

Press Statement - JAG turns 25 years

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A Women's Status Report – The Good, The Bad and The Ugly

In 1985 the Joint Action Group against Violence against Women (JAG) organised a historic workshop cum exhibition on VAW calling for law reforms to rape, prostitution, domestic violence and amendments to all laws that discriminate against women. The workshop also highlighted issues on the negative portrayal of women in the media and sexual harassment in the workplace.

The 1985 workshop raised public awareness on violence against women and led to the formation of several new women's rights organisations which joined JAG. Since then the membership of JAG has evolved and in 2010 JAG, now known as the Joint Action Group for Gender Equality comprises five (5) women's groups, namely:

All Women's Action Society (AWAM)]
Persatuan] Kesedaran Komuniti Selangor (Empower)
Sisters In Islam (SIS)]
Women's Aid Organisation (WAO)
Women's Centre for Change (WCC),] Penang

Since 1985, JAG has diligently documented, monitored and lobbied for law and policy reforms on all aspects of women's human rights. Several strategies were adopted to advocate and lobby about the government's duty to eliminate all forms of discrimination against women.

For instance, on 30th April 2008, JAG reminded the newly elected Members of Parliament (MP) about their election promises on gender equality issues and published "Kotakan Kata" which summed up a list of pending law and policy reform.

When analyzing JAG's advocacy efforts and government response we detect a pattern of promises made but not kept. The government makes all the right noises and moves - receiving memoranda, setting up taskforces and committees, conducting studies, holding dialogues and organising huge conferences and public campaigns but all to no avail as they have not followed up with actual delivery.

The lack of political will is supported by a political creed of divide and rule whereby a divisive discourse of race and religion continues to be perpetuated by the government and political parties. For instance, after the 2008 General Elections, the Government set up the "Sekretariat Pembelaan dan Permekasakan Wanita Islam" (SENADA) for issues related to Muslim women only, while the Ministry of Women, Family and Community Development (MWFCD) deals with non-muslim women's rights. SENADA, which is now under the MWFCD, only serves to perpetuate a false divide between Muslim and non-Muslim women. It also defeats the purpose of the MWFCD to be inclusive and representative of all women's rights issues.

The government's power appears to be limitless given a menu of oppressive laws, such as the Internal Security Act, Sedition Act, discriminatory provisions in the Penal Code and Syariah enactments which are selectively used to silence dissent and curb differing views. No one has been spared from the brunt of these oppressive laws whether media, NGOs and politicians.

JAG's efforts in the past 25 years have seen historical movements of lobbying, documenting and monitoring for law reform. Our national history has seen a myriad of the good, bad and ugly side of law and policy reforms and implementation. Some of the more positive achievements are the amendments to the Penal Code to include wider definitions of rape; the enactment of the Domestic Violence Act; and amendment to the Guardianship of Women and Infants Act, including a cabinet directive giving all mothers the equal right to sign official documents to manage the affairs of their children. Also welcome was the amendment in 1997 to the Distribution Act to allow a surviving wife to inherit the whole of the estate instead of only one third. Similarly in 1995 Malaysia ratified the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW) and shortly after, the One Stop Crisis Centre (OSCC) was established in hospitals nationwide. Other good news includes the ratification of the Convention on the Rights of the Child (CRC) in 1995 and the establishment of the toll free Talian Nur hotline for women in crisis. In 2002, an amendment to Article 8 of the Federal Constitution guarantees women equal rights.

While it is admirable that efforts have been made to establish and implement new law reforms, we must not let it overshadow the lack of effort to execute them effectively.

Issues which have been discussed but with little follow up and commitment for improvement include the reforms to Islamic Family Law, the Law Reform (Marriage and Divorce) Act 1976; recognizing psychological violence as a form of domestic violence; amendment to the Local Government Act 1976 enabling local government elections to be held, the enactment of a Sexual Harassment Act, and amendment to the Parliamentary Standing Order to curb sexist behaviours and remarks.

Committees such as the National Advisory Council for the Integration of Women in Development (NACIWID) and even the Cabinet Committee for Gender Equality appear to be ineffectual.

The ugly side that degrades women still continues to shock and appal those working towards a progressive nation today. Sexism reigns in the debates in parliament and among politicians, marital rape has yet to be recognized and the sexual abuse of Penan women was an eye opener. Recently the use of Section 498 to sue a wife's alleged boyfriend is both demeaning and outdated. Degrading too are the sexist and discriminatory comments made by Perak ADUN Hamidah Osman about how women can run households, but cannot run state governments.

Even uglier is the fact that child brides are still evidently in existence in our country today. Women are being sentenced to whipping for the first time under Syariah Law. Women who are asylum seekers, refugees and migrant workers are vulnerable to both sex and labour trafficking. Orang Asal and Orang Asli rights are still not on the main agenda, and the increase in women contracting HIV/AIDS is not addressed.

While we acknowledge that positive changes have taken place in light of JAG's 25 years of advocacy, we are disappointed and angered that the full realization of gender equality has been sluggish. Each time an issue arises, the authorities are quick to respond with more reports, studies and conferences, but fails dismally when it comes to taking effective comprehensive action.

JAG realises that a lot more has to be done in order to eliminate gender inequalities and discrimination. We urge Members of the Parliament and in particular the Parliamentary Gender Caucus to keep raising women's issues and fulfil their duty to the citizens in keeping the government honest to their commitments.

This statement is released by JAG comprising:

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