



Gender-Responsive Budgeting

Unlocking Equal Opportunities for All

A POLICY REPORT BY



WFD



ENGENDER
consultancy

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ABBREVIATIONS AND ACRONYMS

ASEAN	Association of Southeast Asian Nations
AWAM	All Women's Action Society
BPFA	Beijing Platform for Action
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CRC	Convention on the Rights of the Child
D11	Sexual, Women, and Children's Investigations Division
DOSM	Department of Statistics Malaysia
EIU	Economist Intelligence Unit
GBG	Gender Budget Group
GBV	Gender-based violence
GRB	Gender-responsive budgeting
HoH	Head of Household
ILO	International Labour Organisation
LFPR	Labour force participation rate
MCO	Movement Control Order
NCDII	Non-consensual dissemination of intimate images
OGBV	Online gender-based violence
OHCHR	Office of the High Commissioner for Human Rights
OSCC	One Stop Crisis Centre
PDRM	Royal Malaysia Police
PLC	Public listed company
PLI	Poverty Line Income
PSSS	Social support centre
PTPTN	National Higher Education Fund Corporation of Malaysia
PWD	Persons with Disabilities
RMT	Supplementary Food Programme
SDG	Sustainable Development Goals
SRHR	Sexual and reproductive health and rights
STEM	Science, Technology, Engineering, and Mathematics
TVET	Technical and Vocational Education and Training
UNICEF	United Nations Children's Fund
UNESCO	United Nations Educational, Scientific, and Cultural Organisation
VAW	Violence against women
WAJA	Anti-crime movement meant to unite and empower women against violence
WAO	Women's Aid Organisation
WEF	World Economic Forum

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About the Westminster Foundation

Westminster Foundation for Democracy (WFD) is the UK public body dedicated to strengthening democracy around the world. WFD works with parliaments, political parties, and civil society groups as well as on elections to help make countries' political systems fairer and more inclusive, accountable and transparent. WFD has worked in the Malaysian Parliament since 2018 and has focused on improving the technical capacity of parliament and encourage MPs to engage effectively with the people they represent.

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About the ENGENDER Consultancy

ENGENDER is a social enterprise focused on advancing gender equality and the empowerment of women, with core services in the areas of gender analysis, gender scrutiny, gender mainstreaming and responsive budgeting, capacity building, strategic advocacy planning, and monitoring and evaluation. We collaborate with parliament, the government, civil society organisations, communities, and the private sector to draw on our collective learning and experience. Collectively we co-create strategic solutions to bring about a transformative, sustainable impact on the lived realities of women and men, girls and boys.

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EXECUTIVE SUMMARY

Government budgets and policies may appear to be gender neutral but, in reality, women and men are impacted differently by the distribution of state expenditure and programs. Reviewing the gender-responsiveness of public resource allocation is a good start to ensuring that governments are held accountable for their gender policy commitments. This policy brief contains reflections on the Budget 2022 measures through a gender analysis lens. With every topic covered in this brief — poverty and welfare, economic participation, education, health, gender-based violence, and leadership — questions were asked, and recommendations were made to serve as a reference for policy implementation and, by extension, to inform Budget 2023.

While there are tailored suggestions for each topic, there are several key recommendations to immediately advance Malaysia's gender equality:

- **Integrate a gender-responsive framework into COVID-19 recovery policies** to address the specific needs of women and girls.
- **Improve gender-disaggregated data collection and expand research on the gendered impacts** across the following issues: poverty, economic participation, education, health, gender-based violence, and leadership.
- **Establish a robust gender-sensitive monitoring and evaluation framework** that measures the impact of national policies from an intersectional perspective.
- **Institute whole of government gender mainstreaming and gender-responsive budgeting** to ensure that policies address the needs of both women and men.
- **Enact the Gender Equality Act**, the sexual harassment and anti-stalking legislations, and amend discriminatory legislations, such as unequal citizenship laws.

This policy report serves to inform policymakers and decision-makers in Government and Parliament who are working towards fulfilling commitments on gender equality and stronger governance through fair institutions and policies.

INTRODUCTION

Gender equality is a prerequisite for attaining all development goals.¹ If all economic barriers are removed for women in Malaysia, the country's income per capita could grow by 26.2% — this implies an average annual income gain of RM9,400 (World Bank, 2019). To achieve this developed future, it is fundamental to understand gender and intersectional vulnerabilities caused by systemic and structural barriers which continue to widen inequalities. The pandemic has further exacerbated the situation and this particularly the case for women and girls. As the nation emerges from the pandemic, gender-responsive solutions will need to be mainstreamed in all recovery measures. Without this deliberate approach, the country risks reversing its progress, as well as jeopardising its trajectory towards becoming a high-income nation.

The Malaysian government has made its commitment to gender equality clear through its accession and ratification of several international conventions and normative standards, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC), and the Convention on the Rights of Persons with Disabilities. The state is also signatory to the Beijing Declaration and Platform for Action (BPfA), the Sustainable Development Goals (SDGs), and the ASEAN Declaration on the Gender-Responsive Implementation of the ASEAN Community Vision 2025.² These commitments obligate the state to respect, protect, and fulfil human rights (OHCHR), eliminate discrimination against women, and bring about equality between women and men (CEDAW).

Despite this, Malaysia fell eight places and was ranked 112th out of 156 countries in the Global Gender Gap Index in 2021. The index measures gender gap in four key areas — health, education, economics, and leadership. Women and girls in Malaysia continue to be disadvantaged in many areas, such as economic opportunities and participation, education, health, and representation in decision-making and politics.³ These issues become even more challenging in times of crisis, such as during the COVID-19 pandemic when existing inequalities were exacerbated by various factors. This was particularly the case for women as they are already required to juggle the roles of caregiver and breadwinner, which form the 'double burden', and these dual responsibilities significantly increased during the pandemic.⁴ Women have described their efforts to generate income when family members experience job loss, but, despite this, their

¹ Ban, K. (2008, March 6). *Gender equality a prerequisite for attaining all other development goals, stresses Secretary-General in remarks to International Women's Day event*. United Nations. <https://www.un.org/press/en/2008/sgsm11453.doc.htm>

² Association of Southeast Asian Nations. (2017, November 13). *ASEAN Declaration on the Gender-Responsive Implementation of the ASEAN Community Vision 2025 and Sustainable Development Goals*. ASEAN. https://asean.org/wp-content/uploads/2017/11/7.-ADOPTION_ASEAN-Declaration-on-the-GR-Implementation_CLEAN_Sept.8-2017_for-31st-Summit_CLEAN.pdf

³ Khalid, H. (2021). *Advancing gender equality in Malaysia* (Issue brief March 2021). United Nations Development Programme (UNDP). https://www.my.undp.org/content/malaysia/en/home/library/womens_empowerment/issue-brief--advancing-gender-equality-in-malaysia.html

⁴ Khazanah Research Institute. (2019). *Time to care: Gender inequality, unpaid care work and time use survey*. Kuala Lumpur: Khazanah Research Institute. http://www.krinstitute.org/assets/contentMS/img/template/editor/Publications_Time%20to%20Care_Full%20report.pdf

burden of caring for the children and elderly in the family has not been lightened.⁵ This is largely due to the persistent social and cultural norms that reinforce gender roles depicting women as 'natural' homemakers. This has a direct impact on women's economic participation, health, and well-being in the long run, notwithstanding the higher risk of gender-based violence that came with the movement restrictions during the pandemic. Despite the government's mitigation efforts through policies and programmes, including its COVID stimulus packages in the national budget, systemic barriers remain unaddressed and, in many cases, are widening persistent gender gaps. Global learning (UN Women) has evidenced that gender equality would create a catalyst for progress in all areas of development. Thus, a gender-responsive approach would provide a more effective means towards a people-centred development.

Gender mainstreaming and gender-responsive budgeting are well-documented positive strategies for creating inclusive and resilient communities. These methods are often prescribed because they consider the needs and priorities of women, men, boys and girls by understanding how gender dynamics and socio-cultural contexts govern people's lived realities. Taking a gender-responsive approach to budgeting is not about side-lining men but ensuring equitable resources for all. As UN Women defines it, gender-responsive budgeting does not call for separate budgets for women and men, or girls and boys. Instead, it is about ensuring that public resources are allocated and implemented effectively to advance gender equality and women's empowerment.⁶

Malaysia is not new to the concept of gender-responsive budgeting, as there was a pilot project by the government dating back as early as 2003, as well as the development of a manual on Gender Budgeting in Malaysia in 2005. Since then, state level gender budgeting initiatives have taken shape. The Penang government implemented Gender-Responsive Participatory Budgeting in 2012, followed by the Selangor state government instituting gender mainstreaming efforts in 2020. Civil society organisations have also taken the lead at the national level to form the Gender Budget Group (GBG) in 2021 to advocate for a gender-responsive national budget. At the federal level, the Ministry of Finance's (MOF) annual budget call circular requires all federal ministries to ensure that their budgets are informed by sex-disaggregated data and a gender analysis. Yet, even with this initiative, there is no clear indicator of GRB as these processes may not be closely monitored and evaluated for reporting.

The COVID-19 pandemic shone a light on the many inequalities in Malaysia, which need to be approached and mitigated using an intersectional lens. This brief aims to highlight the importance and benefits of a gender-responsive approach to budgeting in six areas, namely poverty and welfare, economic opportunity and participation, education, health, gender-based violence, and leadership.

⁵ Whitehead, R. (2021, June 15). 'I lost my income and was in survival mode': Malaysian women turn to entrepreneurship during pandemic. *Salaam Gateway*. <https://www.salaamgateway.com/story/i-lost-my-income-and-was-in-survival-mode-malaysian-women-turn-to-entrepreneurship-during-pandemic>

⁶ UN Women Asia Pacific. (n.d.). *Gender-responsive Budgeting*. UN Women Asia Pacific. <https://asiapacific.unwomen.org/en/focus-areas/women-poverty-economics/gender-responsive-budgeting>

POVERTY AND WELFARE

The COVID-19 pandemic has disproportionately impacted poor and vulnerable communities, with increased inequalities on many fronts, from education to health and economic opportunities. According to a study by UNICEF which surveyed 500 heads of households (HoH) from low-income urban families, the poverty rate remains high despite government assistance to help mitigate hardships.⁷ Among these families, poverty appears to be more prevalent among female HoH with 6 in 10 living in poverty — an increase from 47% in September 2020 to 61% in December 2020. There needs to be more targeted and holistic interventions to ensure the welfare of the most vulnerable.

Vulnerable communities, which include low-income families and daily wage earners, fell through the cracks during COVID-19. These groups had limited savings, and many were not aware of the social welfare aid programmes available, much less how to go about applying for them. According to the same UNICEF study, 70% of the 500 surveyed heads of households from low-income urban families had no savings, this was particularly the case for female HoH (80%). This makes aid crucial for them, yet they have limited access to it. Experience indicates that marginalised communities, such as the urban poor and people with disabilities, tend to require more targeted communication when it comes to awareness of social welfare programmes.⁸

Many low-income communities are also made up of informal workers with no social safety nets, making them vulnerable as they begin to experience pay cuts, reduced working hours, job loss, or being forced to take unpaid leave. On top of this, many women and other vulnerable groups would not be able to access social safety nets. Social protection⁹ benefits often depend on formal participation in the labour force whereas women tend to work in informal sectors or are self-employed. This is often due to the fact that women face multiple discriminations in the form of social and cultural norms that reinforce gender roles, such as being excluded from the labour market, unpaid care work, and limited access to financial services. An intra-household analysis would also reveal that the benefits of aid measures are not always accessed equitably among all members of a household; this is because, depending on the gender

Social protection is commonly understood as “all public and private initiatives that provide income or consumption transfers to the poor, protect the vulnerable against livelihood risks and enhance the social status and rights of the marginalised; with the overall objective of reducing the economic and social vulnerability of poor, vulnerable and marginalised groups”.

(Devereux & Sabates-Wheeler, 2004: i)

⁷ UNICEF Malaysia & UNFPA. (2021). *Families on the edge factsheet* (Issue 3). UNICEF. [https://www.unicef.org/malaysia/media/1771/file/Families%20on%20Edge%20part%203%20\(factsheet\).pdf](https://www.unicef.org/malaysia/media/1771/file/Families%20on%20Edge%20part%203%20(factsheet).pdf)

⁸ Barrett, S., & Knox-Vydmanov, C. (2020). *Mitigating the effects of the COVID-19 crisis on Malaysia's children: Immediate and longer-term social protection policy options* (Brief - May 2020). UNICEF. <https://www.unicef.org/malaysia/media/1746/file/Social%20Protection%20COVID19%20Policy%20Brief.pdf>

⁹ Devereux, S., & Sabates-Wheeler, R. (2007). Editorial introduction: Debating social protection. *IDS Bulletin*, 38(3), 1-7. <https://doi.org/10.1111/j.1759-5436.2007.tb00363.x>

dynamics within the family, women, the disabled, and the elderly may not receive their due measure of aid.

To enable those falling through the cracks to get equitable access to social protection, the government needs to be more proactive in ensuring that aid provisions are reaching the vulnerable through:

- **Targeted awareness campaign for social aid programmes** which will be crucial to ensure that women and other vulnerable groups receive the information and support they need to access welfare. Institutionalising community networks and working with existing grassroots structures — e.g., housing associations, block representatives, village heads, state assembly persons — Members of Parliament and CSOs to disseminate the information and support the registration of the B40 population. Using a built-in monitoring mechanism can help to address this need as well as generate beneficiary data which can better inform policy formulation.
- **Collecting updated and disaggregated data** to ensure that the aid is reaching all who need it in an equitable manner. For instance, there are reported to be 2.9 million people in the B40 category.¹⁰ However, the channelling of critical services is fragmented when the various ministries and agencies are operating over 60 social protection programmes.¹¹ Some considerations:
 - What databases are being referred to identify the B40 group?
 - Is there sex-disaggregated and intersectional beneficiary data?
 - What efforts are in place to collect data? Is the government working with parliamentary constituencies and civil society organisations?
 - Will a coherent database system be formulated to capture all federal, state, and district level data?
- **Rigorous monitoring and evaluation** of all social programmes in a way that accounts for gender, age, ability, and intra-household dynamics. Some considerations:
 - Has an impact assessment been conducted on Budget 2021 to inform Budget 2022?
 - What are efforts to qualitatively monitor intra-household dynamics for better provision of equitable welfare?
 - What system is in place to monitor how the welfare programmes have helped the beneficiaries? Has a beneficiary analysis been conducted?
- **Re-evaluating the provision of social welfare to ensure that all marginalised groups are included**, such as the homeless community without fixed addresses or single fathers who are often overlooked. Some considerations:
 - What efforts are in place to deliberately reach the furthest left behind?
 - Which other B40 households may be excluded from the government databases?
 - How can the system of application be inclusive for '*ibu tinggal*' (women whose husbands have left them without a divorce) who have not been able to apply for

¹⁰ Department of Statistics Malaysia. (2019). *Household income and basic amenities survey report 2019*. https://www.dosm.gov.my/v1/index.php?r=column/cthemebByCat&cat=120&bul_id=TU00TmRhQ1N5TUxHVWN0T2VjbXJYZz09&menu_id=amVoWU54UTi0a21NWmdhMjFMMWcyZz09

¹¹ Gender Budget Group. (2021). Budget 2022 Memorandum.

allocations without divorce papers or a spouse death certificate and who are therefore not eligible for the welfare entitlement for single mothers / female-headed households?

Budget 2022: Measures and Reflections

1. Direct Cash Assistance & Welfare - Bantuan Keluarga Malaysia (RM8.2 billion) — 9.6 million recipients

Additional assistance for single parents/senior citizen/eligible singles (e.g., single father, >3 children = RM2,000 + RM500)

Welfare Eligibility Requirements for four categories of assistance under the Social Welfare Department increased from RM980 based on 2016 Poverty Line Income (PLI) to RM1,169 based on 2019's PLI.

The four categories of assistance include: Children Assistance, Elderly Assistance, Unemployment Assistance for OKU, and Federal General Assistance.

Welfare assistance increased to RM2.4 billion with an addition of RM200 million.

- a. While this cash aid is helpful, is it sustainable for families with limited savings and a larger number of dependents?
 - b. What system is in place to monitor how the cash handout will help the beneficiaries? Has a beneficiary analysis been conducted?
 - c. Is this programme also packaged with other accompanying empowerment programmes from other budget measures, such as upskilling, support services, and job placements, which aim to lift this target group from their situation?
- ### 2. Yayasan Keluarga Malaysia (RM25 million)

Established under Prime Minister's Office to protect the welfare and education of those orphaned due to COVID-19. The government will provide RM25 million for the initial start-up fund combined with contributions from corporate sector.

- a. This is a welcomed measure to support the more than 4,600 children orphaned by COVID-19 in Malaysia.
- b. What areas of support will the fund provide?
- c. As advised by UNICEF (2021), will support services such as child protection, counselling and healthcare be provided for these children and for how long?

Tackling the root cause of economic inequality will have a ripple effect on other inequalities, such as access to healthcare and education. While providing adequate social protection and welfare is important, it is crucial that the state investigates empowering communities alongside providing aid. This empowerment should look into creating resilient communities through stronger social cohesion, building their capacity in terms of leadership, various skills, and job placements. This empowerment would need to go hand-in-hand with the government's efforts to ensure that all workers in Malaysia have access to fair wages. Capacity building in particular is important for

economic opportunities, which would be a more sustainable solution to poverty alleviation. This leads us to the next section on economic growth.

ECONOMIC OPPORTUNITY AND PARTICIPATION

Gender inequality persists in Malaysia's labour market where there are unequal opportunities for economic participation, a lower rate of female labour force participation, and the exclusion of women from certain economic access. Women's vulnerabilities are exacerbated when faced with the economic impacts brought upon by crises such as the COVID-19 pandemic.

Malaysia's female labour force participation rate (LFPR) of 55.3% (DOSM, 2020) is one of the lowest among ASEAN countries. While women make up almost half of Malaysia's population, they only for two-fifths of the workforce. To ensure that the Malaysian economy continues to grow in a robust manner, it is salient to close the gap of meaningful economic participation between men and women. The gap for LFPR between women and men did improve slightly over time with a decrease from 26.5% in 2015 to 25.3% in 2020, but there is still more work to be done.¹²

The Burden of Unpaid Care Work

When the coronavirus pandemic hit, many countries went into lockdown to flatten the curve while our healthcare systems were on the brink of a collapse. Many women have had to take up the burden of unpaid care work, while juggling existing employment loads, leading to a 'double burden'. Women make up almost 90% of the prime age population outside the labour force.¹³ For women who are unemployed or suffered job losses from the layoffs, house care and responsibilities have kept them from seeking work. Around 58% or 2.6 million women cited family responsibilities as the reason for not joining the labour force. In contrast, only 3.2% of men said the same.¹⁴

The compounding effects of this inequity further worsens women's diminishing economic opportunities. More working women may be forced to make the sacrifice of giving up paid employment to manage household and caregiving duties during the recovery from the pandemic. Women from the B40 community cannot afford to give up employment during times of crisis. However, without affordable and accessible childcare, they are left with few options.

Budget 2021 did have some provisions, such as RM5,000 support for each childcare centre to assist with the cost of operations, increasing the tax exemption rate for childcare enrolment to RM3,000, and RM800 vouchers for babysitters. However, the tax exemption will not work for the

¹² Department of Statistics Malaysia. (n.d.). *Labour interactive visualisation dashboard*. DOSM. https://mbls.dosm.gov.my/mylmid/dashboard_laboursupply.html

¹³ Khazanah Research Institute. (2018). *The Malaysian workforce: A changing landscape*. Kuala Lumpur: Khazanah Research Institute.

http://www.krinstitute.org/assets/contentMS/img/template/editor/20181129_Part%202_KRI_SOH_2018.pdf

¹⁴ Khalid, 2021.

target groups that need this aid the most. Low-income families and the unemployed would not be eligible as they have no tax liabilities. The state should widen its parameters of eligibility for childcare provisions to help those who have been most economically affected.

Precarious Work in Informal Sectors and Gender-Based Segregated Occupations

Precarious work is defined by the International Labour Organization (ILO) as a job that offers compensation, hours, or security that is inferior to a 'regular' job. It can come in many forms, such as part-time jobs, self-employment, and agency work.¹⁵ The informal sector is where most workers are engaged in such precarious work. In 2019, among the 1.26 million workers employed in the informal sector, 43.7% were women,¹⁶ and this means they have less job security, social protections, and lower incomes than those employed in the formal sector.

This is compounded by gender-based employment segregation, which refers to the uneven distribution of women and men across and within types of occupations. The segregation can be horizontal, whereby male and female workers are concentrated in different sectors and industries, as well as vertical, where there is a gender imbalance in terms of leadership positions and potential for promotion.¹⁷ This segregation often begins as early as the education streams, which girls and boys may be influenced to make different choices due to ingrained social norms. Female-dominated industries exist because women are often found to be in occupations that are related to their perceived gender roles, such as caregiving, teaching, and administrative roles. The same gender norms that influence the division of labour in the household also inform women to choose jobs that help develop transferable skills or allow flexibility, keeping in mind possible career disruptions and childcare duties.¹⁸ Even for women at management level, there is evidence of income inequality within gender segregated labour markets.¹⁹

Gendered occupational segregation usually has negative consequences for women as they are likely to earn less than men by virtue of the lower value placed on their occupations.²⁰ When the pandemic struck, it affected female-dominated sectors, such as the service and manufacturing industries. The impact of both these realities means that women are disproportionately affected by unemployment during a crisis like COVID-19. For women who were able to keep their jobs,

¹⁵ International Labour Organisation. (n.d.). *Precarious work*. https://www.ilo.org/wcmsp5/groups/public/@ed_dialogue/@actrav/documents/meetingdocument/wcms_161381.pdf

¹⁶ Department of Statistics Malaysia. (2019). *Informal sector workforce survey report, Malaysia, 2019*.

¹⁷ Das, S., & Kotikula, A. (2018). *Gender-based employment segregation: Understanding causes and policy interventions* (Jobs working paper – issue no. 26). World Bank, Washington, DC. <https://documents1.worldbank.org/curated/en/483621554129720460/pdf/Gender-Based-Employment-Segregation-Understanding-Causes-and-Policy-Interventions.pdf>

¹⁸ Buckingham, S., Fiadzo, C., Pozza, V. D., Todaro, L., Dupont, C., & Hadjivassiliou, K. (2020). *Precarious work from a gender and intersectionality perspective, and ways to combat it*. European Parliament. [https://www.europarl.europa.eu/RegData/etudes/STUD/2020/662491/IPOL_STU\(2020\)662491_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/662491/IPOL_STU(2020)662491_EN.pdf)

¹⁹ Wirth-Dominice, L. (2018). *Overcoming gender segregation in management occupations and business in Asia and Pacific*. International Labour Organisation. https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_616214.pdf

²⁰ Wirth-Dominice, 2018.

their work-life balance remains difficult when juggling caregiving responsibilities. A 2017 paper by the Khazanah Research Institute (KRI) highlighted that 66.7% of all unpaid family workers were women (DOSM with KRI's calculations, 2017).²¹ The increased load of unpaid work since the start of the national lockdowns meant that women were more likely than men to have either lost their jobs or quit them.²²

Women also make up 17.8% of own account holders in Malaysia (DOSM, 2017). They are more likely to be running micro and small businesses in the informal economy, which tend to have less capital value and profits.²³ This trend of taking on entrepreneurial ventures for income picked up even more in the face of job losses during the pandemic. However, the precarity of their livelihoods remain with no social benefits or guaranteed income.

There is a need for a shift in the way society views occupations with inherently gendered differences, and for hiring processes to put in place procedures that counter gender bias during recruitment. This can be done through deliberate strategies to counter gender discrimination in the labour market; building the capacity of women to seek for opportunities that are more stable in the long term as well as the government providing support for them to do so. In addition, the following strategies are recommended to address this occupational gender segregation:

- **Explicit targets to increase female representation.** Setting, monitoring, and incentivising targets at decision-making levels to create a critical mass of women can also decrease stereotypes and increase opportunities.
- **Increase the number of women and girls in STEM fields.** This would include good support systems through school counsellors and mentorship networks to encourage girls to consider career choices in STEM; this is on top of creating conducive environments for learning within STEM faculties.
- **Provide programmes that incorporate TVET with hands-on experience, life skills training, and support for job placements.** This can be done through collaboration with relevant employers and help women overcome their own self-defeating gender biases (Croke, Goldstein, & Holla, 2017).²⁴
- **Implement policies that reduce gender-based gaps in time spent on childcare and household duties.** When women are supported in these aspects, they can focus on making career choices that may be bolder and more aligned with their abilities, as well as participate more fully in the labour force (Attanasio & Vera-Hernandez, 2004; Halim, Johnson, & Perova, 2017).²⁵

A gender sensitive procurement process

In 2016, Malaysia spent RM78 billion on procurement, which comprised 31% of gross public expenditure (development and operational spending combined), accounting for about 6% of GDP.

²¹ Khazanah Research Institute, 2018.

²² Buckingham, Fiadzo, Pozza, Todaro, Dupont, & Hadjivassiliou, 2020.

²³ Khazanah Research Institute, 2018.

²⁴ Das & Kotikula, 2018.

²⁵ Das & Kotikula, 2018.

Public procurement plays a significant role in the economic development of Malaysia and can be a fiscally efficient route for empowerment, and yet women entrepreneurs are often left out of the equation. This can be due to several factors, including limited access to information on bids and their procedures, as well as the selection criteria used. Government agencies should be more transparent and gender-responsive in their procurement processes to create an enabling environment for women to access these opportunities. In the long term, this can help combat poverty as well as promote inclusive economic growth.

Budget 2022: Measures and Reflections

Work

1. RM230 million in funding for women entrepreneurs through BSN, Agrobank, the DANANITA (MARA), and TEKUNITA (TEKUN) programmes
 - a. What efforts are being made to gather data on this segment of women entrepreneurs (including those in the gig economy)?
 - b. What enabling features exist in the funding application criteria that would ease the application process for women / PwD entrepreneurs, particularly in terms of collateral and capital outlay?
 - c. Is this programme inclusive for all entrepreneurs who are eligible or is it for a certain segment?
 - d. What has been learnt from Budget 2021 which could inform this allocation?
 - e. How will this communication reach the population who needs it? Is the government working with CSOs and grassroots networks for data collection as well as for their needs assessment?

2. RM6.25 million allocated for basic business capital assistance, guidance, and training to promote online business involving 5,000 participants (MyKasih Capital Programme)
 - a. Which groups will be targeted and in which regions across Malaysia?
 - b. What has been learnt from Budget 2021?
 - c. What monitoring system is in place to follow up with the women participants?
 - d. What does the basic business capital assistance entail, e.g., cash and training or mentoring and support?
 - e. Will the government be working with and using civil society organisations that are already working with these women?

Childcare

1. RM30 million allocation for nurseries in government buildings, especially in public hospitals and universities
 - a. What has been the progress and learning from the same previous allocations in 2020 and 2021?
 - b. What strategy and criteria factors are the government employing to ensure that the selection of location and agencies are based on need?
 - c. Will the allocation also include training that incorporates gender sensitive components and child protection standards? Will it also be supported by a monitoring framework?

2. Allocation for nurseries in Government buildings, especially in public hospitals and universities (RM30 m). Government to encourage flexible working arrangements and allocation of nurseries. Guidelines to allow nurseries to operate beyond the first floor of office buildings.

- a. Will the RM30 million cover the set up of 150 nurseries, since the 2019 Budget allocated RM10 million for the set up of 50 nurseries in government agencies? How many government agencies submitted applications for this budget in 2021?

3. Income tax relief extended of up to RM3000 for childcare and kindergarten fees until the year of assessment 2023

- a. What has been the uptake and learning from the Budget 2021?
b. How will families in the informal sector, including gig workers, be supported with childcare, such as those in B40, who are not registered or eligible for taxes?

Procurement:

1.. Supplementary food programme (RM400 million) to provide milk for low-cost housing children.

- a. Part of the procurement of this programme will be earmarked for local milk producers. The local milk producers' supply chain includes women-led micro-enterprises who could stand to directly benefit from this measure in terms of job creation and income-generation.

EDUCATION

Article 10 of CEDAW stipulates that, "State Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women."²⁶ In this regard, Malaysia ranked 70 in the 2021 Gender Gap Report published by the World Economic Forum (WEF), thus performing well compared to other ASEAN countries. The country scored fairly high in terms of literacy rate and institutional enrolment. Despite this, around 58% of women between the 15 and 24 years old do not seek employment due to family responsibilities, which is a stark contrast to the 3.2% of men who do not join the labour force for the same reason. In a culture where girls are made to adhere to gender roles, their education is at risk of being disrupted to manage household duties and care work.²⁷ This section will also cover the various barriers to accessing education, providing comprehensive sexual education, and ensuring female

²⁶ United Nations Human Rights Office of the High Commissioner. (1979). *Convention on the Elimination of All Forms of Discrimination against Women* New York, 18 December 1979. OHCHR.

<https://www.ohchr.org/en/professionalinterest/pages/cedaw.aspx>

²⁷ Khalid, 2021.

participation in the future of work through TVET (technical and vocational education and training) and STEM (science, technology, engineering, and mathematics), as well as highlight the many children who remain out of school.

Barriers to Access

There is a barrier in terms of access to education for many different communities in Malaysia, including the bottom 40, the indigenous community, persons with disabilities (PWD), and undocumented persons. This is worsened by the lack of digital infrastructure, inaccessible institutions for those living in rural areas, the neglect of special needs children, and the absence of comprehensive sexual education in our school curriculum.

In July 2020, the Malaysian Education Ministry reported that over one in three students had trouble accessing online learning during the movement control order at the height of the coronavirus crisis.²⁸ This included 36.9% of students who did not possess any device that was suitable for e-learning, with another 46.5% of students only having smartphones to rely on. The digital divide is a common sight for children living in low-income families. On top of this, many families without Wi-Fi at home or who live in less urban areas continue to face the issue of poor connection. The lived realities below are just some of the most recent examples that occurred between 2020 to 2022.^{29 30 31}

²⁸ Ong, J. (2020, July 16). Education Ministry: Over one in three students couldn't access online learning during MCO. *Malay Mail*. <https://www.malaymail.com/news/malaysia/2020/07/16/education-ministry-over-one-in-three-students-couldnt-access-online-learnin/1885005>

²⁹ The Star. (2020, June 17). Sabah girl stays in tree to get Internet connection. *The Star*. <https://www.thestar.com.my/news/nation/2020/06/17/sabah-girl-stays-in-tree-to-get-internet-connection>

³⁰ Kaur, K. (2020, November 27). 8 Sabah students in search of Internet narrowly escape death after falling 18 metres when bridge collapsed. *The Rakyat Post*. <https://www.therakyatpost.com/news/malaysia/2020/11/27/8-sabah-students-in-search-of-internet-narrowly-escape-death-after-falling-18-metres-when-bridge-collapsed/>

³¹ Malay Mail. (2022, February 17). Sarawak teen goes viral after embarking on two-hour trek for online university interview (VIDEO). *Malay Mail*. <https://www.malaymail.com/news/malaysia/2022/02/17/sarawak-teen-goes-viral-after-embarking-on-two-hour-trek-for-online-univers/2042170>

June 2020: A Sabahan girl climbed up a hill and lived in a hut to study for her exams. This was because studying off campus due to COVID meant that she had poor Internet access at home.

November 2020: Eight students from Sekolah Menengah Kebangsaan (SMK) Ulu Sugut gathered in the middle of a bridge to get Internet access and follow online classes before the bridge collapsed. They narrowly escaped death after falling 18 meters, but the students suffered from broken bones and spinal injuries.

February 2022: A 19-year-old Sarawakian teen, Frank, embarked on a two-hour trek to get better Internet speed for his online university interviews. He was dedicated to pursuing his passions despite connectivity limitations.

As Malaysia enters the recovery stage as a nation and schools begin to reopen, it is important to reflect again on the issue of students' access to school in remote areas. For many rural areas in Malaysia, schools are still far from the settlements, villages, and longhouses where the indigenous community live, thus attendance at school tends to be irregular for these rural children and could eventually lead to dropouts. The lack of available transport and infrastructure in these remote areas means that some rural students have to walk to school along timber roads.³² This poses a great danger for students, particularly girls, who are more at risk of sexual abuse. Some students might also travel to school via longboats, which is dangerous during wet seasons when rivers are turbulent.³³ This challenge to accessing educational institutions has led to the low literacy rate in East Malaysia, which was reported to stand at 72% and 79% in 2017 for Sabah and Sarawak, respectively — a significantly lower rate than the nationwide average of 97.3%.³⁴ This has long term effects for women, especially those in rural areas, as a lower literacy limits their ability to access essential services, such as legal, health, and welfare services.

To address these issues, the state should explore the following:

- **Improving digital infrastructure and gadget access** for low-income communities, such as those living in public housing and in rural areas where poverty is more prevalent. This is to ensure learning loss does not worsen and youths do not risk their lives for Internet access.
- **Building more residential schools in rural areas** where children who lack access to transportation for schooling can stay at schools. This keeps them safe from the dangers of travelling large distances and/or at night.

³² Then, S. (2015, March 24). Orang asli issues: Access to education still difficult. *The Star*. <https://www.thestar.com.my/lifestyle/family/features/2015/03/24/orang-asli-issues-access-to-education-still-difficult/>

³³ Then, 2015.

³⁴ The Borneo Post. (2017, May 16). Literacy rate in Sabah and Sarawak lower. *The Borneo Post*. <https://www.theborneopost.com/2017/05/16/literacy-rate-in-sabah-and-sarawak-lower/>

Budget 2022: Measures and Reflections

1. Extend the special individual income tax relief of up to RM2,500 on the purchase of mobile phones, computers, and tablets until 31 December 2022
 - a. This measure excludes persons who are ineligible for taxation and who are in greater need of this subsidy.

2. Matching grants for NGOs (RM100 million), including after school education and online teaching (RM20 million)
 - a. How will NGOs ensure that these educational avenues reach the communities and target groups that need it the most? What monitoring mechanisms are in place to measure its efficacy?
 - b. Will there be digital infrastructure support for the online teaching resources?

3. Digital Connectivity Project
ICT network in MOE educational institutions (RM50 million)
Digital connectivity in 40 existing PPRs (RM30 million)
 - a. How will the 40 PPRs be chosen? Will a needs-based analysis be conducted? What specific gender-responsive strategies are in place to ensure equal participation from women and girls?

Comprehensive Sexuality Education

As well as access to health information, there is also a need for comprehensive education on sexual and reproductive health and rights (SRHR) in the Malaysian school curriculum. The keyword here is *comprehensive* because, even though there has been a form of sexuality education in the Malaysian schools called PEERS since 2011, the abstinence-driven curriculum makes it challenging to equip young people with the right information to navigate this area in their personal lives.³⁵ According to a 2011 study comparing PEERS against UNESCO's Comprehensive Sexuality Guidelines syllabus, 90% of respondents felt that sexuality education has not been taught in Malaysian schools and most teachers provide vague, informal information.³⁶ This is worrying as a higher awareness of reproductive health has proven to lead

³⁵ Lee, P.E., & Khor, S.K. (2021, April 30). Letter | Empower teachers to teach sexuality education. *Malaysiakini*. <https://www.malaysiakini.com/letters/572815>

³⁶ Talib, J., Mamat, M., Ibrahim, M., & Mohamad, Z. (2012). Analysis on sex education in schools across Malaysia. *Procedia - Social and Behavioral Sciences*, 59, 340–348. <https://doi.org/10.1016/j.sbspro.2012.09.284>.

to lower rates of teenage pregnancy.³⁷ The Ministry of Women, Family, and Community Development reported that the number of pregnant teens who receive services at government health facilities stands at an average of 10,000 annually. This adds up to about 28 teen pregnancies a day.³⁸ While there are no numbers to show the economic cost of unintended pregnancies, one can assume the burden it puts on our subsidised public health system to manage pre- and postnatal care for these incidences.

The state should look into reforming the way PEERS is taught in school. A study on the implementation of sexuality education in Malaysian preschools indicated that educators are also limited by their own discomfort around the subject due to social and cultural norms.³⁹ This is likely to also be the case for educators at primary and secondary level. To address this:

- **Institute comprehensive and life skills-based education** which supports young people to develop the knowledge, skills, ethical values, and attitudes they need to make conscious, healthy, and respectful choices about relationships, sex, and reproduction.⁴⁰ (UNESCO, 2018)
- **Teachers should be adequately trained and sensitized** to overcome the cultural barriers to teaching sexuality education. They should be provided with sufficient sexuality education resources to conduct classes effectively. They should not be limited by personal biases, and they should deliver information in an objective manner that can benefit the students.
- **Sexuality education should also be delivered in a structured and consistent manner** as it is part of the compulsory curriculum, instead of the current vague and informal way. The state should monitor the delivery of this subject more closely to ensure this occurs.

Future of work: TVET and STEM

The future of work is fast approaching us, and many children today are preparing for a job that may not yet exist. To ensure that women and girls do not fall behind in our technologically fast-moving world, there is a need to equip our youths with TVET (technical and vocational education and training) and STEM (science, technology, engineering, and mathematics) education. Both are avenues in which women can obtain skills that are increasingly high in demand as they become innovators in various fields.

To increase women's participation rate in the labour force and ensure that they are equipped for the Fourth Industrial Revolution (4IR), technical training is important to mitigate the gaps that will

³⁷ Kaler, S. (2018, April 30). Malaysia needs sex education. *The Star R.AGE*.
<https://www.rage.com.my/sexeducation>

³⁸ CodeBlue. (2021, December 30). Rina: 28 teens get pregnant daily, 35% unmarried. *CodeBlue*.
<https://codeblue.galencentre.org/2021/12/30/rina-28-teens-get-pregnant-daily-35-unmarried/>

³⁹ Wan Nawi, W. N., Kai Sze, A., Yeong, L., Ling, Y., Ibrahim, A., & Jing, V. (2021). "But not as detailed as including teaching the private part": Malaysian preschool teachers' understanding on the implementation of sexuality education in preschools. *Southeast Asia Early Childhood Journal*, 10, 40-52.
<https://doi.org/10.37134/saecj.vol10.sp.4.2021>

⁴⁰ UNESCO, (2018). International technical guidance on sexuality education: an evidence-informed approach

arise from job displacement, market disruption, and product or services changes. Women without the sufficient digital skills and competencies will have very little competitive advantage in accessing work within a 4IR space that increasingly values those skillsets.⁴¹

However, gender stereotypes continue to be reinforced in educational institutions, which translate into structural barriers that deter women from enrolling in male-dominated fields. There are more men than women enrolled in technical courses that are taught at universities and at the postgraduate degree level. Traditionally conservative ideals that define certain types of work to be feminine or masculine make men and women hesitant to dabble in work considered unconventional to their respective gender roles. Thus, having a gender-responsive system could narrow the gender gap in terms of labour market segmentation and let women transition into better paying jobs.⁴²

The same goes for STEM education where, even though there are claims that Malaysia has achieved parity in STEM with women making up 57% of science degree holders nationally,⁴³ the academic space is still not a gender-responsive one. Recent conversations have been moving away from trying to change girls' 'attitudes' towards STEM subjects to the wider picture where the real issue lies in sexist classroom cultures and practices that do not make learning conducive.⁴⁴ In 2017, a resource pack for gender-responsive STEM education was developed by the Malaysian Ministry of Education and IBE-UNESCO. However, reports on the implementation and impact of this resource pack cannot be found.

Advancing equity in TVET and STEM has the potential to empower women through closing the gender pay gap and ensuring intersectional representation in the design of our world. To achieve this, the following actions can be taken:

- **Cultivate diverse and inclusive environments for learning** to promote fairness in learning opportunities. This can be achieved through hiring a diverse range of educators and conducting gender-sensitivity training for all.
- **Connect youth mentors and mentorship to encourage participation.** Representation works because the presence of role models helps young people to consider a career in STEM.
- **Create healthy work-life environments and programmes that support women in STEM careers**, specifically with childcare support, to manage their demanding careers in science and technology.⁴⁵

⁴¹ Khalid, 2021.

⁴² Asian Development Bank. (2020). *Enhancing gender-responsiveness of technical and vocational education and training in Viet Nam* (ADB briefs – no. 126). <https://dx.doi.org/10.22617/BRF200034>

⁴³ Menon, S. (2021, January 10). When gender matters not. *The Star*. <https://www.thestar.com.my/news/education/2021/01/10/when-gender-matters-not>

⁴⁴ Bragg, S., Page, T., & Sundaram, V. (2020). *Commission on a gender-equal economy: Education, gender equity and social justice* (Policy paper). Women's Budget Group. <https://wbg.org.uk/wp-content/uploads/2020/07/Education-gender-equity-and-social-justice.pdf>

⁴⁵ International Monetary Fund. (2017). *Gender budgeting in G7 Countries* (Policy paper). <https://www.imf.org/en/Publications/Policy-Papers/Issues/2017/05/12/pp041917gender-budgeting-in-g7-countries>

Budget 2022: Measures and Reflections

1. Strengthen the education field and Technical and Vocational Education and Training (TVET) (RM6.6 billion)
 - a. What does strengthening TVET entail?
 - b. Would it include a situational and gender analysis of the status quo?
 - c. Would it include gender-sensitive training for educators?
2. Construction of new GiatMara Centres at Setiu and Marang, Terengganu (RM11 million)
 - a) This is a positive measure that will enable more rural students to enter TVET programmes.
 - b) This presents an opportunity in infrastructure design to ensure it is gender-responsive with reasonable accommodations to enable the participation of girls and PwD students.

Children Not in Schools

Looking at issues from a gendered lens is not just about highlighting the issues faced by girls but also about recognising how boys can be affected by patriarchal systems too. According to the Ministry of Education, a total of 21,316 students dropped out of school between March 2020 to July 2021 when COVID-19 broke out.⁴⁶ This could be due to various factors, including the lack of digital infrastructure for e-learning and children quitting school to help with the financial losses from the pandemic.

COVID-19 has also served to exacerbate existing inequalities in the education sphere. Undocumented children have particularly continued to suffer the brunt of being one of the most marginalised communities. A qualitative study in 2021 revealed that school closures meant non-citizen children were deprived of school meals and social interactions that are important for mental well-being. They also could not participate in online learning due to multiple factors, such as a lack of digital devices, poor connectivity, uncondusive learning environments, and a lack of parental support.⁴⁷

The current research suggests that students from primary school to secondary school level who are affected by school closures could expect an approximately 3% lower income over their

⁴⁶ Lim, I. (2021, December 5). Education Ministry: 21,316 students quit school during Covid-19 months of March 2020 to July 2021. *Yahoo News*. <https://malaysia.news.yahoo.com/education-ministry-21-316-students-025525091.html>

⁴⁷ Loganathan, T., Chan, Z.X., Hassan, F., Kunpeuk, W., Suphanchaimat, R., Yi, H., & Abdul Majid, H. (2021). Education for non-citizen children in Malaysia during the COVID-19 pandemic: A qualitative study. *PLoS ONE* 16(12). <https://doi.org/10.1371/journal.pone.0259546>

lifetimes,⁴⁸ and this number would even be greater for those who drop out completely. These learning losses are often felt more deeply by disadvantaged students, which widens the gap between rich and poor families further. The pandemic should serve as an opportunity for the state to design inclusive national educational policies. This would include recognising and supporting informal learning centres through digital infrastructure support and learning resources to ensure that no child is left behind.⁴⁹

Budget 2022: Measures and Reflections

1. Yayasan Keluarga Malaysia (RM25 million)

Established under the Prime Minister's Office to protect the welfare and education of those orphaned due to COVID-19.

- a) This is a positive and necessary provision to support children orphaned by the disease and left without shelter, care, or protection.

2. *Quality Education for All*

Early Schooling Assistance increased to RM150 to benefit 3 million students (RM450 million)

Maintenance and upgrading of schools to more than 10,000 schools under the MOE (RM900 million)

Purchase of teaching aids and improvements to facilities in special needs schools (RM50 million).

To build 8 new blocks for special needs students (Project cost: RM124 million).

- a. There are 897,000 PWD in Malaysia including 250,000 children with disabilities.⁵⁰ However only 560,000 are registered with JKM.⁵¹ According to WHO's estimate, there may be 4.7 million (11%) PwD in Malaysia. What database of children with disabilities was used and how are these areas selected?
- b. MOE reported a 50% increase in special needs enrolment in schools (87,574 in 2019)⁵²
- c. Children with disabilities are usually hidden, stigmatised, and marginalised. A UNICEF survey revealed that 1 in 3 persons in Malaysia feel that children with disabilities should be kept hidden and 43% feel that children with disabilities would be disruptive in mainstream class. How much of this allocation will also be used to raise awareness of the public and increase the number of special needs teachers?

⁴⁸ Hanushek, E. A., & Woessmann, L. (2020). *The economic impacts of learning losses*. Organisation for Economic Co-operation and Development. <https://www.oecd.org/education/The-economic-impacts-of-coronavirus-covid-19-learning-losses.pdf>

⁴⁹ Hanushek & Woessmann, 2020.

⁵⁰ Chai, C. J. (2019). Malaysians' attitudes toward People with Disabilities. *Journal of Arts & Social Sciences*, 2(2), 27–65.

⁵¹ Bernama. (2020, August 19). 4.7 mln OKU urged to register with JKM to enjoy benefits. *Astro Awani*. <https://www.astroawani.com/berita-malaysia/47-mln-oku-urged-register-jkm-enjoy-benefits-255951>

⁵² Kannan, H. K. (2019, September 26). Education Ministry registers 87,574 special needs students as of June. *New Straits Times*. <https://www.nst.com.my/news/nation/2019/09/524752/education-ministry-registers-87574-special-needs-students-june>

Early Childhood Education

3. Construction of 69 new Early Childhood Education Centres, KEMAS kindergartens, and nurseries (RM190 million)

- a) There are currently 8,387 Tabika Kemas (pre-schools for 4–6 year olds) across the country (kemas.gov.my). As the most affordable pre-school, this allocation is welcomed but the need is greater than the current availability.
- b) Access, affordability, and quality are critical factors that can provide women and families the ability to enter the workforce in an economic climate where dual income households have become the norm. Allocating specific budgets for Tabika Transits (Kemas childcare centres) would be a more targeted approach towards increasing women’s economic participation. Currently, there are only 66 Tabika Transits in Selangor, which are not reflective of the actual need.

HEALTH

It is a fundamental human right that everyone should have access to health services whenever and wherever they are needed without much difficulty and regardless of identity.⁵³ This becomes even more important during a global health crisis, when defeating the COVID-19 pandemic is reliant on vaccine equity and ensuring healthcare access. Unfortunately for certain marginalised groups, such as refugees, migrants, and undocumented persons, the right to healthcare is often a privilege due to location inaccessibility, financial constraints, and their legal status, all of which compound their risk of limited access to health services. With basic services out of reach, this makes sexual and reproductive health (SRH) amenities even more inaccessible and stressful to obtain despite being crucial. However, this barrier extends even to Malaysians due to the stigma that surrounds sexual and reproductive health.

Affordable and accessible healthcare for all

The 1951 Refugee Convention stipulates that refugees should have access to the same health services as the host population. Even though Malaysia is not a signatory of the said convention, refugees do have access to public and private healthcare facilities. However, the reality remains that the high cost of treatment, as well as language barriers, hinder them from getting the services they need.⁵⁴

In Malaysia, refugees are charged foreigner rates when they access public health facilities, except for those with a UNHCR card or an asylum-seeker letter who are given a 50% discount.⁵⁵ This, on top of the fact that refugees in Malaysia are not legally recognised nor granted with a formal

⁵³ Ghebreyesus, T. A. (2017, December 10). *Health is a fundamental human right*.

<https://www.who.int/news-room/commentaries/detail/health-is-a-fundamental-human-right>

⁵⁴ UNHCR. (n.d.). *Public health in Malaysia*. <https://www.unhcr.org/en-my/public-health-in-malaysia.html>

⁵⁵ UNHCR Malaysia. (n.d.). *Health services*. <https://refugeemalaysia.org/support/health-services/>

right to work, makes the treatment cost exorbitant and unaffordable.⁵⁶ There is also the anxiety that comes with having to move in public to access health services, with past cases of harassment from the police leading to extortion and bribery. This distress worsened during COVID-19 when travel restrictions were put in place, making it harder for refugees to apply for or renew their UNHCR cards as well as seek medical treatment at government hospitals and clinics.⁵⁷

As of the end of December 2021, the UNHCR in Malaysia has registered about 180,440 refugees and asylum-seekers.⁵⁸ They make up a significant population of people who might be dealing with Post-Traumatic Stress Disorder (PTSD) from fleeing their home country, as well as other mental health issues. This makes access to mental health services critical. COVID-19 has added to the load of mental exhaustion, as the chance of survival became even more precarious. Refugee women face gendered experiences of displacement and asylum. The lack of access to basic services and legal documentation holds them back from seeking employment and recourse where it might be needed. They become financially dependent on their partners, leaving them vulnerable to sexual and gender-based violence. The constraints that came with the coronavirus only serve to exacerbate this by trapping women and girls in exploitative situations.

Case study: Refugee with a chronic disease⁵⁹

Syahirah is a 54-year-old refugee who has resided in Malaysia for more than 20 years. She was diagnosed with type 2 diabetes mellitus and hypertension over two decades ago and has been on oral medications. She paid for medical consultation and treatment whenever she went for an appointment in a clinic as a UNHCR-registered refugee. As she cannot seek legal employment, she resorted to working odd jobs for decades and does not have a stable source of income. This hindered her access to healthier dietary options and made it impossible for her to afford the insulin that she needed to achieve optimum disease control.

The pandemic worsened her financial conditions, and she became dependent on donations for her and her family. This led to limited options for her dietary choices, and it has made diabetic control near impossible, worsening her disease. She now suffers from significant nephropathy, peripheral neuropathy, and diabetic retinopathy — all significant and potentially avoidable complications of diabetes mellitus.

Health equity is also a problem for Malaysians, particularly in East Malaysia. Sabah and Sarawak lack doctors and specialists, medical facilities, and basic infrastructure like roads, clean water, and electricity, which are crucial for adequate healthcare services. In 2019, it was reported that Sarawak had one doctor to every 682 people, which makes the distribution of medical

⁵⁶ UNHCR. (n.d.). *Contact UNHCR in Malaysia*. <https://www.unhcr.org/en-my/contact-unhcr-in-malaysia.html>

⁵⁷ Lim, I. (2021, September 27). Report: IGP promises fair investigation, action against rogue cops alleged to have harassed refugees. *Malay Mail*. <https://www.malaymail.com/news/malaysia/2021/09/27/report-igp-promises-fair-investigation-action-against-rogue-cops-alleged-to/2008696>

⁵⁸ UNHCR. (2022). *Figures at a glance in Malaysia*. <https://www.unhcr.org/en-my/figures-at-a-glance-in-malaysia.html>

⁵⁹ Ng, S.H. (2022). Health inequalities amongst refugees and migrant workers in the midst of the COVID-19 pandemic: a report of two cases. *Asian Bioethics Review*. <https://doi.org/10.1007/s41649-021-00198-8>

practitioners in the rural state 1.5 times smaller than Malaysia's nationwide 1 doctor to 454 patient ratio.⁶⁰ This is because Sarawak has only 7.1% of all the doctors in Malaysia, and 6.5% of all specialists nationwide. Sarawak has two to 18 times fewer specialists than peninsular Malaysia, while Sabah has between three and 33 times fewer specialists based on data from the Clinical Research Centre in 2010.⁶¹ The statistics also show that just under a half (98 out of 215) of rural clinics are only run by medical assistants and nurses without a doctor and can only provide basic medication.⁶²

This poses a health risk to those in rural areas who need specialist medical attention. In addition, it also travelling further to hospitals where there are relevant specialists creates a financial burden for the patient, even though treatment at government hospitals is practically free. From a reproductive health perspective, the risk of maternal mortality is increased when there is a lack of maternal specialist doctors in rural areas.⁶³ This is a perennial problem, and the state should look into offering more permanent posts for government health officials in Sabah and Sarawak as a way of incentivising the presence of more medical specialists. This should go hand-in-hand with improving the infrastructure of medical facilities and increasing the distribution of such facilities to also cover rural areas.

Broad benefits to enable access to sexual and reproductive health (SRH) services

As the capacities of healthcare systems are stretched, governments begin to prioritise providing certain services and scale back others. Sexual and reproductive health services, which include pregnancy care, contraception, safe abortion, and sexual assault support services, tend to bear the brunt of this move. This is compounded by the already inaccessible and stigmatised nature of SRH services due to socio-cultural norms. This could lead to an increased risk of unintended pregnancies, maternal mortality, and the other harmful consequences of withholding essential services.⁶⁴

In addition, the subsequent outcomes of unintended pregnancies could lead to baby dumping, infanticides, and orphaned children. Police reported that they had 424 cases of baby dumping nationwide from 2018 to 2021. This averages to 100 babies being abandoned every year. Out of

⁶⁰ CodeBlue. (2020, September 16). Sarawak has 1.5 times fewer doctors per population than nationwide Malaysia. *CodeBlue*. <https://codeblue.galencentre.org/2020/09/16/sarawak-has-1-5-times-fewer-doctors-per-population-than-nationwide-malaysia/>

⁶¹ Batumalai, K. (2020, 16 September). 57 years later, do Sarawak, Sabah enjoy equal health care to Peninsula? *Code Blue*. <https://codeblue.galencentre.org/2020/09/16/57-years-later-do-sarawak-sabah-enjoy-equal-health-care-to-peninsula/>

⁶² CodeBlue. (2020, 24 July). Permanent posts may motivate rural medical service: Sarawak MP. *CodeBlue*. <https://codeblue.galencentre.org/2020/07/24/permanent-posts-may-motivate-rural-medical-service-sarawak-mp/>

⁶³ Batumalai, 2020.

⁶⁴ World Health Organisation. (2020). *Gender and COVID-19* (Advocacy brief). WHO. https://www.who.int/publications/i/item/WHO-2019-nCoV-Advocacy_brief-Gender-2020.1

these reported cases, more than 50% of the babies involved were found dead.⁶⁵ The lack of SRH services has a disproportionate impact on women and girls who have to deal with the physical and mental distress of carrying an unwanted pregnancy to full term.

Case study: 15-year-old teen mother charged with murdering her baby⁶⁶

In February 2022, a 15-year-old girl gave birth in her home in Terengganu. When medical staff arrived, the baby was found bleeding, seemingly stabbed by his mother. The infant was pronounced dead soon after being rushed to a nearby clinic. The teen was arrested on the same day and later charged with murder. Later, it was revealed that the baby was conceived after she was raped by a man.

This case clearly exhibits how this girl child survivor of rape was failed by all levels of society when reproductive healthcare and services were inaccessible to her. While abortion can be a stigmatised topic, it should have been an option as the pregnancy clearly impacted the girl's physical and mental well-being, thus making it a legal procedure in Malaysia. Additionally, since this had been an outcome of rape, the girl should have been sent to a One Stop Crisis Centre (OSCC) for support and the appropriate treatment. Instead of charging and trying her for murder, the state should have been providing support such as counselling and postpartum healthcare.

However, on the topic of OSCC, there is still much room for improvement. While the Malaysian model for OSCC declares that all government hospitals should have a One Stop Crisis Centre, this is still not yet the case. Relevant training should also be provided for all personnel working with the OSCC at government hospitals, as well as training for *Klinik Kesihatan* staff in first responder support to ensure that responses to victims are timely and gender sensitive.⁶⁷ There should also be a dedicated budget for One Stop Crisis Centres to ensure sufficient resources and reduce the constraints faced by healthcare providers during the OSCC response process.⁶⁸

Budget 2022: Measures and Reflections

1. Programme to provide basic personal hygiene kits to 130,000 B40 female teenagers (RM10 million)
 - a. Will the personal hygiene kits include reusable items, such as reusable sanitary pads or menstrual cups?

⁶⁵ Adam, A. (2021, October 27). In Malaysia, an average of nine babies reported abandoned in a month, half found dead. *Malay Mail*. <https://www.malaymail.com/news/malaysia/2021/10/27/in-malaysia-an-average-of-nine-babies-reported-abandoned-in-a-month-half-fo/2016292>

⁶⁶ Ewe, K. (2022, February 16). Teen mother charged with murder for stabbing her baby born of rape. *Vice*. <https://www.vice.com/en/article/dypwym/teen-mother-child-murder-malaysia>

⁶⁷ Chew, K. S., Noor, N., & Zaini, I. (2015). Knowledge, attitude, and practice among healthcare staffs in the Emergency Department, Hospital Universiti Sains Malaysia towards rape victims in One Stop Crisis Centre (OSCC). *The Medical journal of Malaysia*, 70(3), 162–8.

⁶⁸ Colombini, M., Mayhew, S. H., Ali, S. H., Shuid, R., & Watts, C. (2012). An integrated health sector response to violence against women in Malaysia: lessons for supporting scale up. *BMC Public Health*, 12, 548. <https://doi.org/10.1186/1471-2458-12-548>

- b. Will the kits come with awareness materials to talk about menstrual hygiene and reproductive health?
 - c. If reusable products are part of the kit, the measure needs to be complemented with efforts to improve water and sanitation access.
 - d. Government should engage CSOs who are currently working on the issue so that the distribution of the kits is accompanied with awareness raising and data gathering from the girls and the communities of concern to understand the realities of period poverty.
 - e. Menstrual products can be quite cost inaccessible for the B40, so further steps should be taken to improve access to them. Countries like Scotland have introduced gender-responsive and practical legislation, such as the Period Products (Free Provision) Scotland Act 2021 which mandates authorities to ensure sanitary napkins are made available free for all who need it.⁶⁹
 - f. The government needs to gather more data in 2022 on the issue of period poverty to create a more targeted and gender-responsive solution in Budget 2023.
2. Approved the sponsorship of specialisation programmes for 3,000 medical and dental contract officers (RM100 million)
 - a. How many of the specialisations would address specific specialist care needs in Sabah and Sarawak?
 - b. How many of these doctors are from Sabah and Sarawak? Currently there is only one cancer hospital in Sarawak.⁷⁰
 3. Women's Health Prevention Programme — Subsidy for mammograms and cervical cancer screening tests (RM11.5 million)
 4. Mental Health (RM70 million)
 - a. The number of mental health advocacy programmes providing counselling and psychological support need to be increased as well as strengthening the role of NGOs.
 - b. Expand the scope of individual income tax relief for mental health related expenses.

⁶⁹ Scottish government. (2022, January 12). New app to access free period products. <https://www.gov.scot/news/new-app-to-access-free-period-products/#:~:text=The%20Period%20Products%20>

⁷⁰ Edward, C. (2021, September 21). SCAN hopes Sarawak Cancer Centre will be a reality this time around. *The Borneo Post*. <https://www.theborneopost.com/2021/09/21/scan-hopes-sarawak-cancer-centre-will-be-a-reality-this-time-around/>

GENDER-BASED VIOLENCE

Gender-based violence is when a person or a group of individuals are being targeted with harmful acts due to their gender. The term is used to highlight the risk of violence particularly faced by women and girls due to patriarchal structures and gender-based power differences. This violence can be physical, mental, sexual, and economic harms that are inflicted onto victims in public or in private. Even though women and girls are disproportionately affected by GBV, men and boys can be targeted too as patriarchal systems go against LGBTQIA+ persons.

Since the start of COVID-19, Malaysia saw a stark increase in gender-based violence (GBV) cases, underscoring an urgent need for the government to put effective protection and assistance measures in place for these survivors of violence. These cases of GBV and rape culture have also been making their way into schools and cyber spaces, leaving women and girls vulnerable on all fronts. Thus, there is also a need to provide gender-sensitive training for educators and offer support to youths facing harassment in schools and online, which can sometimes mean the same thing during a period of online learning.

Addressing protection and assistance for victims of violence

Police statistics show that from 2010 to 2017 a total of 57,519 cases of violence against women (VAW) were reported, 40% of these were domestic violence cases. These incidents of VAW included criminal cases, such as molestation, rape, incest, and unnatural offences, with women victims.⁷¹ This worrying rise in numbers only continued to worsen during COVID-19 when there was a spike in domestic violence and overall gender-based violence. According to the Ministry of Women, Family, and Community Development, a total of 9,015 domestic violence cases were recorded since the start of Malaysia's movement control order (MCO) in March 2020 until August 2021.⁷² This reality resonates the Women's Aid Organisation's (WAO) reports of their domestic violence telephone and messaging services receiving 3.4 and 3.6 times more enquiries in April and May 2020 when the MCO began. When Malaysia went into lockdown to combat the pandemic, it created a situation wherein survivors were isolated and trapped with their abusers who can then exert physical, emotional, and social control over them.⁷³

⁷¹ Malay Mail. (2017, April 26). 57,519 cases of violence against women reported since 2010. *Malay Mail*. <https://www.malaymail.com/news/malaysia/2017/04/26/57519-cases-of-violence-against-women-reported-since-2010/1364561>

⁷² Rahim, R., Tan, T., Carvalho, M., & Zainal, F. (2021, September 23). Over 9,000 domestic violence cases recorded since MCO began, Rina Harun tells Parliament. *The Star*. <https://www.thestar.com.my/news/nation/2021/09/23/over-9000-domestic-violence-cases-recorded-since-mco-began-rina-harun-tells-parliament>

⁷³ Yap, L. S. (2020, June 9). Enquiries to WAO's domestic violence hotline spike to over 3 times pre-MCO levels, showing need for preparedness for next round of pandemic. *Women's Aid Organisation*. <https://wao.org.my/enquiries-to-waos-domestic-violence-hotline-spike-to-over-3-times-pre-mco-levels-showing-need-for-preparedness-for-next-round-of-pandemic/>

To address this issue, the ministry has set up hotlines for complaints on domestic violence cases, namely the Talian Kasih 15999 and a WhatsApp number, 019-261 5999.⁷⁴ During the latest MCO 3.0 which was implemented in June 2021, Talian Kasih received 11,802 calls within a month. Among those calls, 463 were related to domestic violence and 203 were related to child abuse.⁷⁵ On average, one in 10 children in Malaysia is likely to be a victim of emotional, physical, or sexual abuse. However, these figures could be higher due to the under-reported nature of these cases.⁷⁶ There has been an increase in child sexual abuse cases in Malaysia during the pandemic, which could be due to factors such as increased stress from the coronavirus and the financial strain that comes with it. These instances could also be happening online with child grooming often happening in cyber-space. The number of children aged five to 17 who use the internet grew 155% from 2016 to 2020, while parental control over this internet usage has dropped from 62.4% in 2018 to 53.4% in 2020.⁷⁷

A report by the Economist Intelligence Unit (EIU) ranked Malaysia 23rd out of 60 countries that were part of the Out of the Shadows Index, which examines a country's response to threats of sexual violence against children.⁷⁸ It stated that Malaysia does have a legal framework to protect against offences such as child rape, child grooming, child trafficking, and purchasing sexual services from children. However, the effectiveness of both law enforcement and the judicial system to ensure these protections are implemented is questionable.⁷⁹ There is a need for the following:

- **More rigorous monitoring and evaluation** of these policies and their implementation.
- **Awareness of the national hotline (Talian Kasih)** particularly in rural areas.
- **Gender-sensitive training for front desk police officers** to handle gender-based violence and online sexual abuse cases in a timely, child-friendly, and non-judgmental manner.
- **Child protection systems to be more proactive** in preventing abuse from happening, rather than just reactive to reports of cases⁸⁰ in both urban and rural areas.
- **Increase One Stop Crisis Centres (OSCC)** across the country together with a trained and gender-sensitive team of first responders.

⁷⁴ Rahim, Tan, Carvalho, & Zainal, 2021.

⁷⁵ Dzulkifly, D. (2021, July 4). Report: 11,802 calls placed to Women's Ministry Talian Kasih helpline since start of MCO 3.0 on June 1, says Rina Harun. *Malay Mail*. <https://www.malaymail.com/news/malaysia/2021/07/04/report-11802-calls-placed-to-womens-ministry-talian-kasih-helpline-since-st/1987075>

⁷⁶ Kwan, F. (2021, July 16). 1 in 10 children likely to be victim of abuse. *Free Malaysia Today*. <https://www.freemalaysiatoday.com/category/nation/2021/07/16/1-in-10-children-likely-to-be-victim-of-abuse>

⁷⁷ Supramani, S. (2021, October 26). Govt should set up system to monitor and manage internet usage by minors: Experts. *The Sun daily*. <https://www.thesundaily.my/local/govt-should-set-up-system-to-monitor-and-manage-internet-usage-by-minors-experts-NJ8496429>

⁷⁸ The Economist Intelligence Unit. (2018). Out of the shadows: Shining light on the response to child sexual abuse and exploitation - a 40 country benchmarking index. Malaysia country summary. EIU, New York, NY. https://outoftheshadows.eiu.com/wp-content/uploads/2019/01/MY_MALAYSIA_PROFILE.pdf

⁷⁹ The Economist Intelligence Unit, 2018.

⁸⁰ Supramani, 2021.

- **Training for enforcement officers in the identification of trafficked victims.**
- **Provision of shelters for male victims** of gender-based violence. There are currently none available, but emerging cases reveal that men and boys can also be victims of GBV.

Improve awareness and prevention of harassment in schools and online spaces

The severe lack of gender sensitivity in Malaysian schools is another issue that is evident as news of educators engaging in period spot checks and rape jokes continue to haunt students across the nation.

A report by All Women’s Action Society (AWAM) and Save The Schools found that one of the most underreported forms of abuse in schools was period spot checks.⁸¹ The release of this report sparked outrage and across the nation, and women and girls shared stories of their own experiences dating as far as 20 years ago. The checks had apparently included “showing their blood-soaked sanitary pads, doing swabs of their vagina with either cotton buds, tissues, or their fingers, or having a teacher, warden or school prefect pat them down at the groin to feel if they are wearing a sanitary pad”.⁸² The Ministry of Education has since sent out a circular that called for the halt of period spot checks on female students.⁸³ The same gender insensitivity is also the reason behind the blatant rape culture that happens in schools, such as when teachers made ‘rape jokes’ in class and the school authorities took the matter lightly.⁸⁴ Rape culture is so normalised that when students report incidences like this, the complaint mechanisms are not taken seriously or followed through resulting in students failing to be protected and losing hope in any form of redress.

Beyond school, rape culture continues to permeate online spaces where harassment takes place through stalking, the non-consensual dissemination of intimate images (NCII), and verbal harassment among other actions that make users feel unsafe. According to a study by the Women’s Aid Organisation (WAO), cyber-harassment cases have been on the rise in Malaysia. The Malaysian Computer Emergency Response Team (MyCERT) logged a total of 596 cases in 2020, making it an all-time high for the past 10 years.⁸⁵ The public perception that online harassment is less severe as there is no direct physical harm is a misguided. Oftentimes, online

⁸¹ All Women’s Action Society (AWAM) & Save the Schools (STS). (2021). *Of sexual harassment, - period spot checks, bullying and other abuse*. AWAM. <https://awam.org.my/wp-content/uploads/2021/11/STS-Report-FULL-2021.pdf>

⁸² Alhadjri, A. (2021, April 22). Schoolgirls 'shamed, groped and violated' in period spot checks. *Malaysiakini*. <https://www.malaysiakini.com/news/571658>

⁸³ The Star. (2021, November 8). Stop period spot checks, Education Ministry tells schools. *The Star*. <https://www.thestar.com.my/news/education/2021/11/08/education-ministry-issues-reminder-to-halt-spot-checks-among-female-students>

⁸⁴ Al Jazeera Staff. (2021, May 19). The 17-year-old exposing rape culture in Malaysian schools. *Al Jazeera*. <https://www.aljazeera.com/news/2021/5/19/the-17-year-old-exposing-rape-culture-in-malaysian-schools>

⁸⁵ Chung, I., Farid, A., & Agha, S. (2021). A study on Malaysian public attitudes and perceptions towards violence against women (VAW). Women’s Aid Organisation (WAO). https://wao.org.my/wp-content/uploads/2021/11/PRINT-WAO_VAW-Public-Attitudes-and-Perceptions-Report-2021_19-NOV_FINAL.pdf

gender-based violence (OGBV) affects survivors through the emotional and/or psychological harm that is experienced. The overall distressing experience may also lead to mental illnesses and post-traumatic stress disorder in the long run.

In 2021, secondary school Malaysian student, Ain Husniza spoke out online against her teacher making a rape joke during her Physical Education class. The unintended consequence of this was that online trolls hid behind their mask of anonymity to harass her. There was even a Facebook group with 100,00 teachers that body-shamed her, made comments about her body, and sexualised her.⁸⁶ This is one example of a violence that happened in person turning into harassment online when compounded by the visibility of her video.

Research has shown that gender-based violence can lead to an economic cost of 1.2% to 2% of the global GDP, which is roughly the amount that most developing countries spend on primary education annually.⁸⁷ In addition to this, when GBV leads to the reduced well-being of women and girls, it increases the burden for public healthcare, social services, and the criminal justice system. This is on top of the productivity lost when survivors and perpetrators are dealing with trauma or incarceration. There needs to be a holistic and transformative approach to rehabilitate both survivors and perpetrators of this violence to reduce that loss. This could take the following forms:

- **Gender sensitivity training for teachers** to eradicate rape culture in classes and ensure the safety of students.
- **Setting grievance mechanisms in place** to deal with similar cases of sexual harassment in school and online spaces. This should also include counselling services for students who are affected by harassment.

Budget 2022: Measures and Reflections

1. Empowerment of the PDRM D11 Division including 100 new posts (RM13 million)

D11

- a. How many men/women will be enlisted for the 100 new posts?
- b. What areas of D11 will be 'strengthened' under this measure or is the RM13M for training?
- c. How much of the allocation will be for training frontline (desk) officers and others who receive and process victim reports and testimonies?
- d. How will the strengthening of D11 contribute towards more reporting on sexual offences considering that most cases go unreported?
- e. Will local CSOs who have expertise in this area perform the training?

2. WAJA Squad (RM10 million) to strengthen community awareness programmes on violence against women across the country.

⁸⁶ Yeo, B. (2021, January 11). "No one asked for it": Dealing with cyberbullying and online toxicity. *Focus Malaysia*. <https://focusmalaysia.my/no-one-asked-for-it-dealing-with-cyberbullying-and-online-toxicity/>

⁸⁷ World Bank. (2014). *enGENDER IMPACT: Addressing gender-based violence*. <https://www.worldbank.org/en/topic/gender/publication/engender-impact-addressing-gender-based-violence>

WAJA

- a. Has an evaluation been undertaken on WAJA in 2021? What are the findings of the WAJA Squad in terms of its outreach and impact in 2021? How has this learning advised the allocation for Budget 2022?
3. Local Social Support Centres (PSSS) to protect victims of domestic violence (RM4.5 million) and Special Shelter Houses for Women (RM10 million)
- a. What has been the learning from the evaluation of the RM21 million allocation for the same (PSSS) in Budget 2021?
 - b. What public awareness has been conducted? And what outreach? Has a survey been conducted to ascertain public awareness of this service?
 - c. What easy/safe access will the community have to the local PSSS if the victim/affected person needs to go to the centre? What first responder assistance is provided for a victim in high risk? What safe house/shelter is provided at the PSSS?
 - d. What is the existing operational allocation in KPWKM for Talian Kasih?
 - e. What internal plans are there to strengthen the delivery of support through the national helpline? What is the evaluation of the response and support provided for victim callers?

LEADERSHIP, DECISION-MAKING, AND POLITICAL EMPOWERMENT

When women are included in leadership roles and decision-making processes at all levels, the outcome tends to be inclusive and progressive in terms of economic, social, and political progress. Having meaningful representation and engagement of women in leadership bodies, such as legislatures, courts, executive boards, community councils, and village and housing committees, ensures that diverse and representative views are taken into account.⁸⁸ This is the kind of consideration that countries should take into account for COVID-19 national recovery. Yet, despite the fact that we have seen women shine as leaders during the pandemic with women-led nations having overall lower COVID-19 death rates and more effective virus containment policies,⁸⁹ men still outnumber women three to one across COVID-19 government task forces around the world.⁹⁰ The same token representation is seen across all decision-making spaces in the country.

⁸⁸ OECD. (2014). *Women, government, and policy making in OECD Countries: Fostering diversity for inclusive growth*. OECD Publishing. <http://dx.doi.org/10.1787/9789264210745-en>

⁸⁹ Taub, A. (2020, May 18). Why are women-led nations doing better with Covid-19? A new leadership style offers promise for a new era of global threats. *The New York Times*. <https://www.nytimes.com/2020/05/15/world/coronavirus-women-leaders.html>

⁹⁰ Lavietes. M. (2021, March 23). Men outnumber women three to one on COVID-19 task forces. *Reuters*. <https://www.reuters.com/article/us-health-coronavirus-women-un-trfn-idUSKBN2BE2SS>

In 2004, the Malaysian government announced the policy of having at least 30% women in decision-making positions in the public sector.⁹¹ While there has been great progress in achieving this target, as women accounted for 38.2% of top management positions in 2021,⁹² the numbers for political participation are not as positive. There are only 33 women out of 222 parliamentarians, thus making up only 15% of the Dewan Rakyat. The unequal representation in parliament puts certain needs and developments at risk due to the lack of both diverse voices and a gender lens when scrutinising and monitoring policies, plans, and budgets. This could hold back our COVID-19 recovery, which should be broad in scope, covering social, economic, and health resilience. Within this planning, the government should also not forget to engage with national and grassroots women's groups to understand the population's lived realities.

However, in the private sector, Malaysia is seeing a slowly rising number of women holding senior leadership positions in 2021.⁹³ There is certainly a positive trend towards recognising the role of gender diversity in creating a resilient and sustainable business. Boards with at least one-third women representation correlates with 38% higher median return on equity than boards with no women represented.⁹⁴ At the moment, the participation of women on boards of public listed companies (PLCs) stands at 17.2%, with no women board members at all in four companies within the top 100 listed companies as of the end of 2020. In Malaysia's Budget 2022 speech, the government made it compulsory for top 100 PLCs on Bursa Malaysia to have at least one woman director⁹⁵ by September 2022, and all other listed companies by January 2023.

Despite Malaysia's policy on having 30% of women in decision-making roles across public and private sectors, progress has been slow as there has been no evidence of government commitment or clear ministerial leadership to direct and monitor this policy. The neglect of this policy has serious implications in all areas of development and risks a regression in the government's trajectory towards a high-income nation. Moving forward, these are some steps that the government and all stakeholders can take action on:

- **Develop a comprehensive action plan in the Ministry of Economic Affairs with an actionable roadmap, with clear key performance indicators, and a robust monitoring and impact assessment framework** for women's leadership across all decision-making tables in public and private sectors.

⁹¹ Ministry of Women, Family and Community Development, Malaysia. (2019). *Beijing Declaration and Platform For Action Malaysia Progress Report 2014–2019*.

[https://asiapacificgender.org/sites/default/files/documents/Malaysia%20\(English\).pdf](https://asiapacificgender.org/sites/default/files/documents/Malaysia%20(English).pdf)

⁹² Public Services Department (2021)

⁹³ Grant Thornton. (2021, March 8). *Malaysia records highest women's participation in senior leaderships* [Press release]. <https://www.grantthornton.com.my/press/press-releases-2021/33-percent-of-women-hold-senior-leadership-roles/>

⁹⁴ Institute of Corporate Directors Malaysia. (2021). *The Malaysia board diversity study and index*. ICDM. <https://pulse.icdm.com.my/wp-content/uploads/2021/03/ICDM-BOARD-DIVERSITY-REPORT.v11.pdf>

⁹⁵ The Star. (2021, October 30). All PLCs to have women directors by January 2023. *The Star*. <https://www.thestar.com.my/business/business-news/2021/10/30/all-plcs-to-have-women-directors-by-january-2023>

- **Implement regulations that ensure a safe and open environment for women to participate in leadership.**⁹⁶ For instance, regulations that do not tolerate workplace harassment and discriminatory practices.
- **Invest resources into programmes that support women’s path to leadership.**⁹⁷
- **Shift the narrative of women in leadership** through campaigns that subvert the traditional socio-cultural ideas that reinforce gender inequality.

Budget 2022: Measures and Reflections

1. Women on Boards — Appointment of at least one female director for all public listed companies
One director can serve on 5 boards, which means the top 100 PLCs may see only 20 women.
 - a. How does this affect the 2011 policy for 30% women in senior decision-making positions in the private sector including corporate boards?
 - b. This may not on an aggregate level see numbers of women on PLC boards. Regulations allow 1 director to serve on 5 boards which could mean potentially that the top 100 PLCs could have 20 women, while the remaining 836 PLCs have 167 women board members.
2. Women empowerment — Women's youth leadership and entrepreneurship programme by Yayasan Kepimpinan Wanita (RM5 million)
 - a. Who will be the beneficiaries of these training programmes?
 - b. Will it be open to and target upskilling middle aged and older experienced women who have dropped out of the labour force due to household and caring responsibilities? Will the training be gender sensitive to cater to lived realities?

⁹⁶ Ibid.

⁹⁷ Ibid.

CONCLUSION

Malaysia still has some way to go when it comes to achieving gender equality across the various sectors and many issues remain. While we may have made some headway, the efforts are sporadic and incoherent, lacking political will and coordination. International learning and good practices strongly guide us to approach development strategies through a gender lens. An honest reflection on the impact of the pandemic on the population and economy should advise us to reconceptualise our recovery measures using a cross-cutting gender-responsive model that will have a far-reaching impact.

As the key instrument for government economic policies, the national budget needs to integrate a gender-responsive model to systematically address the issues and needs of people across all ages, genders, ethnicities, and communities. It enables us to look at issues using a contextual analysis and an intersectional lens to formulate well thought out solutions.

The following are some considerations to bear in mind when measuring the gender-responsiveness of budgets:

- What is the current situation of women and men?
- What are the needs and priorities of women and men?
- Has a gender impact assessment been conducted?
- How is the government raising funds?
- How is the money spent?
- What impact will this have on women and men?
- What factors influence budgetary allocation decisions?
- How do budgetary decisions affect the living conditions of men and women?
- Who benefits (directly or indirectly) from government spending?
- Is the data sufficient to show the impact on women and men?
- What decisions reinforce or change gender stereotypes?
- Will the budget reduce, increase, or leave an unchanged equality gap?
- How have women been consulted?
- How will this tackle inequality long term?
- How will the impact be monitored?

Janet Veitch, OBE

To push forward the gender equality agenda, the Malaysian government should consider taking on the following recommended action plans:

- **Institute whole of government gender mainstreaming and gender-responsive budgeting** to ensure that policies address the needs of both men and women.
- **Integrate a gender-responsive framework into COVID-19 recovery policies** to address the specific needs of women and girls. One example of what this could look like is Chile's Covid Women's Council, which was set up to convene on issues related to the pandemic, and is made up of women from academia, civil society, the private sector, and the government.⁹⁸
- **Improve gender-disaggregated data collection and expand research on the gendered impacts** across poverty, economic participation, education, health, gender-based violence, and leadership issues. This would provide better insights for targeted and effective interventions.
- **Establish a robust gender-sensitive monitoring and evaluation framework** that measures the impact of national policies from an intersectional perspective. Producing impact reports from these findings would serve to inform future budgets and policies.
- **Enact the Gender Equality Act** to repeal/amend discriminatory legislations including Federal Constitutions. This would include amending unequal citizenship laws that affect the lives of Malaysian mothers and their overseas-born children;⁹⁹ introducing anti-stalking laws to protect victims;¹⁰⁰ and amending the sexual harassment bill to be survivor-centric.¹⁰¹

With every new budget, there is a potential to make a difference and progress towards gender equality. Gender-responsive policies can bring about this change as long as their implementation is thorough and consistent. We hope that, with these reflections from the grassroots, the impact of Budget 2022 can be better evaluated to inform the work that needs to be done for Budget 2023.

⁹⁸ United Nations Human Rights Office of the High Commissioner. (2021, July 27). We must prioritize a gender-responsive recovery from COVID-19. <https://www.ohchr.org/EN/NewsEvents/Pages/Women-Covid19.aspx>

⁹⁹ Ganesan, R. R. (2022, March 8). I am mother, hear me roar. *Free Malaysia Today*. <https://www.freemalaysiatoday.com/category/top-lifestyle/2022/03/08/i-am-mother-hear-me-roar/>

¹⁰⁰ Zainal, F. (2021, November 16). Anti-stalking law needed urgently. *The Star*. <https://www.thestar.com.my/news/nation/2021/11/16/anti-stalking-law-needed-urgently>

¹⁰¹ Ragu, D. (2021, December 16). Amend Sexual Harassment Bill to be survivor-centric, say groups. *Free Malaysia Today*. <https://www.freemalaysiatoday.com/category/nation/2021/12/16/amend-sexual-harassment-bill-to-be-survivor-centric-say-groups/>

MALAYSIA'S STATE OBLIGATIONS AS A MEMBER OF THE INTERNATIONAL COMMUNITY

1. Sustainable Development Goals (SDGs)

The 17 SDGs are a set of target indicators to move towards sustainable development. Malaysia is one of the countries who have adopted the 2030 Agenda for Sustainable Development¹⁰² and its commitment is strongly reflected in the fact that Malaysia is one of 10 countries that fully aligned their national budgets to SDGs based on UN assessments.¹⁰³

2. ASEAN Declaration on the Gender-Responsive Implementation of the ASEAN Community Vision 2025

As part of ASEAN, Malaysia joins the declaration of commitment to a gender-responsive implementation of the ASEAN Community Vision 2025 with the three ASEAN Blueprints and the Sustainable Development Goals to ensure the realisation of a people-centred ASEAN where all women and girls can achieve their fullest potentials through a series of actions including gender mainstreaming and gender analysis.¹⁰⁴

3. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

As a signatory to CEDAW since 1995, Malaysia is legally bound to attain, protect, and respect women's human rights. This includes working towards eradicating discrimination in public and private sectors and organisations. Malaysia is reviewed by the UN every four years to monitor its compliance in addressing gender inequality at all levels and spaces, including the family, community, market, and state.¹⁰⁵

Among the 30 CEDAW articles, Malaysia maintains reservations to Articles 9(2) and 16(1) (a), (c), (f), and (g), stating that the provisions are not aligned with the Federal Constitution, Islamic law, and national policies. Article 9(2) corresponds to the nationality of children whilst Article 16(1) (a), (c), (f), and (g) touches on equal rights to enter into marriage, equal rights and responsibilities during marriage and at its dissolution, equal rights and responsibilities with

¹⁰² Official Portal of Economic Planning Unit, Prime Minister's Department. (2021). *Sustainable development goals*. <https://www.epu.gov.my/en/sustainable-development-goals>

¹⁰³ Ong, S. (2021, November 8). Malaysia among 10 countries that fully align their national budgets to SDGs based on UN assessments, says Tengku Zafrul. *The Edge Markets*. <https://www.theedgemarkets.com/article/malaysia-among-10-countries-fully-align-their-national-budgets-sdgs-based-un-assessments>

¹⁰⁴ Association of Southeast Asian Nations, 2017.

¹⁰⁵ UN Women Asia Pacific. (n.d.). *Frequently asked questions (FAQ) about CEDAW*. <https://asiapacific.unwomen.org/en/focus-areas/cedaw-human-rights/faq>

regard to guardianship, wardship, trusteeship, and adoption of children, and equal personal rights as husband and wife respectively.¹⁰⁶

4. Convention on the Rights of the Child (CRC)

In 1995, the Government of Malaysia ratified the CRC, an international human rights treaty which upholds the rights of children, defined as children up to the age of 18 years. Malaysia must guarantee that all children are protected through special measures and receive assistance; have access to services; are able to develop their fullest potential; grow up in an environment that prioritises their well-being; and are informed of their rights so that they can actively participate in society.¹⁰⁷

However, the government-maintained reservations to five core Articles of the CRC: Article 2 (on non-discrimination); Article 7 (on birth registration, the right to a name and nationality); Article 14 (on freedom of thought, conscience, and religion); Article 28(1)(a) (on compulsory and free primary education for all); and Article 37 (on torture or other cruel, inhuman, or degrading treatment or punishment and unlawful or arbitrary deprivation of liberty).¹⁰⁸

5. Convention on the Rights of Persons with Disabilities

Malaysia has ratified this convention which recognises the rights and dignity of persons with disabilities. However, the government has reservations and does not consider itself bound by Articles 15 (freedom from torture or cruel, inhuman, or degrading treatment or punishment) and 18 (Liberty of movement and nationality).

6. Beijing Platform for Action (BFPA)

Malaysia stands by the BFPA, which was established in 1995 as a blueprint to advance women's rights through comprehensive commitments under 12 critical areas of concern: namely women and poverty; the education and training of women; women and health; violence against women; women and armed conflict; women and the economy; women in power and decision-making; institutional mechanisms; women's human rights; women and the media; women and the environment; and the girl child.¹⁰⁹

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