



# TOWARDS ACHIEVING AT LEAST 30% PARTICIPATION OF WOMEN AT DECISION MAKING LEVELS WORKSHOP

## REPORT ON PROCEEDINGS OF WORKSHOP

**23 October 2008**  
**Renaissance Hotel, Kuala Lumpur**

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## **INTRODUCTION**

This is a report of the proceedings of the Towards Achieving 30% Participation of Women at Decision Making Level Workshop, held on Thursday, 23 October at the Renaissance Hotel, Kuala Lumpur, Malaysia. This workshop was organised by the Ministry of Women, Family and Community Development (MWFCD) in collaboration with the United Nations Development Programme Malaysia (UNDP). This workshop was divided into three (3) sessions: in Session 1, a presentation was made on the General Overview of the draft Plan of Action, and this was followed by the 'breakout' session (Session 2), where participants were grouped according to sectoral interest to discuss the respective Sectoral Plans of Action. The findings of the respective groups were presented in the Plenary Session (Session 3). A total of 113 participants attended the one-day workshop, and they included officials from the various ministries in Malaysia, advocacy groups, representatives from NGOs and CSOs, the law fraternity, private sector and politicians. The list of participants is in Appendix I.

## **Background**

In August 2004, the Prime Minister of Malaysia announced the policy of at least 30% participation of women at the decision-making level in all sectors of the work force; the Ministry of Women, Family and Community Development (MWFCD) has been tasked to formulate a Plan of Action towards the achievement of this policy both in the public and private sectors in partnership with the United Nations Development Programme (UNDP). This move is also in line with Malaysia's international commitments to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Platform for Action. On its part, the government of Malaysia has set a target of at least 30 percent female representation in decision-making positions in the public sector in the 9<sup>th</sup> Malaysia Plan. Research consultants, who are experts in the various fields of the project, conducted in-depth interviews and focus group discussions to identify the obstacles in six (6) broad sectors that have been identified to bring about the necessary reforms needed to achieve the target viz. the Legislative sector, involving Parliament and political parties; Legislative involving state legislatures, state EXCOs and local councils; Executive involving the ministries; Executive involving statutory bodies and universities; Judiciary and the private sector.

## **Objectives of Workshop**

The objective of this Workshop is to obtain feedback from representatives from the six identified sectors in the proposed Plan of Action. It is hoped that the Plan of Action can be finalised in November 2008, to be submitted to the Cabinet for endorsement in the first quarter of 2009.

## **Welcoming Remarks**

In her welcoming remarks, Puan Daratul Baida Osman Khairuddin, UNDP Officer-in-Charge, commended the MWFCDC for their efforts in advancing the status of women in the country, and said that UNDP was proud to be a partner in projects that supported inclusive development. She emphasised that gender equality should be a working goal as it was central to development.

The Beijing +5 review recorded profound changes to the status of women vis-à-vis narrowing gender gaps, particularly in education and health over the last two decades. Although women have entered the labour force in unprecedented numbers, and thus increasing potential participation in decision making, nevertheless the progress has been slow and uneven in this area—women continue to be under-represented in formal decision making structures, and these gender disparities persist in public positions. In 2004, it was reported that only 17 countries had achieved the interim goal set at the 1995 Beijing Platform for Action to have women hold at least 30% of national legislative seats.

To enable women to participate in decision making that affect their families, communities and population as a whole, new mechanisms that allow women to directly influence the broader economic and political spheres have to be established. This Workshop will use the participatory approach to enable stakeholders from the public and private sectors, civil society and academia to look at the issues and challenges faced by women, and provide recommendations to overcome the obstacles to progress. By the sharing of experiences, knowledge and lessons learnt in gender mainstreaming, it is hoped that the goals envisaged in the Millennium Development Goal on promoting gender equality and women's empowerment by 2015 can be achieved.

Puan Daratul thanked the Deputy Minister of MWFCDC, YB Puan Noriah Kasnon, as well as the Deputy Secretary General of the Ministry, Y. Bhg. Datuk Nor Hayati Sulaiman, for their support and participation. She hoped that participants would have a productive workshop.

## Official Opening

In her opening remarks, YB Puan Noriah Kasnon thanked the various groups for their commitment and participation at the Workshop to provide feedback and input to the Draft Integrated Final Report and the proposed Plan of Action towards achieving at least 30% participation of women at decision-making levels in Malaysia. This Workshop was part of a project that began on 1 June 2007 for duration of 18 months to formulate the Plan of Action in the hope of attaining a least 30% at decision making level in 6 (six) identified sectors. She thanked UNDP Malaysia for providing the support to MWFCF in promoting equality through gender mainstreaming. In Malaysia, the female labour force participation rate was low—46.4% in 2007—compared with Singapore (56.7%), Thailand (71.4%), Japan (61.3%), USA (69.3%) and Sweden (77.7%). In terms of the total labour force, women made up only 35.9% of the total labour force. Participation of women in politics increased only very moderately: 2.9% of those elected to Parliament in 1959 were women, compared to only 10.8% in 2008. The percentage of women elected to State Assemblies was 2.7% in 1986, and 8.0% in 2008. In the Senate, the percentage of women fell from 33% in 2004 to 26.7% in 2008.

To accelerate progress towards gender balance in the public sector, the Government adopted the policy of at least 30% women in decision-making positions in the public sector in August 2004; there has been considerable progress as women in top management positions increased from 18.8% in 2004 to 37.5% in 2008. In the corporate sector however, the percentage of women represented in boards of directors has fallen from 9.9% in 2004 to 5.3% in 2007. In the private sector, women at decision-making levels (including General Managers, Presidents, COOs and CEOs) have risen from 13.5 % in 2004 to 24% in 2007. In the legal services sector where 46.7% of registered lawyers are women, there are only three (3) women judges out of 20 in the Courts of Appeal, no women judges in the Federal Courts, 13 women judges out of 48 at the High Court, and only five (5) out of 16 judicial commissioners are women.

Thirteen years after the Beijing Platform for Action endorsed by the 4th World Conference on Women, progress has been slow to limited. To address this persistent imbalance, the UNDP and MWFCF have embarked on this project to formulate a Plan of Action towards achieving at least 30% participation of women at decision making levels in Malaysia. YB Puan Noriah Kasnon outlined the following steps: continuous consultations and dialogues in the formulation of the national action agenda; changing mindsets through intervention and education to promote greater awareness among men and women of issues concerning diversity and inclusiveness in society as a whole, including the workplace; and changing negative perceptions and institutionalised stereotyping on the role of women vis-à-vis motherhood. Despite the long-standing recognition of the fundamental right of men and women to participate fully in society, in practice the gap between *de jure* and *de facto* equality in the area of decision making remains wide.

In concluding, she was confident that the contributions and views of participants comprising both experts and practitioners will catalyse the success of the Plan of Action. She thanked Puan Daratul Baida Osman Khairuddin and her officers at UNDP for their commitment to materialise this Project—the smart partnership between UNDP and MWFCDC has indeed assisted in mobilising resources to deliver specific interventions towards achieving gender equality.

## SESSION 1

### General Overview of the Plan of Action

*Puan Askiah Adam, Lead Consultant*

Puan Askiah summarized the project to attain ultimate gender parity by fast tracking the participation of at least 30% women at decision-making<sup>1</sup> levels in the six identified sectors— Parliament and political parties, State legislatures, EXCOs and local councils, the public sector, statutory bodies/universities, the judiciary and the private sector.

This project, which started in June 2007, will be completed by the end of November. The Plan of Action will be submitted by MWFCDC to the Cabinet for endorsement and approval in early 2009. At the same time, an advocacy document will also be prepared to ensure buy-in of the policies, programmes and activities in the Plan of Action by stakeholders. The research methodology used included literature review, in-depth interviews and focus group discussions. As part of this project, an Inception Workshop was held in September 2007, followed by a ‘Best Practices’ Workshop in December. The Consolidated Interim Report was delivered in January 2008, and the Draft Final Sector Report with Sector Plan of Action was ready in August 2008.

The key challenges identified, common to all the sectors, include:

- The ‘Glass Ceiling’ phenomenon;
- An enabling environment; and
- The ‘invisible woman’ syndrome.

Among the recommendations to overcome the ‘Glass Ceiling’ phenomenon, which is the invisible barriers and obstacles to women’s progress, is to enact a Gender Equality Act to guarantee gender equality in all areas; an interim measure would be the issuance of

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<sup>1</sup> Defined as “women holding down jobs that have a role in influencing and making decisions regarding the policies, priorities and resources that affect their organizations and their work community.”

directives from the Government to public sector organisations which call for the appointment of at least 30% women in decision-making roles. The other recommendations include the establishment of the Ministry of Women's Empowerment, and the compilation of a 'Successful Women Database.'

The recommendations put forth for creating an enabling environment include the enactment of the Sexual Harassment Act to protect women in the workplace, the mandatory provision of community care centres for children and the elderly by township developers, and the introduction of 'flexitime' and 'flexiwork' reforms. Measures recommended for overcoming the 'Invisible Woman' syndrome include re-examining the national curriculum to mainstream gender; making Gender Studies a compulsory module in IHLs; strengthening Gender Studies centres/programmes in public and private universities; the provision of training in leadership and communication skills to build confidence amongst women; and emphasising the role that the media can play in profiling successful women. These legal/organisational/cultural recommendations are grouped into short-term and medium- to long-term goals.

Puan Askiah explained the purpose of the breakout session—the various sectoral groups would discuss the General and the Sector Plan of Action. Research consultants (Appendix 2) briefed the respective groups on the Plan of Action (Appendix 3). Each of the groups nominated a presenter for the Plenary Session.

## **PLENARY SESSION**

***Moderator: Puan Margaret Ho, Policy Advisor, Ministry of Women, Family and Community Development***

The chairperson of each group presented recommendations specific to their respective sectors (Appendix 3). All groups also addressed the recommendations in relation to the issues and challenges common to all sectors i.e. commonalities across sectors involving the following issues:-

- The 'Glass Ceiling' phenomenon;
- An enabling environment; and
- The 'invisible woman' syndrome.

A summary of the main recommendations is given below:

## **GROUP 1**

*Sector 1: Parliament and Political Parties*

*Sector 2: State Legislature, EXCOs and Local Councils*

### **Commonalities**

In discussing commonalities, the group representing Sectors 1 and 2 agreed with the setting up of the Ministry of Women's Empowerment. With respect to the enactment of the Gender Equality Act, the group proposed an Equality Act, which has a larger scope, instead of just being limited to gender issues. The group also suggested 50% participation of women in the decision-making process, instead of the proposed 30%, as the latter figure would still be discriminatory against women. The group was informed that the Joint Action Group for Gender Equality (JAG)'s Sexual Harassment Bill was ready to be submitted to the Ministry.

At the organisational level, the group agreed to the proposed target of at least 30% women in senior management positions in the government sector, although it noted that this target had already been achieved in some ministries and statutory bodies.

Regarding the setting set up of Community Care Centres in townships by developers, the group suggested that the Ministry of Housing and Local Government (MHLG) could incorporate this provision in the local council by-laws as a mandatory clause for private developers. It was suggested a local government bill be introduced to enforce this requirement. The database of potentially successful women proposed should also include the criteria for success, and the timeline for this proposal should be short-term.

At the cultural level, the role of media in intensifying media campaigns to increase gender sensitivity should be accorded priority. This could be done through running daily gender-sensitive women's pages/programmes. Awards for writers/publishers should also include those for gender-centred publications. Regarding the proposal to have Gender Studies as a compulsory module in universities, the group recommended that this proposal should be re-examined further in relation to its implementation, and the reasons for its failure. With regard to the proposal itself, the group felt that the term 'events' in "gender sensitisation programmes and events" should be replaced with 'activities,' and correspondingly, the sub-activity should be changed to "include men in gender awareness activities."

The recommendations of the group are tabulated in Appendix 4(A).

## **Sector-specific Comments**

### *Sector 1: Parliament and Political Parties*

The group agreed with the recommendation of gender parity in the Senate, as well as increasing the number of women ministers to form 30% of the Cabinet. The comment is that the IPU should ensure that at least 30% of the attendees are women before elections can take place, as this would result in at least 30% representation of women at all levels.

On the recommendation to increase the number of constituencies until 30% can be designated as All-Women Constituencies (AWC) or introduce legislative quotas for AWCs, the majority felt that women representatives should vote based on capability. In fact, women candidates should not be limited to AWCs alone. A voluntary party quota system of 30%, and 50% in 'winnable' seats was suggested. Concerns expressed by the group were that the women MPs may be seen as second class MPs, or that the women are put there as 'tokens.' The group recommended legislated party quotas of 30% women candidates.

At the organisational level, the group agreed to the recommendation to revive and revamp the Parliamentary Gender Caucus (PGC) to lobby for more female representation in Parliamentary Select Committees (PSC): at least 30% of chairs, deputy chairs, and members to be set aside for women; either the Speaker or Deputy Speaker in the Dewan Rakyat to be a woman and either the Yang DiPertua or Deputy Yang DiPertua in the Senate to be a woman. The group also agreed to the recommendation to have more women appointed at the management level in the Parliament's administrative service, as well as the practice of mentoring for new women MPs and Senators by more experienced MPs and Senators.

The group agreed to the recommendation to introduce gender sensitisation programmes for MPs and Senators, and for gender mainstreaming to be introduced as a necessary part of legislation—it was suggested that the PGC be included as the implementing agency. The recommendations on capacity building, both for women parliamentarians as well as the grassroots, were accepted by the group. Finally, increasing women MPs' access to media will make them more 'newsworthy.'

The comments of the group dealing with Parliament and political parties are summarised in Appendix 4(B).

## *Sector 2: State Legislature, EXCOs and Local Councils*

The group agreed to the recommendation to monitor the implementation of the present Code of Practices Against Sexual Harassment at Local Councils. It was also agreed that a study be undertaken to review the present electoral process from First-Past-the-Post (FPTP) to Proportional Representation (PR). The Group agreed to the following Temporary Special Measures (TSM), namely the amendment of Electoral Laws to introduce time-specific legislative quota. However, it expressed reservation on EC Special Boundary Delimiting Exercise either to have AWCs, or to increase the number of state seats. Another TSM (for Peninsular Malaysia) is “to propose to the state governments to institute a policy to appoint at least 30% women in decision making in local government”, and the concern of the group is that the respective Chief Ministers will not implement this proposal as it is not legally binding. In this respect, the role of the National Council for Local Government (NCLG) would be to ensure the implementation of this particular TSM. The group also proposed the following implementing agencies: Ministry of Housing and Local Government (MHLG) (lead agency), state governments and Women EXCOs.

Alternatively, the amendment of Act 171 was proposed to include the policy of 30% women councillors, and at the administrative and management levels. Another alternative was to amend legislation in the State List (Schedule 8) to provide for a minimum of 30% women councillors, administrators and managers. The group noted that Article 74(2) of the Federal Constitution enables the state legislature to make laws with respect to the concurrent list (List III) in the Ninth Schedule which includes the protection of women. The states of Sabah and Sarawak should also amend their respective ordinances.

The group included a recommendation to have a Zero Tolerance Sexual Harassment Policy in Parliament as well as in State Legislatures—the JAG had already submitted a report on sexist remarks made by elected representatives. This is done by amending the Parliamentary Standing Order Section 36. Likewise, the Standing Order in State Assemblies should also amend their respective ordinances.

The group agreed with the recommendations for capacity building and training for women in State Assemblies and Local Councils, women members of political parties, and potential female political leaders at the grassroots. On the recommendation for networking, group members felt that the National Association for Local Government Councillors (NALGC) should be included as one of the implementing agencies for the Bi-Annual Conference for Women Councillors, as well as for networking with Regional Organisations and local NGOs. The group agreed that gender disaggregated data should be available for candidates and elected members of Parliament and State Assemblies, Local Council members and EXCO members. On having Gender Score Cards, the Group proposed the inclusion of Local Councils, state governments and women EXCO members as implementing agencies.

On the appointment of Gender Focal Points, the Group felt that it should be qualified further by adding the word ‘functional’ to ensure that the former is a functional position. Finally, the Group agreed with the recommendations to have gender sensitisation programmes for State Assembly and Local Council members, as well as educational activities for women voters.

The proposals/comments of the group are tabulated in Appendix 4(C).

### **Comments, Questions and Answers**

Regarding the setting up of child care centres, a participant commented that there was resistance on the part of employers to the setting up of these centres. She would like the speaker to clarify about the responsibility of private developers.

Workshop participants were informed that the Joint Action Group for Gender Equality (JAG) had prepared and circulated a leaflet asking the public not to vote for ‘sexist’ candidates in the recent Elections.

In order to meet the 30% women as elected representatives criteria, the number of women candidates should be at least 40%, and this requirement is recommended to be included in the Election Commission guidelines. There was a suggestion on the need to monitor and evaluate the implementation of the recommendations of the Plan of Action. The presenter reiterated that the group had reservations about AWC; instead, legislative quotas could be applied to all political parties, and the latter would be obliged to place women candidates in “winnable” seats. There was pressure from civil society regarding the design of the appropriate quota policy – however, the intricate details of implementation would have to be worked out.

## **GROUP 2**

### *Sector 3: Ministries*

#### **Commonalities**

Members of the group representing Sector 3, the Ministries, did not agree to the formation of a separate Ministry of Women’s Empowerment, but to strengthen instead the present Ministry of Women, Family and Community Development by having a better monitoring system, or by setting up more agencies for policy implementation under the Ministry. Group 2 agreed to the enactment of the Gender Equality Act, but felt that the current description of its content was inadequate. The Sexual Harassment Act, on the other hand, should also provide for men.

At the organisational level, the group felt that the timeline for the appointment of 30% women to senior positions in the government sector should be extended to the second quarter of 2010. The provision of Community Care Centres by housing and township developers was an on-going exercise. The comment by Group 2 was that *Projek Perumahan Rakyat* (PPR) provided the space, and not care centres *per se*. Group members also felt that the recommendation of a database of successful women was not practical—besides, the question arose as to who would set the criteria for defining ‘success.’ There were no comments on the short-term and the medium- to long-term strategies at the cultural level.

Comments on commonalities by Group 2 are tabulated in Appendix 5(A).

### **Sector-specific comments**

#### *Sector 3: Ministries*

Group 2 included specific deliverables on the recommendation to conduct training sessions on Code of Practice against Sexual Harassment. The group also proposed that training should be on how to handle sexual harassment cases instead. The group highlighted the fact that there may not be enough women counsellors in the respective ministries, and also that perpetrators of sexual harassment should be counselled as well as the victims. The HR departments of ministries should have at least one man and one woman in charge; with regard to the latter, female victims of sexual harassment may be less reluctant to file complaints on sexual harassment if there is no female representative in these departments. Since the government circular on sexual harassment was already in place, the group felt that all that was needed was action on the part of the ministries.

On Work Life Balance (WLB), group members agreed that there was a need to look at different working arrangements—work done at home, e-working, tele-working and part-time work. There was a suggestion to allow officers to claim ‘time’ in lieu of work done outside working hours. On revision of leave provisions, group members felt that staff who take leave for childcare should not lose their seniority. Group members also agreed that the recommendation to allow staff who resign to rejoin service should be taken up by all Public Service Commissions.

Group members agreed to the recommendation of having 50% women represented in the Public Services Commission and other recruitment boards, and suggested that this be implemented in Q1 2009 instead of Q1 2010. Group members agreed to all the other recommendations with respect to recruitment and training. On promotions—it was suggested that promotions be based on merit and objective criteria. The group did not agree with the introduction of time-bound promotion. The Public Services Promotion Board Regulations 1986 should be reviewed to ensure at least 30% representation of

women on the Promotion Board. Group members expressed their reservations about achieving the targets for 30% participation of women at decision-making levels in every Ministry—the usual flawed arguments about whether there were enough women to fill the posts, and the difficulty in implementing this recommendation were raised. Group members agreed to the recommendation to have 30% of the posts of Secretary Generals and Director Generals in key Ministries to be held by women, but the timeline is to be extended to 2012. The group felt that the recommendation to review criteria and procedure for the appointment of the *Ketua Setiausaha Negara (KSN)*, *Ketua Pengarah Perkhidmatan Awam (KPPA)* and *Ketua Setiausaha Perbendaharaan (KSP)* to ensure that women were considered and appointed to these posts was not practical. The group unanimously agreed to the recommendations on networking and mentoring for women, gender sensitisation in the workplace, and training civil servants to incorporate gender perspectives in policy planning and budgeting.

The comments of the Group reviewing the Plan of Action for Sector 3 (Ministries) are listed in Appendix 5 (B).

### **Comments, Questions and Answers**

During the session, a participant affirmed the current low percentage of women in senior government posts – there were only two (2) women Secretary Generals out of a total of 36 although the percentage is about 55% women at recruitment (in the latest batch), and even higher percentages (70-80%) in the earlier intakes. The appointment to these senior posts is determined by the respective Minister. Another participant concurred that the natural progression of 50% women from recruitment to the higher posts does not take place at all, especially in the universities.

Another suggestion was that there had to be in place legislative quotas as was highlighted in Dr. Mona Lena Krook's paper during the "Best Practices" seminar.

A participant commented that the Government of Malaysia was legally obligated to implement CEDAW, and it was just not enough to say that "we are looking into it" but to take proactive steps. For promotions based on merit, affirmative action has to be taken to put enabling structures in place to enable women to meet criteria for appointments to these senior posts. It was further argued that if the promotion procedures were more transparent, and members of promotion boards more impartial, there would not be a problem. Another member suggested that the problem would be solved if 30% of the Promotion Board comprised women.

A member from the Bar Council pointed out that it was historical that there was a necessity to change laws in order to change mindsets. Therefore, there was a need to amend, and not review the current regulations.

## **GROUP 3**

### *Sector 4: Statutory Bodies and Universities*

#### **Commonalities**

Members of Group 3 representing statutory bodies and universities agreed to the setting up of the Ministry of Women's Empowerment, but suggested that the name sounded somewhat 'threatening.' Group members also emphasised the importance of monitoring the function of the relevant agencies. With respect to the enactment of the Gender Equality Act, Group 3 proposed that the Prime Minister's Department be responsible for setting up the National Gender Equality Commission (NGEC) as well as the legislative quotas. At the organisational level, the group agreed to the recommendation to appoint women to senior positions in the government sector, and suggested that statutory bodies and agencies be included as well. The setting up of Community Care Centres, besides being implemented by MHLG and Local Councils, should also be implemented by statutory bodies as well as the private sector. With respect to the creation of a database of potentially successful women, the IHLs and NGOs should also be included among the implementing agencies.

One of the roles of media would be to provide "regular gender equality pages on successful women as well as men who are supportive of gender equality." Another role would also be to highlight activities of the culture of gender equality in society. On leadership training to build confidence and capacity of women, other relevant training centres besides MWFC, training institutes, and Women NGOs can also be involved.

The incorporation of gender perspectives, besides being in the school curriculum, should also be in the curriculum of pre-marital courses. In this respect, religious organisations as well as NGOs can be included as implementing agencies. There were no comments on the other recommendations under 'commonalities.'

The comments of Group 3 are tabulated in Appendix 6(A).

#### **Sector-specific comments**

### *Sector 4: Statutory Bodies and Universities*

Among the regulatory measures recommended is the introduction and implementation of the Sexual Harassment Code of Practice guided by the PSD Circular of December 2005 in statutory bodies as well as universities. The implementation of gender/family-friendly work practices should also cover MOHE, IHLs, NGOs and trade unions. At the organisational/structural level, the group would like to propose the review of the procedure for appointment of members of university councils and the Senate so that at

least 30% of University Council members and Senate are women. The group also recommended that women should comprise at least 30% of student leaders in the election/appointment of students to leadership bodies. The recommendation on the establishment/enhancement of gender institutes was amended “in order to promote teaching, learning and research in all aspects of gender equality”; generally, all IHLs will be involved in this proposal. Other recommendations involve the design and conduct of structured programmes in gender-sensitive leadership building for different levels of officers through collaborative efforts with IHLs, and establishing a mentoring system in management and transformative leadership. Sustainability of gender equity will be achieved through HRD for second-liners. To monitor and evaluate the success of the implementation of the Plan of Action, in-house M & E units are recommended.

Finally, core courses on gender should be reviewed/ introduced by MOHE, IHLs, statutory bodies and training centres. Courses on transformative leadership training should also be promoted among junior women lecturers and officers. Finally, gender sensitising training should be conducted for all staff, both men and women.

Comments from Sector 4 (Statutory bodies and universities) are summarised in Appendix 6(B).

### **Comments, Question and Answers**

A member of the Bar Council stated that she envisaged the role of Ministry of Women’s Empowerment as that of a think tank on policy making. She cited the case of New Zealand, where the ministry’s streamlined agenda was policy making at the highest level. Another participant likened the proposed Ministry to Indonesia’s Ministry of Women’s Empowerment (formerly Ministry of Women’s Affairs).

With respect to the proposal to review the procedure for election/appointment of students in leadership bodies, it was suggested that the Students Representative Council (*Majlis Perwakilan Pelajar*) be included as one of the implementing bodies.

## **GROUP 4**

### *Sector 5: Judiciary*

#### **Commonalities**

No consensus was reached on the establishment of the Ministry of Women’s Empowerment; group members felt that the MWFC should be given more resources rather than setting up a new Ministry. With respect to the enactment of the Gender Equality Act, group members felt that an Anti-Discrimination Act would have a wider scope and would protect the rights of minorities rather than focussing on gender alone. Group members agreed to all the recommendations at the organisational/structural

level. On the cultural aspect, members proposed that political parties be involved in leadership training as well. Gender-sensitisation programmes and events should be on-going, with the involvement of the Royal Malaysian Police and political parties, among others. Gender sensitisation training should also be given to women in rural areas, and the Ministry of Rural and Regional Development is proposed as one of the implementing agencies. Appointment of gender experts to the CDC and Textbooks Division should also be an on-going exercise.

The comments of Group 4 are summarised in Appendix 7(A)

### **Sector-specific comments**

#### *Sector 5: Judiciary*

At the legal/regulatory level, group members agreed to the enactment of the Judicial Appointment Commissions Act in the short to medium term. This will also “jump start” the setting up of similar Judicial Appointment Commissions for both the Shari’ah and Native Courts; the present structure of the Shari’ah courts will be overhauled, and the status of the Shari’ah court judges will be on par with those in the Civil Courts. It was proposed that the Shari’ah Division of AG’s Chambers as well as Native Chiefs be included in the implementation of this recommendation.

At the organisational/structural level, the recommendation is that the Bar Council be also included as one of the members of the Judicial Appointments Commission. For the Judicial Appointments Commission for the Shari’ah and Native Courts, the relevant agencies -- *Jabatan Kemajuan Islam Malaysia (JAKIM)*, *Jabatan Kehakiman Shari’ah Malaysia (JKSK)*, and Native Chiefs should also be included in the implementation of this recommendation. Group members proposed that the name “Women’s Gender Division” in the AG’s Chambers be changed to “Gender Division” in the recommendation to mainstream gender. Group members also agreed to the establishment of the Malaysian Women Judges Network for the purpose of networking, role modelling, coaching and mentoring.,

Group members proposed that the gender sensitisation programmes be changed from “short to medium term” to “medium to long term”. In the recommendation to organise gender non-discrimination awareness programmes and training to change the mindset of those involved in the appointment of judges, it was proposed that the Training Division of JKSM and *Institut Latihan Kehakiman dan Perundangan (ILKAP)* be involved as well. It was also proposed that CEDAW Convention and Women’s Rights law be included as part of law courses e.g. international law, human rights and jurisprudence. The recommendation “to provide explanation concerning women’s position from the Islamic perspective ...” should include the phrase “to promote justice” as its objective.

The final recommendation “to encourage women from native tribes to learn native customary laws” should be amended to include “... and to encourage men to include women in decision making and training”. Comments of the group are tabulated in Appendix 7(b).

### **Comments, Questions and Answers**

A participant concurred that apart from networking, mentoring and coaching younger women judges was important, as it would prepare younger judges to move into senior posts later. It was brought up that the AG’s Chambers and Shari’ah Section have not discussed the role of SENADA (*Sekretariat Advokasi dan Pemerkasaan Wanita Islam*) and its implications on women from other religious groups.

## **GROUP 5**

*Sector 6: The Private Sector*

### **Commonalities**

Group 5, representing the private sector, also concurred with the establishment of a Ministry of Women’s Empowerment by the fourth quarter of 2009, as well as the enactment of the Acts on Gender Equality and Sexual Harassment. With regard to the proposed Ministry of Women’s Empowerment, the group felt that its establishment will be the best means of ensuring the 30% participation of women in decision-making roles (including senior management positions); however, if its establishment fails to be greenlit by the Government, then the existing MWFCDC should be prepared with a contingency plan. Concerning the respective Acts, they believed that the example of foreign countries with successful gender equality and sexual harassment policies should be the benchmark used by the MWFCDC (in cooperation with the six sectors) in drafting these Acts.

Furthermore, the group also agreed that the media could play an important role in ensuring female empowerment, via gender-related media campaigns. They felt that the frequency of female portrayal in the media was not as critical as the quality of the portrayal—this not only entails the creation of new programmes (in conjunction with the *Persatuan Wartawan Wanita Malaysia, PERTAMA*), but also doing away with gender stereotyping in existing programmes.

In the sphere of education, the group would like to see more gender-related aspects incorporated into the syllabi of learning institutions, so as to ensure that the message of

equality and empowerment is disseminated across all levels of society. Comments of the group are summarised in Appendix 7(A).

## **Sector-specific Comments**

### *Sector 6: The Private Sector*

In addition to formulating new Acts, the group felt that existing Acts which relate to employment, such as the Employment Act 1955 and Industrial Relations Act, should be amended so as to include equal opportunity provisions. They also believed that the Government could also introduce tax incentives for employers who provide services essential to female staff, such as on-site nurseries, remote working, and 'flexiwork.' To ensure that the target of 30% participation of women in decision-making positions, the group proposed the introduction of a 'Succession Plan,' where successful women are specially groomed to occupy top managerial roles.

Another measure suggested by the group was the establishment of a Top Women Executive Caucus, which would serve as a network for various industries to discuss gender-related issues. This Caucus could, in turn, provide input to the Ministry in the formulation of official gender equality policies. The group also suggested that industries that have successfully fostered an equal opportunity work environment be recognised, via an Engendered Company Award.

On the cultural front, the group suggested a three-pronged approach to create awareness of gender issues. First would be general publicity in the media about top female executives, so as to provide tangible role models to women in the workforce. Secondly, the group suggested that a Gender Issues magazine be created, to educate women on the goings-on in the corporate world, and aid in their entrance into it. Lastly, the Ministry could cooperate with select publishing houses to create an Award for Biography Writers, which would further promote the idea of female empowerment, by profiling successful women in a variety of fields.

Please refer to Appendix 7(B) for a summary of the groups recommendations.

## **Comments, Questions and Answers**

A question was asked if there has been any study to show how CEOs are appointed to GLCs. Up to date, there has been no woman CEO appointed by the Ministry of Finance to head any of the GLCs. A participant added that it just needed political will to implement a policy to ensure that there are 30% women on the Board of Directors in the private sector, and it was unacceptable to say that it cannot be implemented. The speaker replied that all government needed to do was to issue a directive, or include a provision in the relevant Act.