

**Brief Report on International Conference on
"Mechanisms and Legislation to Promote and Protect Gender Equality"
28-30 August 2006
Hotel Armada, Petaling Jaya, Selangor**



The Women's Centre for Change, Penang (WCC) together with the international solidarity network of Women Living Under Muslim Laws (WLUML) co-organised an International Conference on "Mechanisms and Legislation to Promote and Protect Gender Equality" which was held from 28th to 30th August 2006 at Hotel Armada, Petaling Jaya, Selangor, Malaysia under the sponsorship of WLUML and the Asia Foundation.

The broad objective of the conference was to facilitate discussion and the exchange of ideas on gender equality legislation and complementary enforcement mechanisms in selected countries. It was also hoped that the input and sharing of experiences of the international experts on the challenges faced in their respective countries would serve to enrich our understanding and provide insights into the formulation of our own laws and policies in the area of gender equality.

The conference was attended by 41 participants representing the Ministry of Women, Family and Community Development, Parliament, National Council of Women's Organisations (NCWO), the Malaysian Bar, the gender studies department and law faculty of Universiti Malaya, Universiti Sains Malaysia and Universiti Kebangsaan Malaysia respectively, and various civil society groups and non-governmental organizations including the WCC, All Women's Action Society (AWAM), Sisters in Islam (SIS), Women's Aid Organisation (WAO), Women's Development Collective (WDC) and Malaysian Trades Union Congress (Women's Division) (MTUC) (which

together form the local coalition of women's groups known as the Joint Action Group for Gender Equality (JAG), International Women's Rights Action Watch - Asia Pacific (IWRAP), Aliran, Malaysian Civil Liberties Society and Amnesty International. Also present were representatives from women's rights organizations in East Malaysia, namely the Sabah Women's Action Resource Group (SAWO) and the Sarawak Women for Women Society (SWWS). Ms Salbiah Ahmad, who prepared the first draft of the proposed Malaysian gender equality legislation attended the conference as an independent observer and researcher. Finally, Ms Mahboubeh Abbasghlizada was also present as a representative of the Non-Governmental Organisations Training Centre of Iran.



The conference was officiated by Yang Amat Arif Tan Sri Dato' Siti Norma Yaakob, the Chief Judge of Malaya. In her welcoming address, Her Ladyship congratulated the WCC and WLUML for organising the conference which she felt was timely. She also spoke, amongst others, of the need to remove unjust local laws and to validly incorporate into domestic law the provisions of international treaties that Malaysia is party to, as well as the principles of justice and equality between men and women in Islam which she felt compelled to spell out in order to dispel misconceptions which are prevalent when a religion is politicised to suit various agenda.

South African Professor Rashida Manjoo of WLUML who is presently attached to Harvard University spoke at length on the relevant historical developments and the three key gender equality mechanisms in South Africa, namely, the Parliamentary Gender Committee, the Office for Women in the President's Office and the independent Gender Commission. This Gender Commission is created in the Constitution itself and is the only one of its kind in existence. She also spoke on the need for amicus-type intervention in the courts in order to ensure proper application of gender equality principles in the administration of justice.

Dr Sara Charlesworth spoke on Australia's gender equality laws and mechanisms, their main features how these laws and mechanisms are implemented as well as their key strengths and weaknesses. She also focused on gender equality issues in employment which is the main area of equality in Australia.

Hong Kong's Ms Anna Wu outlined the Hong Kong position on gender equality. Historically speaking, the equality movement in Hong Kong is rooted in its adoption of the United Nations International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic Social and Cultural Rights (ICESCR) in 1977, and the incorporation of the ICCPR in Hong Kong's Bill of Rights in 1991. She also stressed the importance of equality legislation before describing the functions and powers of Hong Kong's Equal Opportunities Commission, as well as the challenges faced by this Commission in enforcing equality principles.

Ms Pethu Serote of Africa, Professor Dagmar Oberlies of Germany, Ms Anna Wilkowska of Poland and Ms Ayesha Mir of Pakistan each presented an overview of the various gender equality mechanisms and legislation in their respective countries, as well as the challenges faced in the implementation of the said legislation and mechanisms.

There was a Q&A session at the end of each presentation in which it was encouraging to note, from the numerous questions raised, that the participants were very interested and eager to learn from the experiences of these speakers.

On the second day, we moved on to discuss specific emerging laws and structures. The Sri Lankan speaker, Ms Chulani Kodikara, began the Session by highlighting in her presentation various aspects of national gender equality machinery for women in her country as well as the issues surrounding Sri Lanka's proposed Gender Equality Bill.

Ms Zarizana Abdul Aziz, Chair of WCC's Legal Reform Sub-Committee then spoke about the state of gender equality in Malaysia, including our existing, unsatisfactory laws, and highlighted in detail the proposal for a Malaysian Gender Equality Bill.

Ms Anuradha Rao of IWRAW presented a paper on the domestic application of the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Two consecutive workshops were conducted to discuss and gather feedback from the participants on the topics “Equality and Non-Discrimination Legislation” and “Mechanisms and Structures to Promote and Protect Women's Human Rights and Gender Equality”.



On the last day of the conference, the speakers and participants were divided into two groups. The first group comprising the international (non-Malaysian) speakers and participants gathered to discuss the draft Sri Lankan Gender Equality Bill. The second group, comprising the Malaysian participants, set out to recapitulate the events leading up to the decision by JAG to formulate a Malaysian Gender Equality Bill. The group also moved on to briefly discuss specific aspects of the draft bill presented by Ms Zarizana Abdul Aziz the day before, including the jurisdiction and powers of the gender commission and the scope of the Bill (ie whether it would be confined to gender or widened to cover more general discrimination). We received excellent feedback and useful insights on the Bill in this discussion. At the end of the discussion, it was decided that WCC would revise the draft Bill to incorporate some of the points discussed and circulate the amended draft to JAG. JAG would then meet to discuss and finalise the Bill and only after this final consultation would the bill be circulated to a wider audience.

After the group discussions, Ms Chulani Kodikara presented the international group's feedback on the Sri Lankan Bill. Ms Jana Rumminger then presented a summary of the local groups' discussion, followed by Ms Karen Lai who summed up the points raised in the previous day's workshops.

The conference ended with closing speeches by Ms Zarizana Abdul Aziz and Professor Rashida Manjoo thanking the sponsors, speakers and participants for a successful conference on behalf of the co-organisers, WCC and WLUML respectively.

The conference received good press coverage in the Malaysian media, namely local newspapers The Star, The Sun, the New Straits Times and online news publication Malaysiakini.

The Secretariat team involved in the organisation and handling of logistics for the conference was led by WCC's consultant trainer Dr Prema Devaraj and comprised WCC's office administrator Ms Tan Lean Kim (who handled the accounts/finances), project officers Ms Adilah Ariffin (technical support) and Ms Shariza Kamaruddin (book sales and registration) and legal officer Ms Karen Lai (emcee and co-rapporteur). Ms Vizla Kumaresan of WAO was the rapporteur for the conference.