

Session 1

The Progress of Gender Mainstreaming in Malaysia and Problems to be Solved

Laws and Policies to promote gender equality in Malaysia

- To ensure the full development and advancement of women and for the purpose of guaranteeing them to enjoy human rights and fundamental freedoms on a basis of equality with men, the Government of Malaysia has taken various measures including the following:
 - a) Formulation of the National Policy on Women in 1998 with the following objectives:
 - i. to ensure equitable sharing in the acquisition of resources and information as well as access to opportunities and benefits of development, for men and women; and
 - ii. to integrate women into all sectors of national development in line with their abilities and needs in order to improve the quality of life, eradicate poverty, abolish ignorance and illiteracy and ensure a peaceful and prosperous nation.
 - b) Formulation of the National Action Plan to operationalise the above objectives.
 - c) Incorporation of the principle of non-discrimination on the basis of gender into the Federal Constitution of Malaysia by amending Article 8(2) of the Federal Constitution on August 1, 2001. The provision clearly stated that there should be no discrimination based on gender;
 - d) Establishment of the Ministry of Women, Family and Community Development (MWFCD);

- e) Modification and abolishment, whenever appropriate, of existing laws, policies and practices that are deemed to discriminate women, including the following:
 - i. Pensions Act, 1980;
 - ii. Land (Group Settlement Areas) Act ;
 - iii. Immigration Regulations, 1980;
 - iv. Penal Code and Criminal Procedure Code;
 - v. Employment Act, 1955;
 - vi. Industrial Relations Act, 1967; and
 - vii. Occupational Safety and Health Act, 1994.
- f) Mainstreaming of gender perspective through the adoption of a holistic and integrated approach by establishing mechanisms at the federal, state and district levels. Such mechanisms, among others include:
 - i. the Cabinet Committee on Gender Equality;
 - ii. National Advisory Council for Women (NACW);
 - iii. the National Council on Women and Family Development (NCWFD);
 - iv. the Department of Women Development (DWD);
 - v. the Consultative Panels;
 - vi. the Gender Focal Points (GFP); and
 - vii. Young Women Bureau and Young Family Bureau.
- g) Introduction of the Code of Practice on the Prevention and Handling of Sexual Harassment in the Workplace;
- h) Standardization of Islamic Law in different states in Malaysia;
- i) Reviewing the interpretation of the Syariah Law, particularly the treatment of women under Islamic Family Law;
- j) Development of Gender Information Data System (GIDS);
- k) Compilation of gender disaggregated data;
- l) Publication of the Annual Statistics on Women, Family and Social Welfare;

- m) Adoption of the policy of at least 30 per cent women in decision-making level in the public sector in August 2004;
- n) Reviewing the Domestic Violence Act, 1994, with a view to expand the definition of “domestic violence” and to provide greater protection to the victims.
- o) Implementation of preventive and rehabilitation programmes on violence against women such as:
 - i. Establishment of Rumah Nur;
 - ii. National Campaign on Women Against Violence (WAVE);
 - iii. Legal literacy courses for women.