

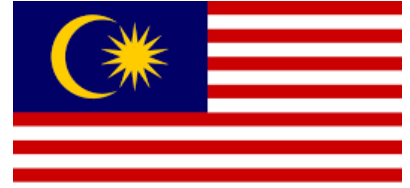
## *POSITION PAPER*

**Delegate:** Kaan Kerim Coşkun

**Country:** Malaysia

**Comitte:** UNWOMEN

**Agende Item:** Promoting possible regulations against gender-based discrimination in work life.



At the national level, the highest law of the land – the Federal Constitution – states that all persons in Malaysia are equal before the law and entitled to the equal protection of the law (Article 8). As well, since 2001, Article 8 of this Constitution has prohibited discrimination on the basis of gender as stated, “there shall be no discrimination against citizens on the ground only of religion, race, descent, place of birth or gender in any law or in the appointment to any Office or employment under a public authority or in the administration of any law relating to the acquisition, holding or disposition of property or the establishing or carrying on of any trade business, profession, vocation or employment.” Malaysia’s ratification of CEDAW in 1995, and adoption in 2015 of the Sustainable Development Goals (SDGs), which includes a goal on gender equality (Goal 5), have been viewed as signs of the government’s commitment to gender equality and elimination of gender-based discrimination. This commitment can also be seen in the introduction of the National Policy on Women and its Plan of Action in 1989, the creation of a Cabinet Committee on Gender Equality in 2007, and piloting a system of Gender Focal Points and GenderResponsive Budgeting in five ministries in 2003, as well as strengthening capacity building programmes for women. The Ministry of Women, Family and Community Development (MWFCD) is the national body responsible for enforcing the legal framework that upholds gender equality and non-discrimination against women in Malaysia. It is also responsible for monitoring this framework’s impact. In these efforts, it is largely supported at the subnational level by the respective state departments of women’s development, in this case, the Jabatan Pembangunan Wanita Perak and Terengganu.

While the overall portion of funds allocated to MWFCD is reflected in the government’s annual budget, it is less clear how much of this is dedicated to human, technical and financial resources needed as there is a lack of information to monitor, enforce and evaluate efforts in promoting gender equality. The slow progress of gender mainstreaming in the last 20 years suggests that promises made have not been matched with adequate resources and/or that resources allocated have not been prudently tracked and managed. Despite having 30 years of the National Policy of Women, the effort made to uphold women’s rights has still stagnated. Women’s rights groups have still been advocating enactment of the Gender Equality Act and Sexual Harassment Bill to implement gender equality mechanisms nationwide.