

**SUHAKAM'S REPORT ON  
THE HUMAN RIGHTS APPROACH TO  
THE MILLENNIUM DEVELOPMENT GOALS**

# **GOAL 3 : PROMOTE GENDER EQUALITY AND EMPOWER WOMEN**



**Human Rights Commission of Malaysia**

**SUHAKAM**  
HAK ASASI UNTUK SEMUA



**HUMAN RIGHTS COMMISSION OF MALAYSIA**

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**GOAL 3:  
PROMOTE GENDER EQUALITY AND EMPOWER WOMEN**



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## **ANNEXURE 1**

## **ABBREVIATIONS**

CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CESCR	Committee on Economic, Social and Cultural Rights
CRC	Convention on the Rights of the Child
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
MDGs	Millennium Development Goals
PRS	Poverty Reduction Strategy
UDHR	Universal Declaration of Human Rights





## EXECUTIVE SUMMARY

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### 1. INTRODUCTION

#### 1.1 PROMOTE GENDER EQUALITY AND EMPOWER WOMEN – A MILLENNIUM DEVELOPMENT GOAL (MDGS)

The third goal of the Millennium Development Goals (MDGs) pertains to promoting gender equality and empowering women. The target of this goal is to eliminate gender disparity in primary and secondary education by 2005 and all levels of education no later than 2015. However, the indicators for this target cover aspects of gender equality in education, employment and decision making levels.

In Malaysia, female representation at various education levels is encouraging. However, there is the need to ensure that female students, particularly at the tertiary level, do not enroll in courses that are merely based on the presumed traditional role of men and women. For instance, currently, more female students are enrolled in courses such as nursing and arts, while more male students are enrolled in technical related courses such as engineering.

It is important to ensure that women are given opportunities to enroll in courses that will enable them to participate and compete with their male counterparts in their future careers.

This is in line with the approach adopted by the Convention of the Elimination of All Forms of Discrimination Against Women (CEDAW) whereby state parties to this convention, such as Malaysia, should adopt a '*Substantive Equality Approach*'. This approach not only recognises the biological differences between men and women but at the same time recognises equality between the two. An important aspect to this approach is that it requires the delivery of equal outcome rather than equal treatment.

Despite the high enrolment rate of female students at various levels of education, women representation in Malaysia's labour force is low. In addition, most women who participate in the labour force fill lower level positions which in turn generate lower incomes (*Refer data on page 10, from page 16 to 19*).

It was recorded in United Nations Development Programmes' (UNDP) 'Human Development Report 2005', that in 2003, Malaysian women earned only 47.2% of the income earned by men<sup>1</sup>.

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<sup>1</sup> See UNDP's Human Development Report 2005: International Cooperation at a Crossroads: Aid, trade and security in an unequal world, p. 300 & 304

Furthermore, women representation in decision making – in both the corporate sector and the Government – is relatively low. The percentage of women in both the sectors has not changed much throughout the years (*Refer data on page 22 -23*).

It is important to acknowledge the link between equality, education, employment, empowerment and poverty. Without equality, women, for instance, are not able to obtain adequate education. Without adequate education, they will not be able to compete in obtaining higher positions in employment and compete with their male counterparts. When the principle of equality is adopted in employment, both men and women are guaranteed equal remuneration. When women are paid the same income as men, they are given the opportunity to have economic power to help themselves and their family out of the poverty trap.

## **1.2 HUMAN RIGHTS AND MDG 3: PROMOTE GENDER EQUALITY AND EMPOWER WOMEN**

Equality and non-discrimination are among the core components of human rights law. In many cases, the poor are usually victims of discrimination and at other times gender discrimination can cause poverty.<sup>2</sup>

The right to equality guarantees that a person is (i) equal before the law, that is, laws must be formulated in a manner that do not lead to discriminatory treatment of certain individuals or groups; and (ii) all persons are entitled to equal protection of the law against arbitrary and discriminatory treatment by private actors.<sup>3</sup>

Various international human rights instruments touch on equality and discrimination. International Human Rights Instruments related to MDG 3 include:

- 1.2.1 The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);
- 1.2.2 Article 3 and article 7 para. a(i) of the International Covenant on Economic, Social and Cultural Rights (ICESCR);
- 1.2.3 Article 3, article 6 para. 5 and article 23 para. 2 of the International Covenant on Civil and Political Rights (ICCPR);
- 1.2.4 Article 2 of the Convention on the Rights of the Child (CRC); and
- 1.2.5 General Comment 25 by the Committee on the Elimination of Racial Discrimination (ICERD)

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<sup>2</sup> See Report on “Draft Guidelines: Human Rights Approach to Poverty Reduction Strategies” by the Office of the High Commissioner on Human Rights, p.15. Document is available at <http://www.unhchr.ch/development/povertyfinal.html>

<sup>3</sup> See Report on “Draft Guidelines: Human Rights Approach to Poverty Reduction Strategies” by the Office of the High Commissioner on Human Rights, p.15. Document is available at <http://www.unhchr.ch/development/povertyfinal.html>

## 1.3 GENDER EQUALITY ISSUES IN MALAYSIA

Among the gender equality issues that are pertinent to Malaysia are the following:-

### 1.3.1 Perceived traditional roles of men and women in education

The domination of male students in science and technical related courses and women in education and health care related courses may portray the influence of the perceived traditional role of men and women.

There is the need to ensure that both male and female students enroll in courses that match their interest and capabilities, to ensure that they are able to apply their knowledge in their future careers and at the same time, to be competitive with their counterparts from the opposite sex.

### 1.3.2 Low female participation in labour force

Although female participation at various levels of education is commendable, this is not reflected in Malaysia's female labour force participation rate. In 2004, it was estimated that 10,856<sup>4</sup> persons were within the working age population of 15 to 64 years. The total number of economically active male (as a percentage of males in the working age population) was 88.1%<sup>5</sup>. However, the total number of economically active female (as a percentage of the total number of females in the working age population) was 46.4%<sup>6</sup>.

Thus there is the need to ascertain the causes of low participation of women in the labour force and to ensure that there is enabling environment for women to easily participate in the labour force. As women make up approximately half of the Malaysian population, the economic contribution by this group can be significant to the country. This in turn will positively influence the progress of women's rights to an adequate standard of living in Malaysia.

### 1.3.3 Majority female in lower level positions in employment

In 2004, the male labour force participation rate was 88.1%<sup>7</sup>, while the female labour force participation rate was 46.4%<sup>8</sup>. In addition to that fact that less than half of the total of women in labour force is

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<sup>4</sup> Source: 'The Malaysian Economy in Figures 2004' by Economic Planning Unit

<sup>5</sup> Source: 'The Malaysian Economy in Figures 2004' by Economic Planning Unit

<sup>6</sup> Source: 'The Malaysian Economy in Figures 2004' by Economic Planning Unit

<sup>7</sup> Source: 'The Malaysian Economy in Figures 2004' by Economic Planning Unit

<sup>8</sup> Source: 'The Malaysian Economy in Figures 2004' by Economic Planning Unit

active, poverty amongst women is aggravated due to the fact that a significant number of women who participate in the labour force are only able to get lower level positions and lower income-generating jobs.

#### **1.3.4 Female earn less than 50% of men's income**

According to the UNDP's "Human Development Report 2005", in 2003 the estimated earned income for Malaysian men was USD 12,869<sup>9</sup> (PPP)<sup>10</sup>, while the estimated earned income for Malaysian women was USD 6,075<sup>11</sup> (PPP) for the same year. Thus, in 2003, women earned only 47.2% of men's income in Malaysia.

#### **1.3.5 High poverty rate amongst female-headed households**

In Malaysia, the number of female headed households categorised as poor is higher than the national average figure. The incidence of poverty in Malaysia for 2002 was 5.1%<sup>12</sup>, while the incidence of poverty amongst female headed households was 12.5%<sup>13</sup>. This figure is estimated to increase as more divorce cases are filed in Malaysia<sup>14</sup>. In 1999, the total number of divorce was 14,251<sup>15</sup> which increased to 18,867<sup>16</sup> in 2003.

#### **1.3.6 Women in less developed areas**

More women in less developed areas such as rural and isolated areas, and less developed states are more vulnerable as economic development in these areas is significantly slow. This aggravates poverty in these areas. Women in these areas are usually housewives or are engaged in low income-generating work. For instance, in 2004, Sabah and Sarawak recorded high female participation in agriculture, hunting and forestry and the fishing industry. These states were followed by Kelantan.

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<sup>9</sup> See "Human Development Report 2005" by UNDP, p.300

<sup>10</sup> Purchasing Power Parity (PPP)

<sup>11</sup> See "Human Development Report 2005" by UNDP, p.300

<sup>12</sup> Source: Ministry of Women, Family and Community Development website at <http://www.kpwkm.gov.my/panel/Upload/4.1Kadar%20Kemiskinan%20Dan%20Bilangan%20Istri%20Rumah%20Miskin%201999%202002.pdf>

<sup>13</sup> Source: Ministry of Women, Family and Community Development website at <http://www.kpwkm.gov.my/panel/Upload/4.1Kadar%20Kemiskinan%20Dan%20Bilangan%20Istri%20Rumah%20Miskin%201999%202002.pdf>

<sup>14</sup> Minister of Women, Family and Community Development, YAB Dato' Seri Shahrizat Abdul Jalil at the 'Non-Aligned Movement(NAM) Ministerial Meeting on the Advancement of Women', held from 7 to 10 May 2005.

<sup>15</sup> In 1999, the total number of Muslim divorces was 13,155 which increased to 15,549 in 2003; while the total number of non-Muslim divorces 1,096 in 1999 which increased to 3,318 in 2003. Source: Ministry of Women, Family and Community Development website at <http://www.kpwkm.gov.my/Bm/statistic.asp>

<sup>16</sup> In 1999, the total number of Muslim divorces was 13,155 which increased to 15,549 in 2003; while the total number of non-Muslim divorces 1,096 in 1999 which increased to 3,318 in 2003. Source: Ministry of Women, Family and Community Development website at <http://www.kpwkm.gov.my/Bm/statistic.asp>

### **1.3.7 Insufficient number of women in decision making positions in both corporate and government sectors**

Only a handful of women were able to get decision making positions in both the private sector and Government. It is important to note that the progress with respect to women in decision-making is slow in Malaysia. Although the Government has announced its commitment to ensure 30% female participation in decision-making levels in the government, the policies and programmes to realise this has yet to be implemented.<sup>17</sup>

## **1.4 RECOMMENDATIONS**

### **1.4.1 Eliminate perceived traditional roles of men and women**

SUHAKAM recommends that education and awareness programmes be implemented to eliminate the assumed traditional roles of men and women. Thus, programmes should be implemented at various levels of education and employment. Awareness campaigns should also be implemented in less developed communities such as the Orang Asli community.

### **1.4.2 Remove Discriminatory practices**

It is recommended that current policies in both public and private sectors be reviewed to ensure provisions enshrined in national laws are not open to discriminatory interpretation. In addition, new laws should be formulated to prevent practices that may encourage discrimination.

Despite good legislative efforts by the Malaysian Government to ensure equality in Malaysia, such as the amendment of Article 8(2) of the Federal Constitution, there are some cases where women are subjected to discriminatory rules which disadvantage them economically and socially. For instance, Beatrice Fernandez a Malaysian Airlines System (MAS) Stewardess from 1980 until was fired in 1991 because she became pregnant and refused to resign from the company. The case was brought to court and she lost.

There is the need to ensure that policies and regulations formulated by stakeholders in various sectors do not directly or indirectly condone discriminatory practices.

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<sup>17</sup> Malaysia's Prime Minister, Y.B. Dato' Seri Abdullah Ahmad Badawi, in his Keynote Address at the NAM Ministerial Meeting on the Advancement of Women, affirmed the Government's commitment to ensure 30% female participation in decision making. Keynote address by Y.B. Dato' Seri Abdullah Ahmad Badawi is available at [http://www.pmo.gov.my/WebNotesApp/PMMain.nsf/hv\\_PMKiniSemasaNew/638CA2E1DD6FA0C248256FFC003287D8](http://www.pmo.gov.my/WebNotesApp/PMMain.nsf/hv_PMKiniSemasaNew/638CA2E1DD6FA0C248256FFC003287D8)

#### **1.4.3 In-depth research on low female participation in the managerial sector and higher paid jobs.**

SUHAKAM recommends that an in-depth research be conducted by the Government to ascertain the reasons for low female labour force participation.

According to data from the Malaysian Government, in 2004, the female labour force participation rate was relatively lower when compared to male labour force participation rate.

In the event that the research reveals that causes of non-participation are indeed due to discriminatory practices, State Parties to CEDAW, including Malaysia, are obliged to ensure that the practice is eliminated as required by CEDAW.

#### **1.4.4 Support for women in less developed areas**

SUHAKAM recommends that efforts to support women in less developed areas be intensified.

Funding schemes and training programmes should be extended and expanded to less developed areas such as Kelantan, Sabah and Sarawak regardless of their race, color, sex, language and religious and political beliefs as required by International Human Rights Instruments such as CEDAW.

#### **1.4.5 Expedite 30% target by the Government**

SUHAKAM recommends that policies and programmes to ensure 30% female participation at decision making levels, as committed by the Government be implemented expeditiously.<sup>18</sup>

As mentioned by the Minister of Women, Family and Community Development at the Non-Aligned Movement (NAM) Ministerial Meeting of the Advancement of Women, held from 7 to 10 May 2005, although there is a commitment by the Government that targets 30% female participation at decision making levels, the challenge now is for all sectors to facilitate and expedite such participation through the formulation and implementation of strategies to empower women to achieve this target.

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<sup>18</sup> Malaysia's Prime Minister, Y.B. Dato' Seri Abdullah Ahmad Badawi, in his Keynote Address at the NAM Ministerial Meeting on the Advancement of Women, affirmed the Government's commitment to ensure 30% female participation in decision making. Keynote address by Y.B. Dato' Seri Abdullah Ahmad Badawi is available at [http://www.pmo.gov.my/WebNotesApp/PMMain.nsf/hv\\_PMKiniSemasaNew/638CA2E1DD6FA0C248256FFC003287D8](http://www.pmo.gov.my/WebNotesApp/PMMain.nsf/hv_PMKiniSemasaNew/638CA2E1DD6FA0C248256FFC003287D8)

#### **1.4.6 Gender Disaggregated Data**

To ensure the effective implementation of policies and programmes that benefit women, gender disaggregated data is needed. In relation to women living in poverty, gender disaggregated data would assist in the formulation of programmes as well as allocating resources that prioritise women. SUHAKAM therefore recommends that relevant data based on gender be made available in both the Government and private sector.

#### **1.4.7 Emphasis on the Substantive Equality Approach.**

SUHAKAM recommends that the Government emphasise the Substantive Equality Approach as adopted by CEDAW which requires the delivery of equal outcomes rather than equal treatment.

For instance, female students' enrollment at the various levels of education is commendable (Refer data on page 10 of the Report). This shows that both men and women have equal access to education. However, the low percentage of the female labour force participation and female participation in lower level occupations, do not reflect successful education attainment standards amongst women (*Refer data on page 16 to 19*).

#### **1.4.8 Government to Review their Reservations to CEDAW**

SUHAKAM recommends that the Government reviews the reservations to CEDAW and fully implement the provisions so that women can fully benefit from development for the enjoyment of a rightful place in society.



## THE HUMAN RIGHTS APPROACH TO MDG 3: PROMOTE GENDER EQUALITY AND EMPOWER WOMEN

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### 1. Promote Gender Equality and Empower Women – A Millennium Development Goal

The third goal of the Millennium Development Goals (MDGs) is to ensure that both men and women are given equal opportunity in various aspects of socio-economic development. The goal, target and indicators are illustrated in Table 1:

TABLE 1: MDG 3 : PROMOTE GENDER EQUALITY AND EMPOWER WOMEN

Target		Indicators
Target 4	Eliminate gender disparity in primary and secondary education preferably by 2005 and at all levels by 2015	<ul style="list-style-type: none"> <li>• Ratio of girls to boys in primary, secondary and tertiary education</li> <li>• Ratio of literate women to men 15-24 years old</li> <li>• Share of women in wage employment in the non-agricultural sector</li> <li>• Proportion of seats held by women in national parliament</li> </ul>

Source : United Nations Website at <http://www.un.org/millenniumgoals/> ; and [http://millenniumindicators.un.org/unsd/mi/mi\\_goals.asp](http://millenniumindicators.un.org/unsd/mi/mi_goals.asp)

Note : The full list of MDGs, targets and indicators is attached as Annexure 1

It is fundamental to note the difference between the terms ‘sex’ and ‘gender’. While sex refers to the biological differences between male and female, gender refers to the different social roles of men and women within a specific culture. Traditional practices and beliefs are among the factors that influence gender roles in society. Hence, gender roles, which individuals assume through a complex socialization process, differ in different cultural settings. Since gender roles are created through various socialization processes, they can be reconstructed with more equitable distribution of power.<sup>1</sup>

## 2. Theoretical Considerations

### 2.1 Approaches to Gender Equality

There are three approaches to gender equality: The **Sameness/Formal** approach, the **Protectionist** approach, and the **Substantive Equality** approach.

**2.1.1 Sameness/Formal Approach** – This approach considers women and men to be the same, and therefore should be treated in the same manner regardless of the biological and gender differences between the two. The formal approach may disadvantage women as

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<sup>1</sup> See Women's Aid Organisation website on “WAO Training on Human Rights of Women” at <http://www.wao.org.my/news/20010407hrwomen.htm>

it promotes 'gender blindness'. Thus, in most instances, women are overly burdened in trying to achieve male standards when in fact the social and economic reality of women is not similar to that of men. Disadvantaged by subordinate gender roles, multiple responsibilities and lack of access to resources, only very few and privileged women are likely to achieve male standards.<sup>2</sup>

**2.1.2 Protectionist Approach** – This approach recognises the differences between men and women. However, this is operationalised by barring women from doing certain things “for their own good”. While this may sound fair, the approach assumes that women are different from men because of the social perception that women are weak and need protection. This approach endorses the negative gender values attached to women.<sup>3</sup>

**2.1.3 Substantive Equality Approach** – This corrective approach recognises the difference between men and women and at the same time acknowledges the need for equality between the two. This approach is adopted by CEDAW which requires the delivery of equal outcomes rather than equal treatment.<sup>4</sup>

## 2.2 Importance of Gender Equality

There are at least three reasons why gender analysis is important in aspects of development.<sup>5</sup> The reasons are as follows:

**2.2.1** Gender inequality is the most pervasive form of inequality which occurs in most societies. Therefore, it is important to ascertain the causes and consequences of various aspects of gender inequality in different communities because they may affect a country's achievement vis-à-vis the MDGs;

**2.2.2** Gender inequality is also pervasive within societies. Regardless of socio-economic background, gender inequality may occur among the rich, the poor, the racially dominant and the racially subordinate groups. This may explain pockets of deprivation that exist within a society.

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<sup>2</sup> See Publication on 'CEDAW: Restoring Rights to Women' by Partners For Law in Development, UNIFEM, p.24-25. Publication can be found at [http://www.unifem-eseasia.org/projects/Cedaw/docs/CEDAW\\_Restoring\\_Rights\\_to\\_Women.pdf](http://www.unifem-eseasia.org/projects/Cedaw/docs/CEDAW_Restoring_Rights_to_Women.pdf)

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> See presentation paper by Professor Naila Kabeer from the Institute of Development Studies at the Inaugural Session of the Committee on Emerging Social Issues, UNESCAP, Bangkok, 4 September 2003 on "Gender Equality, Poverty and the Millennium Development Goals: Promoting Women's Capabilities and Participation". Presentation paper can be found at UNESCAP website at <http://www.unescap.org/esid/committee2003/genderequality.pdf>

2.2.3 In every known society, women have responsibilities in both economic activities (production) and care for human beings. To Quote Gita Sen<sup>6</sup>

*"A gender perspective means recognizing that women stand at the crossroads between production and reproduction, between economic activity and the care of human beings, and therefore between economic growth and human development. They are workers in both spheres – those most responsible and therefore with most at stake, those who suffer most when the two spheres meet at cross-purposes, and those most sensitive to the need for better integration between the two."*

## 2.3 Link between Poverty and Inequality

The link between poverty and inequality is a vicious cycle. While inequality may cause poverty, poverty may also exacerbate inequality.<sup>7</sup> The poor are usually discriminated on various grounds and are often subjected to unequal treatment which further aggravates poverty.

Gender inequality has an effect on both economic growth and poverty reduction.<sup>8</sup> According to the World Bank, among the links between gender equality and growth are:

2.3.1 Human capital investment, through the provision of education and health care services, raises productivity. Women who are healthy and educated are more likely to engage in productive activities, find formal sector employment, earn higher incomes and enjoy greater returns from schooling.

2.3.2 Increased access to productive assets and resources also raises productivity. In many cases, women have limited access to productive assets and resources such as land, financial services and employment in the formal sector.

2.3.3 Poor infrastructure results in time poverty which in turn reduces productivity. Communities in rural remote areas may have to spend a significant amount of time to collect fire wood and water for their own

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<sup>6</sup> Gita Sen is from the Development Alternatives with Women for a New Era (DAWN) and an Adjunct Professor of Population and International Health Department of Population and International Health of the Harvard School of Public Health.

<sup>7</sup> See Report on "Gender Equality and the Millennium Development Goals" by the Gender and Development Group of the World Bank, p.7. See also para. 61 of the "Draft Guidelines: Human Rights Approach to Poverty Reduction Strategies" by OHCHR, p.15.

<sup>8</sup> See Report on "Gender Equality and the Millennium Development Goals" prepared by the Gender and Development Group of the World Bank, p.6. Report can be found at <http://siteresources.worldbank.org/INTGENDER/Publications/20169280/gendermdg.pdf>

consumption, thus leaving them with less time to engage in income earning activities and to participate in community affairs. According to the World Bank, in many settings, including the middle income countries of Eastern, Central and Southern Europe, women work significantly more hours per day than men. In addition, because the gender-based division of labor extends to children, women's time poverty means that girls are often kept out of school to help with household work.

2.3.4 Information and Communications Technologies (ICTs) facilitate the participation of both poor men and women in the economy. With extensive coverage, ICT can be an effective tool in providing the poor with education and training, job opportunities, access to markets, availability of information important for their economic activities, and greater participation in the political process.

## **2.4 Gender Empowerment Measures**

The MDGs are measured using the gender empowerment measure (GEM)<sup>9</sup>. The GEM – which focuses on women's opportunities rather than their capabilities – captures the empowerment of women:

2.4.1 Political participation and decision-making power, as measured by women's and men's percentage of parliamentary seats;

2.4.2 Economic participation and decision-making power, as measured by two indicators – women's and men's percentage in positions as legislators, senior officials and managers and women's and men's percentage in professional and technical positions;

2.4.3 Power over economic resources, as measured by women's and men's estimated earned income.

## **3. Promote Gender Equality and Empower Women – The Human Rights Perspective**

Non-discrimination is the basis of every individual's right to equality. Non-discrimination is one of the fundamental elements of international human rights law.

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<sup>9</sup> See "Human Development Report 2003", by UNDP, p.345

The primary idea of non-discrimination is to ensure every person is equal before the law. Hence, laws should be formulated in ways that are applicable to every person. In addition, these laws should be enforced in an equal manner.

Further, laws must be able to protect a person from discriminatory treatment by others. Therefore, laws should explicitly prohibit discrimination based on various grounds such as race, color, sex, religion and political or other opinion.

Thus, gender equality forms part of the broader human rights agenda for equality and its principle of non-discrimination and is manifested in the various international human rights instruments. They include:

### **3.1 The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**

Besides identifying the various factors that contribute to gender discrimination – in particular, discrimination against women, CEDAW also sets an agenda for national action to end such discrimination.

According to the Convention, discrimination against women is *‘any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field’*.

### **3.2 International Covenant on Economic, Social and Cultural Rights (ICESCR)**

Article 3 of the ICESCR provides that members of the ICESCR are obliged to ensure both men and women enjoy their economic, social and cultural rights highlighted in the Covenant, while article 7a(i) of the Covenant guarantees the rights of both men and women to enjoy their right to equal working conditions, wage and remuneration.

### **3.3 International Covenant on Civil and Political Rights (ICCPR)**

Article 3 of the Covenant recognises that both men and women are entitled to enjoy their civil and political rights as set forth by the Covenant. In addition, article 23(2) of the Covenant guarantees men and women of a marriageable age to marry and found a family. Article 6(5) of the ICCPR guarantees that the death sentence is not carried out on persons aged below 18 and on pregnant women charged with criminal offences.

### 3.4 The Convention on the Rights of the Child (CRC) article 2 of CRC;

Article 2 of the CRC provides that members of the Convention are obliged to respect and ensure that each child within its jurisdiction is able to enjoy his/her rights as set forth by the CRC without discrimination on various grounds including gender.

## 4. Status of Gender Equality and Empowerment of Women in Malaysia

### 4.1 Population by Sex

In Malaysia, women make up approximately half of the total population. Table 2 shows the number and percentage of population by sex in Malaysia for 1991, 2000, 2003 and 2004.

TABLE 2: NUMBER ('000) AND PERCENTAGE OF POPULATION BY SEX, MALAYSIA, 1991, 2000, 2003, 2004

	1991		2000		2003		2004	
	Total ('000)	%						
Mid-Year Population	18,379.7	100	23,274.7	100	25,048.3	100	25,580.9	100
Male	9,327.5	50.75	11 853.4	50.93	12 751.9	50.91	13,023.2	50.91
Female	9,052.1	49.25	11 421.3	49.07	12 296.4	49.09	12,557.7	49.09

Source: Department of Statistics, Malaysia <http://www.statistics.gov.my/>  
Ministry of Women, Family and Community Development <http://www.kpwkm.gov.my/>

Women have consistently comprised about 49% of the Malaysian population. Thus, women constitute an important pool of resources that can be mobilized to achieve the country's development. This was recognised in the Sixth Malaysia Plan (1991-1995), where a chapter on women was first introduced and retained in subsequent Malaysia Plans, including the Eight Malaysia Plan, 2001-2005. Continuous efforts were undertaken to enhance the role of women in development as well as to ensure that women become equal partners in development.

### 4.2 Gender Equality and Education in Malaysia

#### 4.2.1 Access to Education

##### i) Public Sector

The Malaysian Government has undertaken various efforts to ensure that there are adequate number of schools to accommodate all children in Malaysia. Table 3 shows the increasing number of public institutions at primary, secondary, and university levels in Malaysia for 1990 and from 2000-2004.

Apart from universities, the establishment of teacher training colleges, polytechnics, university colleges and community colleges enhance access to tertiary education in Malaysia. As of 2004, there are 27<sup>10</sup> teacher training colleges, 19<sup>11</sup> polytechnics, 34<sup>12</sup> community colleges and 7<sup>13</sup> university colleges.

TABLE 3: NUMBER OF PUBLIC INSTITUTIONS AT PRIMARY, SECONDARY AND UNIVERSITY LEVEL, MALAYSIA, 1990, 2000-2004

Education Level	1990	2000	2001	2002	2003	2004
Primary	6,828	7,231	7,326	7,421	7,504	7,562
Secondary	1,327	1,645	1,726	1,819	1,902	1,976
University	11	11	11	11	11	11

Note : n.a - not available

Source : Ministry of Women, Family and Community Development <http://www.kpwkm.gov.my/>  
Quick Facts, Malaysian Educational Statistics 2004, EPRD, Ministry of Education  
Pembangunan Pendidikan 2001-2010, Kementerian Pendidikan Malaysia  
Social Statistic Bulletin Malaysia 2003, Department of Statistics Malaysia  
2001 Annual Report, Ministry of Education Malaysia

The average class size for primary and secondary schools in Malaysia for 2000 to 2004 is shown in table 4. The average number of students per primary school class in Malaysia for 2000 to 2004 is 31 students, while the average number of students per secondary school class is between 32 and 34 students for 2000 to 2004.

TABLE 4: AVERAGE CLASS SIZE, MALAYSIA, 2000-2004

	2000	2001	2002	2003	2004
Primary	31.4	31.3	31.4	31.1	31.0
Secondary	33.8	33.1	32.6	32.5	32.5

Source: 'Quick Facts. Malaysian Educational Statistics 2004' by Educational Planning and Research Division of the Ministry of Education, Malaysia

<sup>10</sup> See Quick facts, Malaysian Educational Statistics 2004, EPRD, Ministry of Education, p.15

<sup>11</sup> Ibid.

<sup>12</sup> See Ministry of Higher Education website at <http://www.bpkk.edu.my/bpkk/sejarah.html>

<sup>13</sup> See Quick facts, Malaysian Educational Statistics 2004, EPRD, Ministry of Education, p.15

## ii) Private Sector

Complementing public institutions are private educational institutions that have accommodated more than 1 million students in various types of education. Table 5, shows the number of schools, number of teachers and enrolment for private education in Malaysia for 2004.

TABLE 5: NUMBER OF SCHOOLS, TEACHERS AND ENROLMENT IN PRIVATE EDUCATION, MALAYSIA, 2004

TYPES OF SCHOOLS	NUMBER OF SCHOOL	NUMBER OF TEACHERS	ENROLMENT
Pre-school	3,723	14,922	276,102
Academic Primary	63	11,74	13,244
Academic Secondary	75	1,520	13,965
Chinese Private Secondary	60	2,623	50,280
Expatriate	14	217	1,570
International	31	1,198	9,610
Religious Primary	21	776	4,155
Religious Secondary	15	275	4,079
Higher Education (University status)	22	2,992	76,505
Higher Education Institute (Non-University status)	519	11,189	237,839
Tuition Centre	1,551	6,852	159,394
Language Centre	191	619	15,975
Computer Training Centre	387	1,160	28,624
Skill Training Centre	264	14,922	276,102
Special Education	8	105	602
Correspondence School	2	10	5,872
Total	6,946	60,554	1,173,918

Source: Quick Facts, Malaysian Educational Statistics 2004, EPRD, Ministry of Education Malaysia, p.19

#### 4.2.2 Enrolment by Gender

Table 6 shows the enrolment in Government and Government-Assisted Educational Institutions by sex and level of education in Malaysia from 2000 to 2003.

TABLE 6: ENROLMENT BY SEX IN GOVERNMENT AND GOVERNMENT-ASSISTED EDUCATIONAL INSTITUTIONS BY LEVEL OF EDUCATION, MALAYSIA, 2000-2003

Education Level	2000	2001	2002	2003
<b>Primary</b>				
Male	1,507,988	1,511,283	1,534,946	1,577,497
Female	1,425,889	1,432,544	1,454,338	1,493,624
Total	2,933,877	2,943,827	2,989,284	3,071,121
% Female	48.6	48.7	48.7	48.6
<b>Secondary (Lower &amp; Upper)</b>				
Male	965,054	978,871	977,947	990,878
Female	985,692	993,076	993,176	1,001,231
Total	1,950,746	1,971,947	1,971,123	1,992,109
% Female	50.5	50.4	50.4	50.3
<b>Post Secondary</b>				
Male	22,759	27,570	35,382	43,157
Female	45,071	55,685	70,783	87,232
Total	67,830	83,255	106,165	130,389
% Female	66.4	66.9	66.7	66.9
<b>University</b>				
Number of Universities	11	14	15	17
Male	92,639	103,747	116,591	110,645
Female	118,945	142,242	166,615	172,594
Total	211,584	245,989	283,206	283,239
% Female	56.2	57.8	58.8	60.9

Source: Ministry of Women, Family and Community Development <http://www.kpwkm.gov.my/>  
Quick Facts, Malaysian Educational Statistics 2004, EPRD, Ministry of Education

Table 6 shows that female enrolment at primary level is slightly below 50% throughout 2000 to 2003. This reflects the proportion of female live births throughout 1986 to 1995 as seen in Table 7.

However, female enrolment at secondary, post-secondary and University level is encouraging.

In other tertiary level institutions, such as community colleges, teacher training colleges and polytechnics, female representation is also commendable. The total community college enrolment for 2003 was 2,559, out of which 40% were female, while in 2004, the total enrolment in teacher training colleges was 24,853<sup>14</sup> persons out of which 68.84%<sup>15</sup> were female. The total enrolment in polytechnics was 59,417<sup>16</sup> persons out of which 42.03%<sup>17</sup> were female.

TABLE 7: LIVE BIRTHS BY SEX, MALAYSIA 1986-1995

	1986-1991	1987-1992	1988-1993	1989-1994	1990- 1995
Live Births					
Male	1,545,933	1,561,234	1,588,103	1,601,982	1,636,310
Female	1,445,160	1,459,285	1,483,631	1,496,065	1,527,692
Total	2,991,093	3,020,519	3,071,734	3,098,047	3,164,002
% Females	48.3	48.3	48.2	48.3	48.3

Note: Primary students in 1998 are among children born in 1986-1991  
Primary students in 1999 are among children born in 1987-1992  
Primary students in 2000 are among children born in 1988-1993  
Primary students in 2001 are among children born in 1989-1994  
Primary students in 2002 are among children born in 1990-1995

Source: Vital Statistics Times Series, Malaysia 1963-1998

#### 4.2.3 Enrolment by Fields of Study

In 1999, female students dominated subjects such as arts<sup>18</sup>, professional arts<sup>19</sup>, science<sup>20</sup> and education<sup>21</sup>. However, more male students were enrolled in technical<sup>22</sup> related subjects. This trend has persisted. Table 8 shows the number of students in universities by types of

<sup>14</sup> See Quick facts, Malaysian Educational Statistics 2004, EPRD, Ministry of Education, p.15

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Arts subjects comprise arts and humanities including arts (literature) and Islamic studies.

<sup>19</sup> Professional arts include economics, business and management (including economics, administration and management, accountancy, mass communication and resource economics/ agribusiness), and civil law.

<sup>20</sup> Science subjects include science; applied science (including applied science, environmental science, natural resource science, human development science and food technology science); Medicine (including medicine, dentistry, pharmaceutical science, bio-medicine, nurse and federal health); agriculture (including agriculture, veterinary, forestry and fishery).

<sup>21</sup> Education subjects include science and arts.

<sup>22</sup> Technical subjects include engineering (including civil, electrical, mechanical, chemistry/chemical technology, petroleum, marine, aviation, agriculture, industrial technology, computer, technology management, material and mineral resources, gas/bioprocess/polymer and other); Architecture/ Town and Regional Planning (including architecture, landscape design/interior design, town and regional planning, and, housing, building and planning); Surveying (including land surveying, quantity surveying, property management and geomatic surveying).

courses and sex in Malaysia for 2003. In arts related subjects, 71.56% were female. In science related subjects, 65.53% of the students enrolled were female. On the other hand, male students comprised 62.85% of the total number of students enrolled in technical related subjects.

TABLE 8: NUMBER OF STUDENT (FIRST DEGREE) IN UNIVERSITIES BY TYPE OF COURSES AND SEX, MALAYSIA, 2003

TYPES OF COURSES		Male	Female	Total
A.	ARTS	26,247	66,048	92,295
	a) Arts and Humanities <sup>(1)</sup>	9,465	23,315	32,780
	b) Economics, Business and Management <sup>(2)</sup>	13,249	32,764	46,013
	c) Civil Law	1,038	2,230	3,268
	d) Others <sup>(3)</sup>	2,495	7,739	10,234
B.	SCIENCE	23,737	45,128	68,865
	a) Medicine and Dentistry <sup>(4)</sup>	2,366	5,763	8,129
	Agriculture and Related Science <sup>(5)</sup>	1,540	3,291	4,831
	Science <sup>(6)</sup>	9,538	19,497	29,035
	Computer science and Information Technology	6,994	8,955	15,949
	Others <sup>(7)</sup>	3,299	7,622	10,921
C.	TECHNICAL	23,992	14,180	38,172
	Engineering	21,653	11,343	32,996
	Architecture, Town Planning and Surveying	1,812	2,226	4,038
	Others <sup>(8)</sup>	527	611	1,138
	Total	73,976	125,356	199,332

Note: <sup>(1)</sup> Including Islamic Studies, Language, Literature, Malay Culture, Social Science, Library Science, Arts Participation and Arts Design

<sup>(2)</sup> Including Accountancy, Business Management, Resource Economics and Agribusiness

<sup>(3)</sup> Including Arts and Communication

<sup>(4)</sup> Including Pharmaceutical

<sup>(5)</sup> Including Human Development and Home Science

<sup>(6)</sup> Including Biology, Chemistry, Physics and Mathematics

<sup>(7)</sup> Including Applied Science, Environmental Studies, Food Technology Science and Education

<sup>(8)</sup> Including Property Management

Source: Social Statistics Bulletin Malaysia, 2004. Department of Statistics Malaysia

**i) Polytechnics**

Table 9 shows the enrolment in polytechnics which offer various technical courses at certificate and diploma level for youths in Malaysia. In 2003, there were a total of 23,312 students enrolled in the various polytechnic courses at certificate level in Malaysia, of which 64.2% were male students. At diploma level the proportion of male was 54.4%.

TABLE 9: INTAKE, ENROLMENT AND GRADUATES AT CERTIFICATE AND DIPLOMA LEVEL OF ALL POLYTECHNCS, MALAYSIA, 2003

LEVEL	INTAKE			ENROLMENT			GRADUATES		
	M	F	T	M	F	T	M	F	T
Certificate	8,029	4,356	12,385	14,967	8,345	23,312	6,713	3,633	10,346
Diploma	6,097	5,160	11,307	14,058	11,765	25,823	5,023	4,097	9,120

Source: *Malaysian Educational Statistics, 2003. Ministry of Education Malaysia*

\*Note: M Male

F Female

T Total

**ii) Teacher Training College**

In 2003, there were a total of 24,587<sup>23</sup> students who were enrolled in Teacher Training Colleges, out of which 68.3%<sup>24</sup> were female. In the same year, 11,548<sup>25</sup> students graduated from these colleges of which 65.1%<sup>26</sup> were female.

Although the overall enrolment of students in various courses at different levels is encouraging, there is a need to ensure that the environment enables both male and female students to choose and complete the courses strictly based on their abilities and interests without undue influence of society's perceived roles of men and women. This is in accordance with article 5(a) of CEDAW which provides that State Parties to the Convention are to take appropriate measures to modify social and cultural patterns of conduct of men and women with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either sexes or on stereotyped roles of men and women.

<sup>23</sup> See Malaysian Educational Statistics 2003. Ministry of Education Malaysia, p.129

<sup>24</sup> Calculation from data in the Malaysian Educational Statistics 2003, Ministry of Education Malaysia, p.129

<sup>25</sup> See Malaysian Educational Statistics 2003. Ministry of Education Malaysia, p.129

<sup>26</sup> Calculation from data in the Malaysian Educational Statistics 2003, Ministry of Education Malaysia, p.129

#### 4.2.4 Education and Employment

Education is one of the most important tools to eradicate poverty. Adequate education increases a person's chances to obtain proper employment. The income generated from employment is used to obtain basic needs and to ensure a decent quality of life. Education has been vital in Malaysia's effort to reduce poverty. Indeed, the country's success in reducing poverty has been rooted in education.<sup>27</sup>

### 4.3 Gender Equality and Employment in Malaysia

#### 4.3.1 Gender, Discrimination and Poverty

Globally, poverty and exploitation of women are still pervasive. The relationship between gender, discrimination and poverty is well articulated in various United Nations Documents.

According to United Nations Development Fund for Women (UNIFEM), 70% of the world's 1.3 billion people living in poverty are women and the situation in certain areas is getting worse. For example, the number of rural women living in absolute life-threatening poverty has risen by 50% over the last two decades. UNIFEM further reported that women work more than 65% of the total working hours, but they only earn one-tenth of all income and own less than one-tenth of the world's property. At the World Education Forum in Dakar, Senegal in April 2000, the United Nations Secretary-General Kofi Annan noted that two-thirds of the 110 million children who are not receiving an education were girls.<sup>28</sup>

In Malaysia, the number of female headed household categorised as poor is higher than the national average figure. In 2002, the incidence of poverty in Malaysia was 5.1%<sup>29</sup>. The incidence of poverty amongst female headed households in Malaysia for that same year was 12.5%<sup>30</sup>. This figure is estimated to increase as more divorce cases are filed in Malaysia.<sup>31</sup>

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<sup>27</sup> See Views and Issues Discussed in relation to Poverty Eradication of the Report on the Seminar on "Human Rights and the MDGs" held in Kuching, Sarawak on 12 and 13 October 2004, p.21

<sup>28</sup> See Human Rights Watch Website on 'The Role of International Community' at <http://www.hrw.org/vr2k1/women/women7.html>. See also paper by Associate Professor Dr. Hew Cheng Sim from the Faculty of Social Sciences, University Malaysia Sarawak on "Gender Equality: Issues and Challenges in Sarawak" presented at SUHAKAM's Seminar on "Human Rights and the Millennium Development Goals" held in Sarawak on 12 & 13 October 2003. Paper can be found in SUHAKAM's Report on the Seminar.

<sup>29</sup> Source: Ministry of Women, Family and Community Development website at <http://www.kpwkm.gov.my/panel/Upload/4.1Kadar%20Kemiskinan%20Dan%20Bilangan%20Isi%20Rumah%20Miskin%201999%202002.pdf>

<sup>30</sup> Source: Ministry of Women, Family and Community Development website at <http://www.kpwkm.gov.my/panel/Upload/4.1Kadar%20Kemiskinan%20Dan%20Bilangan%20Isi%20Rumah%20Miskin%201999%202002.pdf>

<sup>31</sup> The Minister of Women, Family and Community Development, YAB Dato' Seri Shahrizat Abdul Jalil, at the 'Non-Aligned Movement (NAM) Ministerial Meeting on the Advancement of Women', held on 7-10 May 2005.

In Malaysia, three critical employment challenges faced by Malaysian women were anticipated by Minister of Women, Family and Community Development, Dato' Seri Shahrizat Abdul Jalil in 2005.<sup>32</sup>

- ← **Lack of female participation and representation in decision-making processes.** The government is committed to a goal of 30% participation of women in decision-making processes. The challenge is to facilitate and expedite such participation by formulating and implementing strategies to empower women.
- ← **Gender based violence is an obstacle to ensure women's empowerment.** There is a need for a more integrated approach to address issues such as violence against women and trafficking of women and children.
- ← **Poverty among female-headed households continues to be an obstacle to women's advancement in Malaysia.** The poverty rate amongst female-headed households remains higher than the national average rate despite the implementation of various programmes and schemes to assist these women obtain greater economic opportunities.

#### 4.3.2 Labour Force Participation Rate (LFPR) in Malaysia

In general, both male and female labour force participation rates in Malaysia are gradually increasing. However, the female Labour Force Participation Rate is less than half of male Labour Force Participation Rate. Table 10 shows LFPR by sex in Malaysia for 1990 and from 2000 to 2003.

Malaysia's female LFPR within the 14-year time frame has not changed very much. A rate of 47.8%<sup>33</sup> in 1990 and 46.4%<sup>34</sup> in 2004

TABLE 10: LABOUR FORCE PARTICIPATION RATE BY SEX, MALAYSIA 2000-2004 (%)

	1990	2000	2001	2002	2003	2004
Total	66.5	65.7	66.1	66.3	66.9	67.8
Male	85.5	85.7	86.1	86.3	87.1	88.1
Female	47.8	44.8	45.0	45.2	45.7	46.4

Source: Economic Planning Unit website <http://www.epu.jpm.my/New%20Folder/MEIF%202005.htm>  
Ministry of Women, Family and Community Development website <http://www.kpwkm.gov.my>

<sup>32</sup> The Minister of Woman, Family and Community Development, YAB Dato' Seri Shahrizat Abdul Jalil, at the 'Non-Aligned Movement (NAM) Ministerial Meeting on the Advancement of Women', held from 7 to 10 May 2005

<sup>33</sup> Ministry of Women, Family and Community Development website <http://www.kpwkm.gov.my>

<sup>34</sup> Economic Planning Unit website <http://www.epu.jpm.my/New%20Folder/MEIF%202005.htm>

### **4.3.3 Participation by Sector of Employment**

Not only is the female LFPR low, but most female employees are found in the lower ranks of employment which generate lower income. Thus, poverty is more likely to be aggravated amongst women.

Table 11 shows the number of employed persons by occupation and sex for Malaysia from 2001 to 2003. Between 2001 and 2003, most working women in Malaysia were employed in the services as clerks and sales patrons. Less than 6.0% women filled the legislative, senior official and managerial positions and less than 7.0% women filled professional occupations within the same period.

Table 12 shows the percentage distribution of employed female by states and industry for 2004. In Sarawak, female participation in the agricultural, hunting and forestry industry, and the fishing industry in 2004 was higher when compared to male participation. The male participation rates in Sarawak in the aforementioned industries were 15.8% and 10.0% respectively. Sabah followed with 24.4% female participation in the agriculture, hunting and forestry, while 20.0% were in the fishing industry.

Federal Territory Kuala Lumpur recorded the highest female participation rate in the mining and quarrying industry with 26.4% female participation, while more women in Selangor were in the manufacturing, electricity, gas and water supply, construction industry, wholesale and retail trade, repair of motor vehicles and services (hotels and restaurants) industry.

TABLE 11: NUMBER OF EMPLOYED PERSONS BY OCCUPATION AND SEX, MALAYSIA, 2001 – 2003

	2001			2002			2003		
	Male	Female	Female (% of Total female employed)	Male	Female	Female (% of Total female employed)	Male	Female	Female (% of Total female employed)
Total	6,212.0	3,323.0	100.0	6,141.8	3,400.8	100.0	6,323.6	3,546.1	100.0
Legislator, Senior Officials, and Managers	541.8	153.3	4.61	604.6	181.7	5.34	609.4	1,84.1	5.2
Professionals	282.1	184.0	5.54	277.6	205.9	6.54	303.0	227.2	6.4
Technicians and associate professionals	744.8	408.9	12.31	755.1	439.5	12.92	749.8	470.1	13.3
Clerical workers	332.6	581.4	17.50	303.6	586.7	17.25	311.8	626.1	17.7
Service workers and shop and market sales workers	757.9	570.5	17.17	727.3	580.4	17.07	781.1	618.2	17.4
Skilled agricultural and fishery workers	938.4	406.9	12.24	890.2	370.7	10.90	881.4	368.4	10.4
Craft and related trade workers	995.8	178.6	5.37	977.3	190.8	5.61	1,036.9	198.7	5.6
Plant and machine operators and assemblers	989.8	471.5	14.18	949.4	423.6	12.46	990.1	430.6	12.1
Elementary occupations	628.8	367.9	11.07	656.6	421.6	12.40	660.0	422.7	11.9

Source: Labour Force Survey Report Malaysia 2001, Department of Statistics Malaysia  
Labour Force Survey Report Malaysia 2002, Department of Statistics Malaysia  
Ministry of Women, Family and Community Development

TABLE 12 : PERCENTAGE DISTRIBUTION OF EMPLOYED FEMALE BY STATE AND INDUSTRY, MALAYSIA, 2004

	Total	Agriculture, hunting and forestry	Fishing	Mining and quarrying	Manufacturing	Electricity, Gas and water supply	Construction	Wholesale and retail trade; repair of motor vehicle, motorcycles and personal	Hotels and Restaurant
<b>Total</b>	<b>3,588,700</b> <b>100.0</b>	<b>378,900</b> <b>100.0</b>	<b>3,000</b> <b>100.0</b>	<b>2,300</b> <b>100.0</b>	<b>818,500</b> <b>100.0</b>	<b>7,100</b> <b>100.0</b>	<b>65,800</b> <b>100.0</b>	<b>553,300</b> <b>100.0</b>	<b>344,100</b> <b>100.0</b>
Johor	11.8	4.8	7.8	-	19.9	14.3	6.1	11.10	12.6
Kedah	6.7	7.7	2.3	4.7	9.9	-	4.7	5.9	7.1
Kelantan	4.5	8.4	-	4.0	3.1	7.8	2.2	5.1	6.8
Melaka	2.8	1.5	-	3.2	3.8	2.0	1.3	2.6	2.4
Negeri Sembilan	3.7	4.0	1.8	-	4.1	6.8	2.0	2.9	3.7
Pahang	4.5	5.8	2.8	3.2	2.0	3.6	4.3	5.2	7.5
Perak	7.7	5.7	10.3	6.8	8.9	-	5.2	7.8	9.4
Perlis	0.7	0.5	1.2	0.5	0.6	-	0.3	0.7	1.1
Pulau Pinang	6.7	0.3	4.4	6.5	12.6	4.5	4.6	5.9	6.0
Sabah	9.9	24.4	20.0	13.9	5.0	9.9	8.9	11.1	8.2
Sarawak	9.4	30.0	39.4	11.1	4.1	6.0	8.8	9.1	8.3
Selangor	20.6	3.0	0.9	2.1	20.5	29.5	34.3	19.0	15.6
Terengganu	3.2	3.7	4.5	14.4	2.5	3.1	1.8	3.7	4.3
WP Kuala Lumpur	7.5	0.1	4.6	26.4	2.8	12.4	15.2	9.6	6.6
WP Labuan	0.3	-	-	3.1	0.1	-	0.2	0.4	0.3

Source: Labour Force Survey Report, Malaysia, 2004

#### 4.3.4 Employment and Income

As mentioned, in Malaysia, more women are employed in low-income generating jobs. For instance, in 2004, more women in Sabah and Sarawak were in the agriculture, hunting and forestry as well as the fishing industry.

According to UNDP's "Human Development Report 2005", the estimated earned income for Malaysian women in 2003 was USD 6,075 (PPP), while the estimated income for Malaysian men was USD 12,869 (PPP) that same year. Therefore, in 2003, Malaysian women only earned 47.2% of men's income.<sup>35</sup>

Education is an important means of reducing the income disparity. Although the enrolment rate of female students at various levels in Malaysia is high, there is the need to ensure that the courses enrolled by them will enable them to compete in obtaining employment. This is in line with the approach recognised by CEDAW.

Fields such as engineering which are dominated by men and which promise higher income should have a more enabling environment for women to participate and thus be able to compete with their male counterparts in their future employment.

State Parties to CEDAW, including Malaysia, must ensure that gender equality be implemented through the '*substantive equality approach*' which not only guarantees equality in access but also acknowledges equality in outcome.<sup>36</sup> Therefore, it can be implied that State Parties to the Convention must ensure that all persons within its jurisdiction not only have equal access to education but that education provided is adequate for competitive employment.

In addition, more women, particularly, those in less developed areas, and female-headed households, should be encouraged to engage in entrepreneurial activities. Programmes such as the Amanah Ikhtiar Malaysia (AIM), a micro-credit scheme, should be further extended to rural women in Sabah and Sarawak.

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<sup>35</sup> Source: 'Human Development Report 2005' by UNDP, p.300

<sup>36</sup> See UNIFEM publication entitled "CEDAW: Restoring Rights to Women". Available online at [http://www.unifem-eseasia.org/projects/Cedaw/docs/CEDAW\\_Restoring\\_Rights\\_to\\_Women.pdf](http://www.unifem-eseasia.org/projects/Cedaw/docs/CEDAW_Restoring_Rights_to_Women.pdf) p. 24-26

## 4.4 Empowerment of Women in Malaysia

### 4.4.1 Empowerment of Women in Economic Activities

A pre-condition to the effective implementation of any poverty reduction strategy is the empowerment of the poor.<sup>37</sup> They must be empowered to participate in the various stages of planning, implementing, monitoring and evaluation of poverty reduction strategies.

According to the International Development Association (IDA) of the World Bank, women in many developing societies are not recognised for their productive contribution. It is assumed that women's ultimate role in child bearing and caring for the family may affect their productivity which in turn, reduces their chances of obtaining adequate education and employment, thus, propagating gender inequality.

Women's development is affected when they do not have adequate education and skill, lack the access to economic resources and do not participate in decision making. Subsequently, they tend to engage in jobs that generate low income.<sup>38</sup>

The empowerment approach focuses on mobilizing self-help efforts by the poor, rather than merely providing them with social welfare.<sup>39</sup> Instead of subsidies and welfare contribution, the poor should be assisted with self-help programmes and schemes which would take them out of the poverty trap.

In Malaysia, the Government has implemented a number of schemes to encourage women to engage in entrepreneurship as well as to upgrade their skills. NGOs and the private sector have supported and contributed significantly to the Government's efforts.

The micro-credit facility (AIM) was established to help poor female-headed households engage in small scale business. According to the Eighth Malaysia Plan 2001-2005, 22,850 women benefited from the Amanah Ikhtiar Malaysia (AIM) to facilitate their involvement in small scale businesses.

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<sup>37</sup> See para. 86 & 87 of the UN Report on "Draft Guidelines: Human Rights Approach to Poverty Reduction Strategies, p.19

<sup>38</sup> IDA forms part of the World Bank. IDA 14 RMS includes outcome indicators largely based on the MDGs. See the International Development Association webpage of World Bank at <http://web.worldbank.org/WBSITE/EXTERNAL/EXTABOUTUS/IDA/0,,contentMDK:20246601~menuPK:512807~pagePK:51236175~piPK:437394~theSitePK:73154,00.html>

<sup>39</sup> See Encyclopedia's definition of empowerment <http://encyclopedia.laborlawtalk.com/empowerment>

Recognising that the number of single mothers is increasing, the Government implemented specific training programmes for income generation. These programmes include courses in entrepreneurship, ICT, tailoring, weaving, handicraft production and food processing. In addition, loan facilities were also made available to single mothers to assist them in starting a business.

Other examples of programmes provided by the Government to assist women in entrepreneurship include The Women Entrepreneurs Fund, Small Entrepreneur Fund, and Special Assistance Scheme for Women Entrepreneurs.

The establishment of The Women's Institute of Management (WIM), the Institute of Women's Advancement, the Federation of Women's Entrepreneur Association and the Association of Bumiputera Women Entrepreneurs are some examples of organisations that offer courses and other training programmes with the objective of enhancing business skills among women.

#### 4.4.2 Women's Participation in Decision Making

In 2004, 9.9% of the total number of the board of directors in the corporate sector were women, with 13.5%<sup>40</sup> holding the position of president, vice president, managing director, chief executive officer, chief operation officer, senior general manager and general manager. Table 13 shows the percentage of women at decision-making levels in the corporate sector in Malaysia, between 2001 and 2004.

TABLE 13 : WOMEN AT DECISION MAKING LEVEL IN THE CORPORATE SECTOR (%), MALAYSIA, 2001-2004

	2001	2002	2003	2004
% FEMALE				
Board of Directors	10.1	10.5	10.1	9.9
President, vice president, managing director, chief executive officer, chief operation officer, senior general manager, general manager	12.0	12.1	12.3	13.5

Source: Ministry of Women, Family and Community Development

Note: Survey by the Ministry of Women, Family and Community Development on 50 listed under the Kuala Lumpur Stock Exchange

<sup>40</sup> Source: Ministry of Women, Family and Community Development at <http://www.kpwkm.gov.my/Bm/statistic.asp>

#### 4.4.3 Women in Political Participation

Article 21 of the Universal Declaration of Human Rights (UDHR) guarantees the participation of everyone in their Government. In addition, article 7(b) of CEDAW provides that parties to the Convention, including Malaysia, must ensure that there is no discrimination against women in the political and public life and to ensure that women are able to exercise their right to participate in the formulation and implementation of government policy as well as to hold public office and perform all public functions at all levels of Government.

Female percentage in the Parliament of Malaysia was 10.4%<sup>41</sup> in 1999 which decreased to 10.1%<sup>42</sup> in 2004. However, it is important to note that in 1959, the female percentage in the Parliament of Malaysia was 2.9%<sup>43</sup>.

Further, in 2004, the percentage of female state legislative assembly members was 6.3%.

The progress in political participation amongst women in Malaysia's Government is slow. For instance, there is little progress with regard to female participation in Malaysia's parliament between 1983 and 2004. In 1983, Malaysia had two female ministers, four female deputy minister, four female senators and six female Members of the Parliament.<sup>44</sup>

Table 14 shows the number of male and female ministers, deputy ministers and parliamentary secretaries in Malaysia for 2004.

TABLE 14 : MINISTER, DEPUTY MINISTER, PARLIAMENTARY SECRETARY, MALAYSIA, 2004

	Total	Male	Female	% Female
Cabinet Minister	33	30	3	9.1
Deputy Minister	38	35	3	7.9
Parliamentary Secretary	22	16	6	27.3
Total	93	81	12	12.9

Source: <http://www.kpwkm.gov.my/mal/showstatistik.pl?action=display&id=1082616307>

Note: Figures are as at 31 July 2003

<sup>41</sup> Source: Ministry of Women, Family and Community Development at <http://www.kpwkm.gov.my/Bm/statistic.asp>

<sup>42</sup> Source: Ministry of Women, Family and Community Development at <http://www.kpwkm.gov.my/Bm/statistic.asp>

<sup>43</sup> Source: Ministry of Women, Family and Community Development at <http://www.kpwkm.gov.my/Bm/statistic.asp>

<sup>44</sup> See "The Progress of Malaysian Women Since Independence, 1957-2000" by the Ministry of Women, Family and Community Development or formerly Ministry of Women and Family Development and UNDP, p.97 & 98.

## **5. EFFORTS TO PROMOTE GENDER EQUALITY AND EMPOWERMENT OF WOMEN IN MALAYSIA**

Various efforts have been undertaken by the Government of Malaysia to promote gender equality and empowerment of women at various levels:

### **5.1 Amendment to Article 8(2) of the Federal Constitution**

The Malaysian Government recognises the role of women in society and the need to ensure that women are not discriminated. The principle of Non-Discrimination in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was incorporated in article 8(2) of the Federal Constitution in 2001<sup>45</sup>

In addition, women's progress in development in Malaysia has been closely monitored. The Sixth Malaysia Plan was the first Malaysia Plan that expressly recognised women as an important economic resource.<sup>46</sup> The Plan also highlighted challenges and strategies in relation to women in development.<sup>47</sup> Since then, the subsequent 5-year Plans have dedicated a whole chapter on Women in Development in Malaysia.

### **5.2 The Establishment of the Ministry of Women, Family and Community Development (MWFCD).**

The setting up of the Ministry of Women Affairs in 2001 marked the seriousness of the Government in addressing the development of women in Malaysia. The scope and name of the Ministry underwent significant changes.<sup>48</sup> The Ministry is currently known as the Ministry of Women, Family and Community Development (MWFCD). Among others, MWFCD is responsible for overseeing the development of women in Malaysia in various sectors. The Ministry is also responsible for formulating policies and programmes that contribute to the progress and well-being of women in Malaysia.

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<sup>45</sup> See para. 45 of the Report of "The Progress of Malaysian Women since Independence 1957-2000" by the Ministry of Women and Family Development, P.13

<sup>46</sup> See para 1.15 of "The Progress of Malaysian Women since Independence 1957-2000" by the Ministry of Women and Family Development, P.20

<sup>47</sup> See para 1.15 of "The Progress of Malaysian Women since Independence 1957-2000" by the Ministry of Women and Family Development, P.20

<sup>48</sup> The Ministry of Women, Family and Community Development had undergone expansion and improvement in terms of function, scope and responsibility. The setting up of the Ministry, which was initially known as the Ministry of Women Affairs was announced by the then Prime Minister on 17 January 2001. The functions were expanded while the name of the Ministry was changed to the Ministry of Women and Family Development on 15 February 2001. In 2004, the functions and responsibilities of the Ministry were further expanded to include community development and unity. In line with the added responsibility, the name of the Ministry was changed to the Ministry of Women Family and Community Development. See Ministry of Women, Family and Community Development profile at [http://www.kpwkm.gov.my/bm/pfl\\_kpwkm\\_latarbelakang.asp?](http://www.kpwkm.gov.my/bm/pfl_kpwkm_latarbelakang.asp)

By forming close relationships and alliance with various agencies and parties such as NGOs and other Ministries, MWFCD promotes gender equality in Malaysia. The Ministry works closely with other Government agencies in the collection of disaggregated data to better identify the problems, issues and achievements of women and for improved policy making, programme planning and implementation.

### **5.3 Ratification of the Convention of the Elimination of All Forms of Discrimination against Women (CEDAW)**

Malaysia became a State Party to CEDAW on 5 July 1995 with several reservations, some of which were subsequently withdrawn.<sup>49</sup>

CEDAW elaborates the principle of gender equality in all aspects of women's lives. Thus, women are entitled to the enjoyment of all human rights including the right to economic development and resources. Gender inequality to access these resources is a deprivation of women's rights and perpetuates women's economic inequality, thus leading to poverty among women.

### **5.4 National Policy on Women (Dasar Wanita Negara)**

The role of women in the family, community, economy and politics is recognised by the Government. This recognition is crystallised in the formulation of strategies that effectively involve women in development processes.

The National Policy on Women was formulated by the Government in 1989 to mainstream the participation of women in national development. The objectives of the Policy mirror Malaysia's efforts in ensuring equal opportunity for both women and men in socio-economic development. In line with the international human rights principles, the objectives of the Policy,<sup>50</sup> as stated in the Sixth Malaysia Plan, include:

5.4.1 *To ensure equitable sharing in the acquisition of resources and information as well as access to opportunities and benefits of development, for both men and women; and*

5.4.2 *To integrate women in 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.*

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<sup>49</sup> See SUHAKAM's Report on "Round Table Discussion: Rights and Obligations Under CEDAW", p.35. See also Ministry of Women, Family and Community Development's statement on the Convention at [http://www.kpwkm.gov.my/bm/pfl\\_kpwkm\\_pelantindakan02.asp?](http://www.kpwkm.gov.my/bm/pfl_kpwkm_pelantindakan02.asp?)

<sup>50</sup> See para. 16.03 of the Sixth Malaysia Plan 1991 – 1995, p.413

## 5.5 Cabinet Committee on Gender Equality

The Cabinet Committee on Gender Equality was established on 6 December 2004. The Committee aims to ensure issues on gender equality are fundamental agenda for the Government and to ensure Government policies and procedures are sensitive on gender balance. The responsibilities of the Cabinet Committee include:

- formulating policies, strategies and programmes that advance the progress of gender equality in Malaysia;
- advocating gender equality in both the public and private sectors;
- identifying, reviewing and acknowledging amendments to Government laws and regulation that are receptive to gender;
- monitor implementation of obligations and commitment by the nation under international conventions on gender equality, such as the Beijing Platform for Action. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and Commonwealth Plan of Action; and
- ensuring appropriate procedures are in place to achieve gender equality within all sectors at various levels.

The Cabinet Committee on Gender Equality is chaired by the Prime Minister of Malaysia and the Ministry of Women, Family and Community Development is the Committee Secretariat. Members of the Cabinet Committee on Gender Equality include:

- The Minister of Housing and Local Government
- The Minister of Information
- The Minister of Human Resources
- The Minister of Women, Family and Community Development
- The Minister of Education
- The Minister of Higher Education
- The Minister of Rural and Regional Development
- The Minister of Entrepreneur and Co-operative Development
- The Minister of Health
- The Minister of Youth and Sports
- The Minister in the Prime Minister's Department (Islamic Affairs)
- The Minister in the Prime Minister's Department (Law)
- Chief Secretary to the Government

Additionally, representatives from other Government agencies are also invited to participate in discussions with the Cabinet Committee. Among others, they include the Director General of Public Service, Malaysia, the Secretary General of Treasury, the Malaysian Chief of Police, the Secretary-General of the Ministry of Internal Security, the Secretary General of the Ministry of Human Resources, Director General of the Economic Planning Unit and the Director General of the Department of Islamic Development.

## 5.6 30% Target for Women's Participation at Decision-Making Level.

The Government realizes that Malaysia is lagging in women's participation at the decision-making level.<sup>51</sup> In August 2004, the Prime Minister of Malaysia announced the 30% target for women at decision-making level. This target will ensure women's participation in the formulation of the country's policies and programmes as well as to ensure that women in Malaysia are adequately represented in politics.

## 5.7 The Seventh Principle of Islam Hadhari

The 'Islam Hadhari' or Civilisational Islam is the Government's approach to inculcate 10 of the basic principles as the foundation of Islamic civilization. The seventh Principle is the protection of the rights of minority groups and women.<sup>52</sup>

At the Non-Aligned Movement (N.A.M.) Ministerial Meeting on the Advancement of Women on 20 May 2005, the Prime Minister of Malaysia stated that it is a challenge to change deep-rooted perceptions of women's role in society. The challenge is even greater in situations where religion is being misused as a tool to suppress women. It is far more depressing when religion is misused to discriminate women for personal interest. Thus, the practice of 'Islam Hadhari' may be able to improve women's development in line with the country's development.

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<sup>51</sup> Speech by Y.B. Datuk Seri Shahrizat Abdul Jalil at the Perhimpunan Agung UMNO 2004. Document can be found at <http://utusan.com.my/utusan/special.asp?pr=umno2004&pub=umno2004&pg=ProfilDatukSeriShahrizatAbdulJalil.htm>

<sup>52</sup> See Government Website on Islam Hadhari at <http://www.islam.gov.my/islamhadhari/prinsip-07.html>. Islam Hadhari recognises every individual's dignity without discrimination. As enshrined in the Maqasid as-Syariat, this approach recognises everyone's rights as guaranteed by national laws in respect to life, religion and relationship with others. Infringement of these rights is against the law. The Quran (verse 49:13) states that mankind must respect each other:

*"O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that yet may know each other (not that ye may despise (each other)). Verily the most honoured of you in the sight of Allah is (he who is) the most righteous of you. And Allah has full knowledge and is well acquainted (with all things)."*

*Surah al-Hujuraat*

## **6 GENDER EQUALITY ISSUES IN MALAYSIA**

Among the gender equality issues that are pertinent to Malaysia are the following:-

### **6.1 Perceived traditional roles of men and women in education**

The domination of male students in science and technical related courses and women in education and health care related courses may portray the influence of the perceived traditional role of men and women.

There is the need to ensure that both male and female students enroll in courses that match their interest and capabilities, to ensure that they are able to apply their knowledge in their future careers and at the same time, to be competitive with their counterparts from the opposite sex.

### **6.2 Low female participation in labour force**

Although female participation at various levels of education is commendable, this is not reflected in Malaysia's female labour force participation rate. In 2004, it was estimated that 10,856<sup>53</sup> persons were within the working age population of 15 to 64 years. The total number of economically active male (as a percentage of males in the working age population) was 88.1%<sup>54</sup>. However, the total number of economically active female (as a percentage of the total number of females in the working age population) was 46.4%<sup>55</sup>.

Thus there is the need to ascertain the causes of low participation of women in the labour force and to ensure that there is enabling environment for women to easily participate in the labour force. As women make up approximately half of the Malaysian population, the economic contribution by this group can be significant to the country. This in turn will positively influence the progress of women's rights to an adequate standard of living in Malaysia.

### **6.3 Majority female in lower level positions in employment**

In 2004, the male labour force participation rate was 88.1%<sup>56</sup>, while the female labour force participation rate was 46.4%<sup>57</sup>. In addition to that fact that less than half of the total of women in labour force is active, poverty

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<sup>53</sup> Source: 'The Malaysian Economy in Figures 2004' by Economic Planning Unit

<sup>54</sup> Source: 'The Malaysian Economy in Figures 2004' by Economic Planning Unit

<sup>55</sup> Source: 'The Malaysian Economy in Figures 2004' by Economic Planning Unit

<sup>56</sup> Source: 'The Malaysian Economy in Figures 2004' by Economic Planning Unit

<sup>57</sup> Source: 'The Malaysian Economy in Figures 2004' by Economic Planning Unit

amongst women is aggravated due to the fact that a significant number of women who participate in the labour force are only able to get lower level positions and lower income-generating jobs.

#### **6.4 Female earn less than 50% of men's income**

According to the UNDP's "Human Development Report 2005", in 2003 the estimated earned income for Malaysian men was USD 12,869<sup>58</sup> (PPP)<sup>59</sup>, while the estimated earned income for Malaysian women was USD 6,075<sup>60</sup> (PPP) for the same year. Thus, in 2003, women earned only 47.2% of men's income in Malaysia.

#### **6.5 High poverty rate amongst female-headed households**

In Malaysia, the number of female headed households categorised as poor is higher than the national average figure. The incidence of poverty in Malaysia for 2002 was 5.1%<sup>61</sup>, while the incidence of poverty amongst female headed households was 12.5%<sup>62</sup>. This figure is estimated to increase as more divorce cases are filed in Malaysia<sup>63</sup>. In 1999, the total number of divorce was 14,251<sup>64</sup> which increased to 18,867<sup>65</sup> in 2003.

#### **6.6 Women in less developed areas**

More women in less developed areas such as rural and isolated areas, and less developed states are more vulnerable as economic development in these areas is significantly slow. This aggravates poverty in these areas. Women in these areas are usually housewives or are engaged in low income-generating work. For instance, in 2004, Sabah and Sarawak recorded high female participation in agriculture, hunting and forestry and the fishing industry. These states were followed by Kelantan.

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<sup>58</sup> See "Human Development Report 2005" by UNDP, p.300

<sup>59</sup> Purchasing Power Parity (PPP)

<sup>60</sup> See "Human Development Report 2005" by UNDP, p.300

<sup>61</sup> Source: Ministry of Women, Family and Community Development website at <http://www.kpwkm.gov.my/panel/Upload/4.1Kadar%20Kemiskinan%20Dan%20Bilangan%20Isi%20Rumah%20Miskin%201999%202002.pdf>

<sup>62</sup> Source: Ministry of Women, Family and Community Development website at <http://www.kpwkm.gov.my/panel/Upload/4.1Kadar%20Kemiskinan%20Dan%20Bilangan%20Isi%20Rumah%20Miskin%201999%202002.pdf>

<sup>63</sup> Minister of Women, Family and Community Development, YAB Dato' Seri Shahrizat Abdul Jalil at the 'Non-Aligned Movement(NAM) Ministerial Meeting on the Advancement of Women', held from 7 to 10 May 2005.

<sup>64</sup> In 1999, the total number of Muslim divorces was 13,155 which increased to 15,549 in 2003; while the total number of non-Muslim divorces 1,096 in 1999 which increased to 3,318 in 2003. Source: Ministry of Women, Family and Community Development website at <http://www.kpwkm.gov.my/Bm/statistic.asp>

<sup>65</sup> In 1999, the total number of Muslim divorces was 13,155 which increased to 15,549 in 2003; while the total number of non-Muslim divorces 1,096 in 1999 which increased to 3,318 in 2003. Source: Ministry of Women, Family and Community Development website at <http://www.kpwkm.gov.my/Bm/statistic.asp>

## **6.7 Insufficient number of women in decision making positions in both corporate and government sectors**

Only a handful of women were able to get decision making positions in both the private sector and Government. It is important to note that the progress with respect to women in decision-making is slow in Malaysia. Although the Government has announced its commitment to ensure 30% female participation in decision-making levels in the government, the policies and programmes to realise this has yet to be implemented.<sup>66</sup>

## **7. RECOMMENDATIONS**

SUHAKAM would like to make the following recommendations:

### **7.1 Eliminate perceived traditional roles of men and women**

SUHAKAM recommends that education and awareness programmes be implemented to eliminate the assumed traditional roles of men and women. Thus, programmes should be implemented at various levels of education and employment. Awareness campaigns should also be implemented in less developed communities such as the Orang Asli community.

### **7.2 Remove Discriminatory practices**

It is recommended that current policies in both public and private sectors be reviewed to ensure provisions enshrined in national laws are not open to discriminatory interpretation. In addition, new laws should be formulated to prevent practices that may encourage discrimination.

Despite good legislative efforts by the Malaysian Government to ensure equality in Malaysia, such as the amendment of Article 8(2) of the Federal Constitution, there are some cases where women are subjected to discriminatory rules which disadvantage them economically and socially. For instance, Beatrice Fernandez a Malaysian Airlines System (MAS) Stewardess from 1980, was fired in 1991 because she became pregnant and refused to resign. The case was brought to court and she lost.

There is the need to ensure that policies and regulations formulated by stakeholders in various sectors do not directly or indirectly condone discriminatory practices.

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<sup>67</sup> Malaysia's Prime Minister, Y.B. Dato' Seri Abdullah Ahmad Badawi, in his Keynote Address at the NAM Ministerial Meeting on the Advancement of Women, affirmed the Government's commitment to ensure 30% female participation in decision making. Keynote address by Y.B. Dato' Seri Abdullah Ahmad Badawi is available at [http://www.pmo.gov.my/WebNotesApp/PMMMain.nsf/hv\\_PMKiniSemasaNew/638CA2E1DD6FA0C248256FFC003287D8](http://www.pmo.gov.my/WebNotesApp/PMMMain.nsf/hv_PMKiniSemasaNew/638CA2E1DD6FA0C248256FFC003287D8)

### **7.3 In-depth research on low female participation managerial sector and higher paid jobs.**

SUHAKAM recommends that an in-depth research be conducted by the Government to ascertain the reasons for low female labour force participation.

According to data from the Malaysian Government, in 2004, the female labour force participation rate was relatively lower when compared to male labour force participation rate.

In the event that the research reveals that causes of non-participation are indeed due to discriminatory practices, State Parties to CEDAW, including Malaysia, are obliged to ensure that the practice is eliminated as required by CEDAW.

### **7.4 Support for women in less developed areas**

SUHAKAM recommends that efforts to support women in less developed areas be intensified.

Funding schemes and training programmes should be extended and expanded to less developed areas such as Kelantan, Sabah and Sarawak regardless of their race, color, sex, language and religious and political beliefs as required by International Human Rights Instruments such as CEDAW.

### **7.5 Expedite 30% target by the Government**

SUHAKAM recommends that policies and programmes to ensure 30% female participation at decision making levels, as committed by the Government be implemented expeditiously.<sup>67</sup>

As mentioned by the Minister of Women, Family and Community Development at the Non-Aligned Movement (NAM) Ministerial Meeting of the Advancement of Women, held from 7 to 10 May 2005, although there is a commitment by the Government that targets 30% female participation at decision making levels, the challenge now is for all sectors to facilitate and expedite such participation through the formulation and implementation of strategies to empower women to achieve this target.

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<sup>67</sup> Malaysia's Prime Minister, Y.B. Dato' Seri Abdullah Ahmad Badawi, in his Keynote Address at the NAM Ministerial Meeting on the Advancement of Women, affirmed the Government's commitment to ensure 30% female participation in decision making. Keynote address by Y.B. Dato' Seri Abdullah Ahmad Badawi is available at [http://www.pmo.gov.my/WebNotesApp/PMMMain.nsf/hv\\_PMKiniSemasaNew/638CA2E1DD6FA0C248256FFC003287D8](http://www.pmo.gov.my/WebNotesApp/PMMMain.nsf/hv_PMKiniSemasaNew/638CA2E1DD6FA0C248256FFC003287D8)

## **7.6 Gender Disaggregated Data**

To ensure the effective implementation of policies and programmes that benefit women, gender disaggregated data is needed. In relation to women living in poverty, gender disaggregated data would assist in the formulation of programmes as well as allocating resources that prioritise women. SUHAKAM therefore recommends that relevant data based on gender be made available.

## **7.7 Emphasis on the Substantive Equality Approach.**

SUHAKAM recommends that the Government emphasise the Substantive Equality Approach as adopted by CEDAW which requires the delivery of equal outcomes rather than equal treatment.

For instance, female students' enrollment at the various levels of education is commendable (Refer data on page 10 of the Report). This shows that both men and women have equal access to education. However, the low percentage of the female labour force participation and female participation in lower level occupations, do not reflect successful education attainment standards amongst women (*Refer data on page 16 to 19*).

## **7.8 Government to Review their Reservations to CEDAW**

SUHAKAM further recommends that the Government review the reservations to CEDAW and fully implement the provisions so that women can fully benefit from development for the enjoyment of a rightful place in society.

## **8. CONCLUSION**

The Sixth Malaysia Plan marked Malaysia's commitment to address gender equality. Various efforts have been undertaken by the Government and other organisations to promote gender equality in Malaysia. Despite various policies and programmes being formulated and implemented, poverty among women in Malaysia is still high. Since poverty traps women in multiple layers of discrimination and hinders their ability to claim their rights, ending feminised poverty should be a core priority.

Economic and social policies should take gender disparities into account. Women should be given seats at tables where economic and social decisions are made so that they have a chance to rectify the deepening existing inequalities. There is a need to give priority to women who are at increased risks of poverty, i.e. poor female-headed households, ethnic minority and disadvantaged women.

Helping women reshape the economic and social spectrum, enlarging women's participation in overarching policies governing resource flows and the everyday practicalities of gaining secure livelihoods will, to a great extent, protect the human rights of women.

The advancement of women needs strong social, economical and political support and commitment. Women need to have adequate access to knowledge and economic resources as well be given to opportunity to contribute towards policy decisions. SUHAKAM urges that the formulation and implementation of policies and programmes for women should follow the Substantive Equality Approach adopted by CEDAW.

SUHAKAM urges the Government to reviews all legislations and policies to harmonise the gender perspective and make them sensitive.

SUHAKAM further recommends that the Government review the reservations to CEDAW and fully implement the provisions so that women can fully benefit from governmental development for the enjoyment of a rightful place in society.

## ANNEXURE 1

### MILLENNIUM DEVELOPMENT GOALS, TARGETS AND INDICATORS

<b>Goal 1: Eradicate Extreme Poverty and Hunger</b>		
<b>Target 1:</b>	Halve, between 1990 and 2015, the proportion of people whose income is less than one dollar a day	1a. Proportion of population below \$1 (PPP) per day <sup>a</sup> 1b. Poverty headcount ratio (% of population below the national poverty line) 2. Poverty gap ratio (incidence x depth of poverty) 3. Share of poorest quintile in national consumption
<b>Target 2:</b>	Halve, between 1990 and 2015, the proportion of people who suffer from hunger	4. Prevalence of underweight children under five years of age 5. Proportion of population below minimum level of dietary energy consumption
<b>Goal 2: Achieve Universal Primary Education</b>		
<b>Target 3:</b>	Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling	6. Net enrolment ratio in primary education 7a. Proportion of pupils starting grade 1 who reach grade 5 7b. Primary completion rate 8. Literacy rate of 15-24 year olds
<b>Goal 3: Promote Gender Equality and Empower Women</b>		
<b>Target 4:</b>	Eliminate gender disparity in primary and secondary education preferably by 2005 and to all levels of education no later than 2015	9. Ratio of girls to boys in primary, secondary and tertiary education 10. Ratio of literate females to males of 15-24 year olds 11. Share of women in wage employment in the non-agricultural sector 12. Proportion of seats held by women in national parliament
<b>Goal 4: Reduce Child Mortality</b>		
<b>Target 5:</b>	Reduce by two-thirds, between 1990 and 2015, the under-five mortality rate	13. Under-five mortality rate 14. Infant mortality rate 15. Proportion of 1 year old children immunised against measles
<b>Goal 5: Improve Maternal Health</b>		
<b>Target 6:</b>	Reduce by three quarters, between 1990 and 2015, the maternal mortality ratio	16. Maternal mortality ratio 17. Proportion of births attended by skilled health personnel

## ANNEXURE 1

Goal 6: Combat HIV/AIDS, Malaria and other Diseases			
<b>Target 7:</b>	Have halted by 2015, and begun to reverse, the spread of HIV/AIDS	18. 19. 19a. 19b. 19c. 20.	HIV prevalence among 15-24 year old pregnant women Condom use rate of the contraceptive prevalence rate <sup>b</sup> Condom use at last high-risk sex Percentage of population aged 15-24 with comprehensive correct knowledge of HIV/AIDS <sup>c</sup> Contraceptive prevalence rate Ratio of school attendance of orphans to school attendance of non-orphans aged 10-14
<b>Target 8:</b>	Have halted by 2015, and begun to reverse, the incidence of malaria and other major diseases	21. 22. 23. 24.	Prevalence and death rates associated with malaria Proportion of population in malaria risk areas using effective malaria prevention and treatment measures <sup>d</sup> Prevalence and death rates associated with tuberculosis Proportion of TB cases detected and cured under Directly Observed Treatment Short Course (DOTS)
Goal 7: Ensure Environmental Sustainability			
<b>Target 9:</b>	Integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources	25. 26. 27. 28. 29.	Proportion of land area covered by forest Ratio of area protected to maintain biological diversity to surface area Energy use (kg oil equivalent) per \$1 GDP (PPP) Carbon dioxide emissions (per capita) and consumption of ozone depleting CFCs (ODP tons) Proportion of population using solid fuels
<b>Target 10:</b>	Halve, by 2015, the proportion of people without sustainable access to safe drinking water and basic sanitation	30. 31.	Proportion of population with sustainable access to an improved water source, urban and rural Proportion of urban and rural population access to improved sanitation
<b>Target 11:</b>	By 2020, to have achieved a significant improvement in the lives of at least 100 million slum dwellers	32.	Proportion of households with access to secure tenure
Goal 8: Develop a Global Partnership for Development*			
<b>Target 12:</b>	Develop further an open, rule-based, predictable, non-discriminatory trading and financial system  Includes a commitment to good governance, development, and poverty reduction – both nationally and internationally	33. 34. 35.	<b>Official Development Assistance</b> Net ODA, total and to LDCs, as percentage of ECD/DAC donors' gross national income Proportion of total bilateral, sector-allocable ODA of OECD/DAC donors to basic social services (basic education, primary health care, nutrition, safe water and sanitation) Proportion of bilateral ODA of OECD/DAC donors that is untied

## ANNEXURE 1

<p><b>Target 13:</b></p>	<p>Address the Special Needs of the Least Developed Countries</p> <p>Includes: tariff and quota free access for LDC exports; enhanced programme of debt relief for HIPC and cancellation of official bilateral debt; and more generous ODA for countries committed to poverty reduction</p>	<p>36. 37.</p>	<p>ODA received in landlocked countries as proportion of their GNIs</p> <p>ODA received in small island developing States as proportion of their GNIs</p>
<p><b>Target 14:</b></p>	<p>Address the Special Needs of landlocked countries and small island developing states</p> <p>(through the Programme of Action for the Sustainable Development of Small Island Developing States and the outcome of the twenty-second special session of the General Assembly)</p>	<p>38. 39. 40. 41.</p>	<p><b>Market Access</b></p> <p>Proportion of total developed country imports (by value and excluding arms) from developing countries and LDCs admitted free of duties</p> <p>Average tariffs imposed by developed countries on agricultural products and textiles and clothing from developing countries</p> <p>Agricultural support estimates for OECD countries as percentage of their GDP</p> <p>Proportion of ODA provided to help build trade capacity</p>
<p><b>Target 15:</b></p>	<p>Deal comprehensively with the debt problems of developing countries through national and international measures in order to make debt sustainable in the long term</p>	<p>42. 43. 44.</p>	<p><b>Debt Sustainability</b></p> <p>Total number of countries that have achieved their HIPC decision points and number that have reached their HIPC completion points (cumulative)</p> <p>Debt relief committed under HIPC initiative, US\$</p> <p>Debt service as a percentage of exports of goods and services</p>
<p><b>Target 16:</b></p>	<p>In co-operation with developing countries, develop and implement strategies for decent and productive work for youth</p>	<p>45.</p>	<p>Unemployment rate of 15-24 year olds, each sex and total<sup>9</sup></p>
<p><b>Target 17:</b></p>	<p>In co-operation with pharmaceutical companies, provide access to affordable, essential drugs in developing countries</p>	<p>46.</p>	<p>Proportion of population with access to affordable essential drugs on a sustainable basis</p>
<p><b>Target 18:</b></p>	<p>In co-operation with the private sector, make available the benefits of new technologies, especially information and communications</p>	<p>47. 48a. 48b.</p>	<p>Telephone lines and cellular subscribers per 100 population</p> <p>Personal computers in use per 100 population and Internet users per 100 population</p> <p>Internet users per 100 population</p>

## ANNEXURE 1

- <sup>a</sup> For monitoring country poverty trends, indicators based on national poverty lines should be used, where available
- <sup>b</sup> Amongst contraceptive methods, only condoms are effective in preventing HIV transmission. The contraceptive prevalence rate is also useful in tracking progress in other health, gender and poverty goals. Because the condom use rate is only measures amongst women in union, it is supplemented by an indicator on condom use in high-risk situations (indicator 19a) and an indicator on HIV/AIDS knowledge (indicator 19b).
- <sup>c</sup> This indicator is defined as the percentage of population aged 15-24 who correctly identify the two major ways of preventing the sexual transmission of HIV (using condoms and limiting sex to one faithful, uninfected partner), who reject the two most common local misconception about HIV transmission, and who know that a healthy looking person can transmit HIV. However, since there are currently not a sufficient number of surveys to be able to calculate the indicator as defines above, UNICEF, in collaboration with UNAIDS and WHO, produced two proxy indicators. They are the following: a) Percentage of women and men 15-24, who know that a person can protect herself from HIV infection by “consistent use of condoms”. b) Percentage of women and men 15-24 who know a healthy looking person can transmit HIV. Data for this year’s report are only available on women.
- <sup>d</sup> Prevention to be measured by the percentage of children under 5 sleeping under insecticide-treated bednets; treatment to be measured by percentage of children under 5 who are appropriately treated.
- <sup>e</sup> An improved measure of the target is under development by ILO for future years.
- <sup>\*</sup> Some of the indicators listed are monitored separately for the least developed countries (LDCs), Africa, landlocked countries and small island developing States

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