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The Director-General



Secretary General

Gender Action Plan III – 2021-2025 Country Level Implementation Plan – CLIP [Malaysia]

1. Context for EU action gender equality and women's empowerment in the country

Malaysia is a country rated as having a very high level of development. It has made remarkable progress within some areas of the gender equality agenda, most notably within the spheres of maternal health and women's and girls' access to education. Maternal deaths are well below global average, and almost all births are undertaken with the assistance of skilled medical staff. In education, Malaysia has first eliminated and then reversed gender gaps in enrolment at all educational levels. **More girls and women are now enrolled in school and university than boys and men.** The government has introduced a flurry of initiatives to strengthen women's economic empowerment through tax incentives and legal reforms.

However, despite this progress, women and girls still face many challenges in Malaysian society. Many of the initiated reforms are unfinished or have not led to the intended result. Changes in leadership in 2020 has led to a lower prioritisation of gender equality in national politics, leaving women and girls left out of the core agenda of the country's development. In addition, some groups such as members of the **LGBTQI, still face immense discrimination**, as a consequence of a traditional, gender stereotyped view on Sexual Orientation and Gender Identify (SOGI). Moreover, recent rhetoric from the government, for example related to measures to counteract Covid-19, reveal a very traditional view on gender roles and society's expectations on women. As such, the full potential of these groups cannot be used, resulting in an untapped resource which could, through gender inclusive attitudes, contribute positively to the country's social, economic and political development.

Gender-based violence (GBV), in its different forms, is difficult to assess as data are not regularly collected nor analysed. Domestic violence and intimate partner violence are seen as issues to solve within the family/household, leading to an under-reporting of cases. Despite reforms and amendments of laws, challenges remain. For example, marital rape is not sanctioned. There are also high levels of sexual harassment in the workplace, and online GBV is a growing problem. Trafficking of human beings is a serious problem in Malaysia as a destination country, putting women asylum seekers and refugees at great risk. Moreover, violence against members of the LGBTQI community is widespread due to the conservative forces that push for an anti-LGBTQI agenda. This group also has less access to services, including but not limited to, health and justice services. Finally, there is a continued problem with child marriages in Malaysia, where girls as young as 12 years old are getting married.

Sexual and reproductive health (SRH), addressed without the “R” (rights) component, has received some attention, but only on selected topics. Malaysia’s progress on maternal health has resulted in significant decreases in fertility rates, increases in access to services and boosted antenatal coverage. However, use of contraceptives remain low, and undocumented for unmarried women. The country’s rigid abortion laws limit women’s access to safe abortion services and neglects the woman’s right to take healthy decisions on her own body. Many intra household decisions on SRH are made by the husband. Limited awareness and lack of comprehensive sexual education, in addition to strong religious and traditional influence result in low access to information and services in particular for adolescent girls and single women. **Child Marriages** (under 16) is still allowed in Malaysia (apart from in the state of Selangor, which does not allow marriage under the age of 18), with special permission from State Chief Ministers for Muslims and it usually happens when the girl child is pregnant to keep the “moral and faith sanctity”, while not giving the girl child a choice to handle and decide what is best for her, **Female genital mutilation (FGM) is very widespread with rates well above 90% among Muslim women**¹. Girls and women lack power and voice on FGM, leaving them without choice and in some cases, lifelong negative consequences.

Women’s economic empowerment goes beyond resource poverty. A thematic area of concern is the transition from the education system to employment. This is a challenge that Malaysia shares with other countries, some of them ranking very high on human development. Despite the fact that women outnumber men at university level in Malaysia, **fewer women enter, and stay, in the labour market in their prime age**. This can be attributed to traditional gender roles in the Malaysian society, where family obligations and unpaid care work on women outbids their right to employment, and consequently women’s right to an independent income. This shows that it is not enough to invest in a gender equal education system, but efforts to address social norms need to be undertaken simultaneously. Malaysian women work in many different sectors, but the **gender pay gap (76% of what men earn)** illustrates that women’s input is undervalued. The progress made within employment is primarily in urban areas, resulting in an uneven spread of possibilities for women across the country. Women are represented in leadership positions both within government and in the private sector, but only to a very limited extent, despite efforts to increase and strengthen their role.

Women political participation and leadership are low and stagnant in Malaysia despite the introduction of quotas and other measures to promote a greater representation of women in decision making forums. The creation of women wings in political parties has to some degree side-lined the issue of women’s political participation, steering it away from the core mandate and as an important objective. The government of Malaysia, as well as the main political parties, needs to recognise the value of female representation in order to adopt a gender inclusive approach to politics. Evidence from other countries shows that a higher representation of women in power, results in more resources allocated to social services. Female representation furthermore is a key aspect that contributes to role modelling and serves as inspiration for younger females to enter into the political domain. The same argument can be used to promote the representation of youth, of members of the LGBTQI community and of other under-represented groups.

The women, peace and security (WPS) agenda is almost absent in the Malaysian political agenda, despite Malaysia being a solid supplier of women peace keepers to the UN. Few women are represented in the domestic security sector. The WPS agenda is not prioritised by

¹ According to MoH, female circumcision as practised in Malaysia was reclassified in 2018 under type 1 (least invasive) after a presentation to the CEDAW Committee in 2018.

the Malaysian government and this is illustrated by the lack of political will to develop a national action plan for UNSCR 1325. There is a common misunderstanding that the WPS agenda is primarily for those countries that are in armed conflict, but the agenda is valid for all countries, including those at peace. A national action plan could furthermore contribute to a more comprehensive approach to fight gender-based violence and women's participation; two prominent areas of the WPS agenda.

Although Malaysia is making efforts and is investing resources within the field of green transition, this is done without a clear gender perspective, despite the fact that women can play a significant role in this process. Green leadership in the country is primarily male. Indigenous women are especially side-lined despite having both the knowledge and the skills which could push the agenda in the right direction. Women can play the role of powerful agents of change in the economic transition. **Reforms need to be undertaken on women's access to land and access to finance. Women have to be more present and involved so that their full potential in this process can be used.** Malaysia is investing in digitalisation within many areas of the society. Female representation in digital leadership is satisfactory (28%) and above the global average, but a key priority for the ministry of women, who is determined to close the gender gap in digitalisation by strengthening the digital skills of women entrepreneurs. Internet access is fairly good, with no greater variation between sexes. However, the regular use of internet in businesses is much less for women-owned enterprises. Digitalisation is a great opportunity for women to participate in both the economic sphere and debate in society on equal terms as men, but for this to be realised, investments need to be done through the lens of Gender Equality and Women Empowerment (GEWE).

This country level implementation plan is based on a Malaysia specific Gender Country Profile, which was finalised in April 2021, following a four month review process, which primarily took place online. The recommendations from the country profile have been shared with a large group of civil society actors in Malaysia and discussed in a day-long consultation session, where the National Human Rights Commission was present. There was active participation in the meeting from a number of key women's organisations in Malaysia, including Sisters in Islam, Justice for Sisters and ARROW. Further discussions on the recommendations have been undertaken with the EU members states present in Malaysia, which commented on the draft version of this document. Consultations with the Government of Malaysia, ministries of foreign affairs and the Ministry of women were done as part of the country profile and in consultations specifically targeting the draft CLIP priorities.

2. Selected thematic areas of engagement and objectives

There is no MIP for Malaysia, which is an upper middle income country, however, a so-called Mini-MIP consisting of a Cooperation Facility is being prepared. A preliminary budget of EUR 500.000 has been set aside for implementation of the GAP III for the period 2022-2024. Combined with thematic funding under EIDHR and CSO-LA these funds will contribute to the three-pronged approach forecasted; gender mainstreaming (in regional and thematic projects implemented in Malaysia) targeted actions (under EIDHR and CSO-LA) and political dialogue (funded from the cooperation facility).

The overall objective of the EU action in Malaysia for gender equality and women empowerment is to promote, strategic EU engagement and outreach of the GAP III in Malaysia, with the Government of Malaysia (at all levels), civil society, the private sector and other key stakeholders. This will be undertaken together with EU member states

The **selected areas** of engagement are:

1. Challenge gender norms and power inequalities, in particular in the intertwining of religion and politics;
2. Gender based violence, especially among the most marginalised;
3. Promoting sexual and reproductive health and rights;
4. Empowerment of women, especially in terms of advancing equal political participation and leadership;
5. Furthering the Women Peace and Security Agenda in Malaysia
6. Addressing the gender gap in the green and digital transitions so that they can be just transitions.

For each of these areas the specific thematic objectives which will be pursued are:

1) Challenge gender norms and power inequalities, in particular in the intertwining of religion and politics:

- Improved capacity of the Government of Malaysia to implement and enforce international gender equality and women's empowerment as a whole of government approach.
- Established dialogue with key religious leaders in Malaysia
- Meaningful engagement of boys and men in all gender equality work
- Advocate against the discriminating results of the dual legal framework valid in Malaysia

2) Gender based violence, especially among the most marginalised:

- Strengthen data collection on gender-based violence
- Address GBV, online and offline
- Advocate against child marriage
- Training for enforcement officers i.e Police in better managing GBV cases

3) Promoting sexual and reproductive health and rights:

- Advocate for comprehensive sexual education
- Advocate for increased understanding of the harmful effects of female genital mutilation
- Build capacity in key groups such as teachers and media on reproductive health and rights

4) Empowerment of women, especially in terms of economic and political participation and leadership:

- Advocate for increase participation of women in the labour force and the removal of barriers for their participation
- Advocate, also targeting the private sector, for improved support to working parents, better division of the care burden, improved access to formal social care
- Promote female and non-binary participation and leadership in decision-making structures
- Support women's and LGBTIQ organisations working on all of these issues, especially those located outside Kuala Lumpur.

5) Furthering the Women, Peace and Security Agenda in Malaysia

- Support the government in developing a national action plan (NAP) for the women, peace and security agenda, which includes an action plan of concrete measures to increase female participation in the security sector;

6) Addressing the gender gap in the green and digital transitions so that they can be just transitions.

- Ensure equal access to information and technology to increase the benefits and reduce the risks of the growing digital economy
- Strengthen connectivity especially among entrepreneurs, SMEs and women owned businesses
- Advocate for safe spaces online
- Strengthen the use of modern technology to improve data collection and women's empowerment.
- Advocate for women's access to land and natural resources and ensure their participation in relevant decisions at local and regional levels.

Policy Dialogue and advocacy activities will, as a rule, always be undertaken in close cooperation with EU member states in Malaysia. Civil Society will play numerous roles including as implementing partners, amplifiers of advocacy campaigns and partners in outreach campaigns. The European Union has an important role to play in strengthening the capacity of civil society in Malaysia. Local NGOs and civil society organisations do not always enjoy much support from the Government of Malaysia, at the same time, very few other donors are still operating in Malaysia which leaves civil society at the 'mercy' of local support. Local support is generally strong for organisations focusing on social welfare and economic development, but for those focusing on more sensitive areas – including gender equality – local and public support is difficult to mobilise and access.

3. Targeted action(s) supporting gender equality and women's empowerment

As Malaysia will not benefit from any bilateral envelope, support to gender equality will be the focus of country specific calls for proposals under EIDHR and CSO-LA. Currently projects are focusing on the rights of women to speak on Islam, local empowerment of Women and LGBTIQ empowerment. Gender will continue to be a priority area for all national calls in Malaysia from 2021-2025. It is estimated that the overall amount available for these calls within the given period will amount to approximately 5-6 Million EUR, including the funds allocated for policy dialogue. The majority of these funds will focus on one or more aspects of gender equality as outlined above. The main beneficiaries of these grants will be civil society organisations with proved experience in working on GEWE issues in Malaysia.

4. Engage in dialogue for gender equality and women empowerment

To date the 'best' entry point for a dialogue with the Government of Malaysia is the SDG agenda, and in this case SDG 5. There is a well-functioning SDG institutional framework, with strong civil society participation (the Malaysia CSOs' SDGs Alliance) supported by the UN country team. The SDG Alliance has a large coalition using the SDG framework and have good women rights NGOS within its fold too and therefore constitute a good entry point. Working with Parliamentarians through the SDG Alliance is also an important opportunity to advance gender equality. In the consultation process good relations were also established with relevant stakeholders within the Ministry of Women and the Ministry of Foreign Affairs,

and it is expected that joint activities can be implemented in support of the GAP III for instance on digital skills and gender based violence.

A new roadmap for the EU to engage with civil society in Malaysia for the period of 2021 – 2025 is being developed. A consultation with CSOs was organised at the end of April 2021 to gain CSOs' inputs on the new Roadmap and EU priorities. It was noted that support is required to address gender equality including child marriage and female genital mutilation, which is at alarmingly high levels in Malaysia. At the same time there is no room to discuss the interplay between religion and gender, which is a concern considering the increasing influence of religion in decision making in Malaysia.

In conclusion, the participants confirmed that gender equality is a key cross-cutting element for the Roadmap's priorities. EU facilities to support CSOs within the new Roadmap framework and beyond will include empowering women and girls and strengthening gender equality and justice. Moreover, future CSOs projects with EU support in all thematic areas will include components on promoting women and girls' roles in decision making process and capacity building and training for women's organisations and CSOs working on gender equality.

5. Outreach and other communication / public diplomacy activities

Gender equality is always on the agenda of the policy dialogue between the EU and Malaysia, which takes place annually. If the discussions on the partnership and cooperation agreement (PCA) and/or the free trade talks² intensify a more frequent and intense dialogue could be expected on challenging gender norms and power inequalities, in particular in the intertwining of religion and politics. At the same time there are regular regional dialogue opportunities which include the Government of Malaysia at the ASEAN level. This is for instance frequently undertaken under the SPOTLIGHT initiative umbrella, which is very active in Malaysia on ensuring improved labour standards for domestic (migrant) workers (Safe and Fair programme). Another regional example is the initiative on protecting children affected by migration, which regularly offers an opportunity to engage in a policy dialogue with the Government of Malaysia (e.g Project Advisory Committee meeting with participation of line ministries). Finally, several of the EU supported projects engage with government agencies and partners at the local level in the implementation of their activities, including advocacy for increased gender equality.

Public Diplomacy efforts are focused on the 8th of March, and the 25th of November (International Day for the elimination of violence against women), these key activities are foreseen to be continued. Finally, the EU have established a network of female key activists and role-models, which have met on an annual basis on the 8th of March to discuss gender equality and challenges in Malaysia.

6. Technical Facility and financial resources allocated to support GAP III implementation

EUR 500.000 have been identified under the cooperation facility to support the implementation of GAP III at country level. In particular the facility will support the gender aspects on ongoing political and policy dialogues, public diplomacy as outlined above, a whole of government approach to gender equality and improved data collection for SDG 5 in

² Fx. Through gender impact assessments for specific sectors subject to the negotiations.

Malaysia. Moreover, gender equality will be mainstreamed more prominently in the future CSOs and EIDHR projects.

No other specific allocation or technical assistance has been earmarked under specific programmes by the EU and its Member States in order to facilitate gender mainstreaming in Malaysia.

Date:**30/06/2021**.....

Signature by Head of Delegation:**[E-signed]**.....