should consider how to increase competition in the broadband market in particular to enable better outcomes for the consumer. This could include measures to increase the effective regulation in the ector, and measures to encourage the entry of new players.

PN:

Bantuan Sara Hidup (BSH)

The PH government introduced the BSH scheme to replace the BRIM scheme. BSH provides a broader more targeted welfare programme. However, this still falls short of a "universal social safety net".

PH: Work in progress

The BSH scheme should be further strengthened to provide a real safety net. The scheme should also be placed on a stronger independent footing, to reduce the risk of political abuse as was originally promised in the Buku Harapan.

PN:

Payment of royalty to oil producing state 5.

The PH government returned some portion of the royalty to Kelantan, Terengganu, Sarawak and Sabah but PH did not manage to increase the royalty payment to at least 20% or of its value equivalent.

PH: Work in progress

This area of policy should be reviewed. There is a strong case to strengthen federalism in Malaysia, which will need to include a reallocation of fiscal incomes. However, reliance on oil revenues could also be detrimental in the long term for certain states.

PN:

^{1.} https://www.nst.com.my/opinion/letters/2020/04/584165/distant-learning-new-normal-education



6. Prime Minister will not be holding other Ministerial posts

Tun Dr Mahathir Mohamad held no other Minister position. However, he was appointed as interim education minister on the 3rd of January 2020 due to the resignation of Dr Maszlee Malik. This does not contradict their manifesto as he only held the position temporarily, not permanently.

Promise kept

The current Prime Minister, Tan Sri Muhyiddin Yassin does not hold any other ministerial position. The PN government should continue this spirit to avoid future conflicts when the PM holds more than one ministerial post.

PN: Adopt

PH:

7. Reduce the allocation to the Prime Minister's Department from RM17 billion to only RM8 billion

In 2018, PH managed to reduce expenditure for the Prime Minister's Department (PMD) by more than half to RM7.54 billion (previously RM17.43 billion). In Budget 2019, the budget allocation for the PMD for operational expenditure was RM3.69 billion and development expenditure was RM3.7 billion².

PH:

Promise kept

The new government should only increase the budget if necessary considering that PH managed to reduce the budget for the PMD immensely.

PN: Adopt

8. Reforming MACC and strengthen anti-corruption efforts

PH did not achieve meaningful reform of the MACC but took certain steps to achieve the goal, such as launching the National Anti-Corruption Plan (NACP) 2019-2023. Latheefa Koya was appointed as the new Chief Commissioner of MACC but the appointment was not democratically validated by the Parliament as the then PM, Tun Dr Mahathir made the decision on his own.

PH: Work in progress

The recent appointment of Datuk Seri Azam Baki as the Chief Commissioner is encouraging based on his experience for almost 40 years in the field. The appointment must be independent and not be influenced by anyone in higher power and authority. The PN government should also continue supporting the NACP 2019-2023 as this is a good initiative by the previous government in realizing towards a nation with integrity and free from corruption.

^{2.} https://www1.treasury.gov.my/pdf/bajet/maklumat_bajet_kerajaan/2019/perbelanjaan/B.6_P.6.pdf

9. Lowering voting age and automatic registration for those eligible

The constitution amendment bill was passed to lower the voting age from 21 to 18 and automatic registration as an elector upon reaching the age of 18. The passing of this bill allows 7.8 million additional people namely, the youth to be eligible voters for the next general election which has to be called no later than 2023.

PH: Promise kept

The voting age being lowered was a big step for Malaysia and PN should not have a reason to revoke the bill that was passed democratically by the Parliament (most opposition MPs, now in government, have stated their support for this bill). As for automatic registration, they should ensure that every citizen that is eligible to vote should not have issues when voting time comes.

PN: Adop

10. Affordable housing

The National Housing Policy 2018 - 2025 was implemented to increase the number of affordable housing nationwide. However, in the national housing policy, the PH government did not address the ambitious plan to build one million new affordable houses within two terms of administration.

PH:

Promise not kept

We believe that the new government should think again about housing in Malaysia and reduce the role of government agencies and broaden the focus to rent to ensure everyone has a roof over their heads rather than promising millions of new homes.

PN: Reviev

11. PTPTN loan repayment

The PH government made important reforms to the PTPTN system. Although these fell short of what was originally promised, the reforms did result in a fairer system.

PH:

Promise kept

The new PN government should consider how to further increase fairness and sustainability in the PTPTN system.

PN:

Review

^{3.} https://www.nst.com.my/news/government-public-policy/2019/07/507372/dewan-negara-passes-amendment-bill-lower-voting-age-18



12. **Petrol subsidies**

The PH government introduced petrol subsidies for cars with engine capacity of 1500cc and under, and motorcycles with engine capacity of 125cc and under.

Petrol subsidies can only be considered as a short term solution to the issue of transportation costs. The new PN government should develop a broader strategy to improve public transportation in Malaysia.

PH:

PN:

Review

Abolishing tolls 13.

This promise was partially delivered, whereby a number of tolls were replaced with a new congestion charge. As of 1st Feb 2020, there has been an 18% cut in toll rates at all PLUS highways for passenger vehicles.

The new government should revisit this area of policy to ensure a balance can be struck between reducing the cost of living, whilst ensuring sustainable financing of Malaysia's road networks.

PH:

Work in progress

PN: Review

14. Improving public transportation

RM50 and RM100 monthly public transport passes were introduced in Klang Valley by the PH government and new loan funds were also allocated under the Public Transport Loan Fund for bus and taxi operators.

These measures are unlikely to significantly shift the balance between public transport and private vehicles, particularly as the government continues to subsidise fuel, incentivising private vehicle use. The PN government should develop a comprehensive strategy to support last-mile connectivity in rural and urban areas to ensure that more people have access to public transport.

Work in progress

^{4.} https://www.theedgemarkets.com/article/government-weighs-possibility-buying-plus

15. Implement the 1963 Malaysia Agreement (MA63)

The PH government established a cabinet committee in October 2018. The committee met over the course of 2019 and 17 out of 21 issues have been resolved but the final report was not published. Given the different party coalitions in Sabah and Sarawak, it will be very complicated to resolve.

PH:

Work in progress

It should be easier for Sarawak to implement the MA63 as the Gabungan Parti Sarawak (GPS) is now in the PN coalition government but it will be challenging for Sabah as Parti Warisan Sabah (WARISAN) made a commitment to implement the MA63 during the PH administration.

PN:

16. Resolving mega scandals: IMDB, FELDA, MARA, Tabung Haji

A detailed investigation has been carried out by MACC to identify the people who should be made accountable in the respective cases. The PH government has made a commitment to complete all the investigations.

PH:

Work in progress

The investigation and prosecution of all these cases should be continued regardless of the party coalition that was created between BERSATU, UMNO, PAS and GPS. PN: Adopt

17. Create a political financing mechanism that has integrity

The PH government has made a commitment to table the political funding bill during the Parliament sitting that was supposed to be in March this year. The bill would focus on the regulatory aspect of political contributions and it is fundamental to avoid corruption.

PH:

Work in progress

The PN government should continue supporting the tabling of this bill in May as it will show that this government is fully committed to the principles of integrity and transparency.



18. Limiting the term for Prime Minister & Chief Minister to only two terms

The Constitution Amendment Bill 2019 which limits the tenure of the prime minister (PM) to a maximum of two terms was tabled for the first reading during the 3rd meeting last year. It would have been debated in the following Parliament session, which was expected to begin in March 2020, but due to the change in government the new PM postponed for Parliament to reconvene in May 2020.

The move to limit the tenure of Prime Minister, Chief Ministers and Menteri Besar to only two terms is a good political system reform to curb excessive powers and enhance integrity. It will also avoid the domination of only one political party whose the PM is representing at a certain period of time.

PH: Work in progress

PN: Adopt

19. Restore the dignity of the Parliament

The PH government took a number of steps to strengthen Parliament. Tan Sri Mohamad Ariff Yusoff was appointed as the Speaker of the Dewan Rakyat the day after he had resigned as the disciplinary chief and member of the experts' advisory committee of Parti Amanah Negara. The PH government also established a number of new Parliamentary Select Committees to hold the executive to account.

PH:
Work in progress

Strengthening the role of Parliament is crucial for the long term development of Malaysia's democracy. The PN government should continue with the reforms initiated by PH, including strengthening the role of Select Committees, increasing pay for MPs and strengthening the capacity of the Parliamentary Research Service.

PN: Adopt

20. Increase independence of the police

The PH government initiated the Independent Police Complaints and Misconduct Commission (IPCMC) Bill, first referred to Parliament's Special Select Committee for Consideration of Bills. This bill is aimed to replace the Enforcement Agency Integrity Commission (EAIC).

PH: Work in progress

De-facto Law and Parliamentary Affairs Minister, Datuk Takiyuddin Hassan has made a statement saying that the new Cabinet Ministers has decided that the IPCMC Bill will be reviewed by the PN government. The new government should adopt this important reform and ensure the bill is passed.

^{5.} https://themalaysianreserve.com/2019/12/04/govt-moves-to-limit-pms-tenure-to-2-terms/

21. Freedom of Information Act

The PH government has made a commitment to replace the Official Secrets Act 1972 with a Freedom of Information Act. The bill was expected to be tabled in Parliament, mid year 2020.

Although this is something new for Malaysia, the commitment to uphold and promote the right of information of every individual should be continued. It will enable participation from the people through debates and discussions that would benefit the decision making process in specific issues. It is also inline with NACP 2019-2023, which aims to fully address governance, integrity and anti-corruption issues in Malaysia⁶.

PH: Work in progress

PN: Adopt

22. EPF contribution for housewives

The PH government has introduced a scheme for EPF contributions for wives under a special incentive called i-Suri.The programme enables housewives to gain access to quality social security and enhanced income security.

The PN government should proceed with this promise. However, overall reassessment to the social security and income security for housewives should be carried out.

PH:

Promise kept

PN: Adopt

23. Minimum wage

The PH government has managed to increase the minimum wage to RM1,200 in major cities while the rate of RM1,100 remains the same for the rest of the country. However, they failed to share the cost of the increase with employers.

Partly to reduce competition for wages, the government has set a highly ambitious target for the reduction of foreign workers, but to date we have only seen piecemeal initiatives to achieve this reduction.

The PN government should remain committed to gradually increase the minimum wage to at least RM1,500 but should reconsider options to ease the impact on employers.

PH:

Work in progress

^{6.} http://www.dailyexpress.com.my/news/143991/freedom-of-information-act-soon/

^{7.} https://www.theedgemarkets.com/article/new-epf-scheme-housewives-aug-15

^{8.} https://www.nst.com.my/news/nation/2018/08/401767/592-housewives-sign-i-suri-first-day



24. Improve healthcare for all

The PH government has introduced two important healthcare schemes: firstly, Skim Perlindungan Kesihatan (PeKa), a nationwide health screening programme for B40 group (those who are 40 years old and above) and second MySalam, a health insurance scheme offered to those in B40 group who are aged 18 to 55 (Budget 2020, increased to 65 years old⁹) and their spouse for RM8,000 coverage for 45 critical illnesses plus hospital fees for up to RM700 annually. However, expanding and improving healthcare remains a major challenge - the previous government made slow progress to achieve spending of 4% of GDP on health.

PH: Work in progress

The new government should maintain and expand the new initiatives put in place by PH. However, the PN government will also need to review the wider questions of healthcare in Malaysia, going beyond these specific initiatives to widen access and improve quality.

PN: Review

25. Malaysia's participation in value chains

Malaysian government has always been supportive and committed to the ASEAN Economic Integration and the Regional Comprehensive and Economic Partnership (RCEP), however, the processes are progressing very slowly under the PH government. The government has also stalled on the ratification of the Comprehensive and Progressive Trans Pacific Partnership (CPTPP) and trade negotiations with the European Union (EU) have deteriorated, largely due to the disputes over palm oil.

Promise not kept

Although the PN government has not started with any efforts due to the outbreak of COVID-19 and the government is not 'fully' functioning, the government should consider developing an exit strategy plan to bring the economy back online as soon as possible especially to stimulate participation in the supply chain. Utilising our existing trade relationships and opening up for potentially new trade relations should be a priority.

PN: Review

^{9.} Malaysia's Budget 2020

^{10.} https://www.theedgemarkets.com/article/many-officials-unhappy-cptpp

^{11.} Read Brief IDEAS No.20: COVID-19 and the MCO: An Exit Strategy for Malaysia

¹²https://www.reuters.com/article/sime-darby-plant-outlook/malaysian-palm-giant-sime-darby-warns-of-hit-to-supply-chain-amid-prolongedpandemic-idUSL4N2CNIAR

26. Separating the Office of Attorney General from Public Prosecutor

The PH government has promised to separate the roles of the Attorney General and Public Prosecutor so that the conflict of interest can be removed. A report on the study of separation of power between the AG and PP was supposed to be tabled at a Cabinet meeting mid last year but no update on the progress.

The AG should be appointed from amongst the qualified Members of Parliament and he or she would become a Minister who can continue the role as chief legal advisor to the Government. The position of PP should be held by another independent individual who can act without partisan interest. He or she will lead Malaysia's Public Prosecutor Office, enjoying autonomy to exercise his prosecutorial powers. Separating the PP role from the AG is a crucial step to shield the prosecutorial decision-making process from political influence and conflicts of interest.

PH: Promise not kept

PN: Adopt

27. Increase budget transparency

The PH government made a number of reforms to improve budget transparency. This included establishing the Parliamentary Special Select Committee for Budget, which has met several times to deliberate government finances. The government also tabled the 2019 Budget Mid-year Review Budget to this committee in August 2019. Another important improvement is the disclosure of government guarantees and contingent liabilities in the Fiscal Outlook Report. The latest Fiscal Outlook even has a section evaluating Malaysia' debt sustainability. Since early this year, the public can also access the Supply Act passed by parliament in the Treasury Website. As a result of these improvements, Malaysia has increased its transparency score in the latest Open Budget Survey.

PH:
Promise kept

The PN government should maintain and expand efforts to improve budget transparency, including by publishing the Mid-Year Review.

^{13.} https://www.nst.com.my/news/nation/2019/03/473150/report-separation-powers-between-g-and-public-prosecutor-ready-soon

^{14.} Read Policy IDEAS No.34: Separating the Attorney-General and Public Prosecutor: Enhancing Rule of Law in Malaysia

^{15.} https://www.freemalaysiatoday.com/category/nation/2020/01/01/speed-up-separation-of-ag-public-prosecutor-functions-govt-urged/



28. Appointment of state and national GLC board members

The PH government has stated its commitment to ensure the appointment of state and national GLC Board members will be made based on merit and professionalism, not based on politics but no concrete steps have been taken to achieve it and a number of politicians have occupied senior positions within GLCs. Other than the setting up of a Parliamentary Select Committee on Major Political Appointments, the structural reforms were not implemented by the PH government.

PH: Promise not kept

The PN government has recently made a number of political appointments, which has raised concern over the new government's commitment to reform in the way Malaysia's GLCs are run. The new government should cease the appointment of politicians to positions in GLCs and Statutory Bodies at the federal and state levels until there can be public confidence that appointments are made transparently and post-holders can be held accountable. In the longer term, the government should go further than the PH government was able to by introducing legislation regarding the management, governance and performance of GLCs. Such legislation should provide for a central registry, access by the public to information on GLCs and their activities.

PN:
Review

29. Government Procurement Act

The PH government has proposed to introduce the Government Procurement Act in 2020 that aimed to promote good governance in managing public funds. The Act will serve to improve the government's existing procurement practices that are governed quite extensively by a myriad of circulars and directives from the Treasury¹⁶.

PH:
Work in progress

The PN government should proceed with the drafting of this Act to ensure transparency, accountability and fair competition in Malaysia's public procurement system.

 $^{^{16.}\} https://themalaysian reserve.com/2019/03/12/what-to-expect-from-the-government-procurement-act/$

30. Strengthening power of the states

The Water Resources Bill was drafted and expected to be tabled this year to empower states to enhance the management, control and enforcement of their water resources. It was in line with the commitment of the PH government to strengthen the power of the states by decentralizing suitable jurisdictions, such as the powers to administer public transportation, welfare, social services, agriculture, and environmental protection¹⁷.

PH: Promise not kept

The PN government should consider performing a review of the Ninth Schedule in the Federal Constitution with the aim of decentralising some of the key policy functions held by the Federal and State governments¹⁸.

PN: Review

31. Abolishing oppressive laws

speech and transparency of information.

The PH government has made the commitment to either repeal or replace a number of laws:	
I. Sedition Act 1948repeal and replace with a new law, no progress	
 2. Universities and University Colleges Act 1971 removed subsection (c) of Section 15 (2) and to be abolished in 2020 	PH:
 Security Offence (Special Measures) Act 2012 Section 13 was ruled as "unconstitutional" by the High Court, amendment to a provision in the Sosma was expected to be done during the Parliament sitting in March this year 	Work in progress
 4. Printing Presses and Publications Act 1984 Malaysia Media Council pro-tem committee was set up but no efforts to amend the PPPA 	
The PN government should proceed with these reforms to ensure freedom of	PN:

^{17.} Promise 24 of the Buku Harapan

^{18.} Read Policy IDEAS No. 59 - Reviving the Spirit of Federalism: Decentralisation Policy Options for a New Malaysia



32. Fiscal Responsibility Act

The PH government has proposed to table the Fiscal Responsibility Act in 2021 to prevent uncontrolled spending that causes the increase in national debt.

PH: Work in progress

PN should adopt and accelerate this commitment. The Act should also regulate the use of off-budget measures, including contingent liabilities and access to funds from GLCs.

PN: Adopt

33. Ratification of International Convention

Former Prime Minister Tun Dr Mahathir has pledged during the 73rd United Nations General Assembly's general debate to ratify all remaining core UN PH: instruments related to the protection of human rights. However, the PH Promise not kept government did not succeed in doing so. The PN government should affirm its commitment to human rights and internal law. Malaysia is yet to ratify the remaining international human right instruments including the; I. International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) 2. International Covenant on Civil and Political Rights (ICCPR) 3. International Covenant for Economic, Social and Cultural Rights (ICESCR) PN: 4. International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) 5. United Nations Convention Against Torture (UNCAT) 6. International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW) 7. Rome Statute of the International Criminal Court

^{21.} https://www.pressreader.com/malaysia/the-star-malaysia-star2/20191012/281921659804154

34. Quality education for Orang Asli

The PH government has allocated an additional budget to improve the infrastructure in Orang Asli communities including schools. However, there is no specific evidence that the budget has been spent effectively in order to provide the communities with good facilities for quality education.

PH:Work in progress

Access to education is still lacking and the PN government needs to focus on providing education access that is suitable for the Orang Asli culture. Basically to continue the manifesto promises for Orang Asli in terms of education, infrastructure and the preservation of their culture. For example, due to the lack of communication infrastructure, the Orang Asli in rural areas do not have the access to online learning during COVID-19.

PN: Review

Conclusion

Although the Pakatan Harapan government's term has come to an end, the reform agenda must continue. The Perikatan Nasional administration must prioritise the rebuilding of trust, both towards government and between Malaysians. The reforms put in place by PH, particularly in strengthening institutions, political financing and anticorruption must be prioritised to ensure Malaysia remains on track towards becoming a nation that upholds integrity, good governance and strong institutions.



Notes



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