



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women Eighty-eighth session

Summary record of the 2074th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 22 May 2024, at 3 p.m.

Chair: Ms. Peláez Narváez

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Sixth periodic report of Malaysia (continued) (CEDAW/C/MYS/6; CEDAW/C/MYS/Q/6; CEDAW/C/MYS/RQ/6)

1. *At the invitation of the Chair, the delegation of Malaysia joined the meeting.*
2. **The Chair** invited the delegation to reply to the questions raised by Committee members at the previous meeting.

Articles 10–14

3. **A representative of Malaysia** said that there was strong political will to amend the Constitution to address the issues related to citizenship that had been raised by the Committee during its previous review of Malaysia. Although the amendment process was lengthy, the Government was firmly committed to making impactful changes that would enhance the protection of women's rights. Anyone who gave birth in Malaysia, including asylum-seekers, had the right to register the birth and obtain a birth certificate. Birth certificates did not confer nationality.

4. **A representative of Malaysia** said that a draft law aimed at extending the length of compulsory education to 11 years of schooling, including the secondary level, would soon come before Parliament. The Government was committed to investing in education, particularly for girls, to achieve Sustainable Development Goal 4. A number of initiatives were in place to improve access to education, including for girls, in rural areas and among persons with disabilities. A total of 28 establishments had been transformed into comprehensive special model schools, which provided nine years of schooling, from the primary to the secondary level. A hybrid learning model had also been rolled out in rural areas, with the collaboration of non-governmental organizations (NGOs) and private enterprises, which had provided equipment. As a result, the number of girls enrolled in school had increased from about 510,000 in 2020 to about 512,000 in 2023. Following the implementation of the Zero Reject Policy, the number of enrolments in mainstream schools had increased from 21,000 in 2021 to 26,000 in 2023 among girls with disabilities.

5. In order to address the digital divide, stable high-speed Internet access had been installed in some 10,000 schools, about a quarter of which had been equipped with fibre-optic technology. As a result of learning initiatives implemented in the areas of science, technology, engineering and mathematics at the National STEM Centre, female students now made up more than half of those studying those subjects. During the coronavirus disease (COVID-19) pandemic, digital devices had been provided to more than 150,000 students, including girls from poor families and those living in rural areas. Girls were encouraged to finish their secondary education before marrying. Girls who married or became pregnant before the age of 18 years were never prevented from attending school. In 2021, 9 students had attended school during and after pregnancy, 5 had done so in 2022 and 10 had done so in 2023.

6. Guidelines and awareness-raising programmes had been implemented as part of efforts to prevent and respond to sexual misconduct in schools. In collaboration with the Royal Malaysia Police and the Malaysian Armed Forces, the Ministry of Education had set up a hotline for reports of bullying. As a result of those measures, bullying had decreased by 44 per cent in 2023 compared to the previous year. Age-appropriate material on reproductive health, contraception and the cognitive, emotional, physical, spiritual and social aspects of sexuality was taught in schools. The material was culturally relevant and was focused on helping girls make informed decisions.

7. To improve access to education for the children of migrants and refugees, the Government had opened community learning centres in Sabah and Sarawak States to meet the education needs of the children of Indonesian plantation workers who were lawfully employed. It had also established 18 alternative learning centres for children who were not Malaysian citizens and who were unable to gain access to formal schooling.

8. **A representative of Malaysia** said that a number of amendments had been made to the Employment Act to combat discrimination, including gender-based discrimination, in the workplace. Pursuant to the Act, which covered all workers in Malaysia, employers could lodge complaints with the Director General of Labour. With regard to addressing the gender pay gap, the National Wages Consultative Council played a pivotal role in reviewing minimum wage rates in various sectors every two years to reflect changes in economic conditions. The rates for each sector applied to all workers irrespective of gender or nationality. Progressive wage policy reforms had recently been introduced, and a pilot project would be launched in June 2024 to increase wages on the basis of productivity. The effective implementation of that and other policies would remove certain barriers that prevented women from entering the labour market and should lead to a significant increase in women's income and their participation in the workforce.

9. The foreign spouses of Malaysian citizens were permitted to work in the country. Between 2020 and 2024, about 15,000 wives who were not nationals of Malaysia had applied to the Department of Immigration for authorization to work. All domestic workers, including those who were foreign nationals, were protected by the country's labour laws and regulations. The Employment Act had recently been amended to ensure that all employers of domestic workers complied with the required background checks. A standard employment contract had been drafted to ensure that domestic workers enjoyed appropriate terms and conditions, including with regard to wages. Since June 2021, domestic workers had been protected under the Employees' Social Security Act of 1969. All workers could file complaints and grievances under 17 categories, which were in line with the International Labour Organization Indicators of Forced Labour, using the Working for Workers application or by contacting the Department of Labour. Between 2020 and 2024, the Department of Labour had recorded 153 complaints made by female foreign domestic workers in Peninsular Malaysia.

10. Employers were required to establish an internal mechanism for the investigation of complaints of sexual harassment, which was defined in the Employment Act. Perpetrators could be demoted or dismissed without notice. Between 2020 and 2024, the Department of Labour had received 58 complaints of sexual harassment in the workplace. In addition, between 2019 and 2023 the Department of Industrial Relations had dealt with 104 such cases.

11. **A representative of Malaysia** said that the interpretive declaration concerning article 11 of the Convention was not intended to modify the obligations of Malaysia under the Convention; rather, the aim was to set out the country's position on the principle of gender equality and non-discrimination in the field of employment, taking into account the country's multi-ethnic, multicultural and multireligious society.

12. **Ms. Hacker** said that she would welcome the delegation's comments on reports that refugee and asylum-seeking girls continued to face difficulties in obtaining access to education and on the steps being taken to increase school enrolment and retention rates among disadvantaged girls. It would be interesting to hear about any plans to include Indigenous history and culture in the school curriculum with the aim of reducing negative stereotypes and bullying directed at Indigenous girls and women.

13. **Ms. Haidar** said that she wished to encourage the State party to re-examine its position on article 11 of the Convention in the contemporary context in order to combat discrimination against refugee women, Indigenous women and lesbian, bisexual, transgender and intersex women. She would like to know whether migrant domestic workers were covered by the Employees' Social Security Act.

14. **A representative of Malaysia** said that the Employees' Social Security Act covered all domestic workers, irrespective of nationality. While the Government had not yet set a minimum wage for domestic workers, it had not ruled out doing so in the future.

15. **A representative of Malaysia** said that the Government would take into account the Committee's remarks concerning access to education for refugees and consult with the relevant stakeholders.

16. **A representative of Malaysia** said that the authorities had taken steps to review the school curriculum to address gender bias. Stereotypes of Indigenous persons would be addressed in the new curriculum that was due to be launched in 2027.

17. **Ms. Reddock** said that the Committee was concerned about reports that health-care subsidies for asylum-seekers were available only to those who were registered with the Office of the United Nations High Commissioner for Refugees (UNHCR) and that the majority of refugees and asylum-seekers were unable to open bank accounts. She would therefore welcome an update on the efforts being made to ensure that refugee, asylum-seeking and migrant women had access to affordable health-care services on an equal basis with Malaysian nationals. It would be helpful to know whether there were plans to repeal the directive requiring public hospitals to refer undocumented migrants and asylum-seekers to the Department of Immigration and whether any progress had been made in the meaningful implementation of National Security Directive No. 23, pursuant to which refugees would be entitled to health care, education and employment. She wished to learn what was being done to address, with retroactive effect, the discriminatory provisions that negatively affected the citizenship and health rights of Malaysian women and their spouses and children, as well as those of the foreign-born spouses and stateless children of Malaysian men.

18. The delegation might comment on any plans to improve the reportedly inadequate access to health care, unsanitary conditions and degrading treatment, including sexual and gender-based violence, in prisons and immigration detention facilities and to implement the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). She would also be grateful for clarification of whether data were being gathered on unsafe abortions. It was unclear what proportion of the decline in maternal mortality and morbidity rates was the result of unsafe abortions.

19. **Ms. Bethel** said that, in view of the fact that women undertook a disproportionate amount of unpaid housework and care work, she would welcome information on any evidence-based public policies to develop an integrated care economy accompanied by campaigns to promote the equal distribution of care work between women and men and the remuneration of such work. She wished to know what steps were being taken to recognize unpaid work done by women and reduce the amount that they undertook by increasing relevant investments and enhancing infrastructure and social services such as affordable housing, public transportation, sanitation, and water and electricity supplies, particularly in rural areas. She wondered whether the State party would consider conducting research into the savings made by its health-care and social care systems as a result of the unpaid work carried out by women.

20. The Committee would be grateful to know the status of the bill on climate change and the national adaptation plan relating to that issue. It would be interesting to learn whether recognition of the link between climate change, human rights and gender equality had led to the development of gender-sensitive policies and programmes that recognized women's roles in communities and promoted their human rights, including their sexual and reproductive rights, land rights, their right to live free from gender-based violence and their right to decent work in the context of climate change.

21. The delegation might indicate whether the State party had gender-disaggregated data that highlighted the differential impact of the climate crisis on women and men and whether intersecting forms of discrimination were addressed in climate change policies. It might also describe any measures being taken to ensure that disaster risk reduction funds were equally distributed and used to address the gendered impacts of disaster risk reduction and support women-led initiatives in that field. In the light of the State party's efforts to transition to renewable energy, it would be interesting to hear about any measures being taken to increase women's access to energy, employment and training and to address the risks to women's rights posed by large-scale renewable energy projects.

22. Given that Malaysia was a party to the Joint Declaration on Trade and Women's Economic Empowerment, she wondered whether the State party's trade policies provided for the adoption of gender-responsive practices and indicators relating to trade and trade-related institutions and whether trade agreements had been subjected to gender impact assessments to determine whether the benefits accrued equally to women and men. The Government

might consider appointing a gender focal point on trade to coordinate activities relating to trade and gender and to monitor the outcomes of trade policies and programmes.

23. Malaysia was required to join the International Union for the Protection of New Varieties of Plants, following which small-scale subsistence farmers, many of whom were women, would be denied the right to save and share seeds and farmers would be required to pay royalties for seeds for up to 25 years. Given that such requirements would adversely affect the intellectual property rights of Indigenous women, it would be interesting to learn about any measures being taken to protect those rights.

24. **A representative of Malaysia** said that reproductive health-care services were accessible for all women, irrespective of their nationality or legal status. Antenatal, postnatal and family planning services were free for Malaysian women in public facilities. Non-nationals also had unrestricted access to the full range of health-care services provided by public facilities, private general practitioners and NGOs. However, non-nationals were required to comply with the Fees Act and government circulars on health when receiving services from government facilities. Refugees holding cards issued by UNHCR were entitled to receive subsidies amounting to 50 per cent of the cost of health-care services. Foreign nationals, including refugees and asylum-seekers, were exempt from the fees associated with the treatment of infectious diseases. Six vaccines, including against polio, had been made available free of charge to all non-national children aged 7 years or younger.

25. Teams of health-care workers attached to the Ministry of Health provided health-care services to inmates in prisons around the country. Women inmates could receive gynaecological care and other specialized forms of care either within their place of detention or at a nearby health clinic or hospital. The management of health-care services was overseen by the Ministry of Home Affairs, which ensured that all inmates had access to comprehensive care. The Ministry also allocated medication, medical equipment and sanitary products to women inmates.

26. Abortion was legal only in situations where a woman's pregnancy posed a risk to her life or health. A degree of social stigma was attached to abortion, which further restricted access to safe and legal abortion services. The Ministry of Health provided women with comprehensive reproductive health-care services, including family planning, counselling and maternal health-care services. Guidelines on sexual and reproductive health had been developed for teenagers accessing primary care services. The guidelines emphasized the duty of health-care providers to respect their patients' privacy and provide professional and non-judgmental care. The Ministry of Health collaborated with the Malaysian Association of Adolescent Health and the Asian-Pacific Resource and Research Centre for Women to conduct awareness-raising and organize public workshops and seminars on sexual and reproductive health issues.

27. **A representative of Malaysia** said that the Government acknowledged that a person's right to life must be prioritized over all other concerns. Therefore, immediate medical attention was provided to all persons facing emergency or life-threatening situations, irrespective of their legal status. The Malaysian health-care system operated in accordance with the principle that all persons had the right to medical care. In collaboration with the relevant agencies, the Government would consider the Committee's recommendation to repeal the directive requiring public hospitals to refer undocumented asylum-seekers and migrants to the Immigration Department. Refugees and asylum-seekers holding documents issued by UNHCR were not reported to the Department.

28. **A representative of Malaysia** said that Malaysia was currently hosting over 185,000 registered refugees and asylum-seekers, which was the highest number in South-East Asia. Despite the numerous constraints that the country faced, which included stretched resources, limited capacity and overburdened social infrastructure, the Government was continuing to make efforts to manage the influx. In that connection, it had amended Directive No. 23 of the National Security Council to ensure the provision of more comprehensive support to refugees and asylum-seekers awaiting resettlement to a third country or return to their own country when the situation permitted.

29. The Government provided access to health-care services, education and employment for refugees and asylum-seekers, irrespective of their background, age, gender or nationality.

To date, the Government had allocated over 87 million Malaysian ringgits (RM) to facilitate access to medical treatment for UNHCR card holders at government health-care facilities. However, the ongoing influx of refugees into the country posed additional challenges that could not be met without the support of the international community. The Government therefore reiterated its call for Member States, UNHCR, the International Organization for Migration, and States parties to the Convention relating to the Status of Refugees to step up their efforts to assist with the resettlement of refugees from Malaysia to third countries.

30. In 2023, the Government had established shelters in the States of Negeri Sembilan, Sabah and Sarawak to house foreign mothers and children aged 10 years or younger who had been identified by the immigration authorities. The three centres were managed in collaboration with NGOs, civil society organizations and the private sector. They were equipped with child-friendly facilities and housed 98 women and children. Plans were in place to establish more centres in other parts of the country.

31. **A representative of Malaysia** said that women in Malaysia were generally better educated than men but were less likely to be in paid employment. The Government had collaborated with the World Bank to investigate possible measures to improve women's economic opportunities and to assess the potential cost of their implementation. According to the results of the study, women aged between 25 and 29 years had the highest rate of participation in the labour market while the rate for older women was lower.

32. Although the regular retirement age for men and women had been raised from 55 to 60 years in 2013, only about 40 per cent of women aged between 55 and 59 years had participated in the labour market as of 2018. The most common explanation for women's low employment rate was that they were expected to perform unpaid housework and care work. Therefore, improving the availability, quality and affordability of care services for children and older persons was essential to improving women's employment opportunities. In order to achieve that goal, policies, procedures, standards and the established data systems would need to be updated and streamlined. It would also be necessary to bolster public-private partnerships to address the increasing demand for care services for older persons and children.

33. Efforts had been made to improve the social protection afforded to women micro-entrepreneurs and women working in the informal economy, who accounted for a significant proportion of women working in Malaysia. In 2007, the Government had developed a national poverty database, known as eKasih, that was used to identify households with low incomes, including those headed by women.

34. **A representative of Malaysia** said that, in accordance with the Rural Development Policy 2030, the Government was committed to developing rural infrastructure, including roads, electricity supplies, water supplies, street lighting and social amenities such as public halls and recreational facilities. For 2024, RM 2.67 billion had been allocated to the development of rural infrastructure, which was 7.6 per cent more than the amount allocated for 2020. Between 2018 and 2023, more than RM 300 million had been spent on building infrastructure in Indigenous villages. Over 190 rural community centres provided key services to improve the well-being of rural and Indigenous communities.

35. The Government supported disaster victims as a matter of priority, irrespective of their gender. Victims of disasters were given access to temporary shelters and provided with basic necessities and financial assistance. Early warning systems had been established and measures were taken to build the resilience of communities in the face of disasters. A number of ministries and agencies participated in the development of disaster management programmes, which incorporated gender-specific considerations.

36. Under the Protection of New Plant Varieties Act 2004, prior written consent must be obtained from an authority representing Indigenous Peoples when applying for a breeder's right for varieties developed from traditional varieties. Activities other than breeding were governed by the Access to Biological Resources and Benefit Sharing Act 2017, which covered both protected and unprotected traditional varieties of plants. In partnership with universities and organizations, the Ministry of Agriculture and Food Security implemented programmes to educate Indigenous communities and farmers about the process of registering and trading in plant varieties.

37. **A representative of Malaysia** said that the Government had carried out numerous measures in line with the enhanced Lima work programme on gender, which called for women's full, equal and meaningful participation in the international climate process. As part of the process of preparing the country's second national communication to the United Nations Framework Convention on Climate Change, meetings, workshops, training sessions and consultations had been held, with women constituting the majority of the participants. Women accounted for over 40 per cent of persons holding technical positions in national climate change communities. The Government provided gender-sensitive assistance to persons affected by climate-related emergencies.

38. Projections indicated that average annual surface temperatures in Malaysia could rise by between 1.9 °C and 2.1 °C by 2100. In collaboration with national and foreign agencies, including the German Development Agency and the German Agency for International Cooperation, the Government was developing a national adaptation plan that would focus on water security, water resources, agriculture, food security, infrastructure, energy and the built environment, among other issues.

39. **Ms. Reddock** said that she wished to know whether the State party would consider decriminalizing sex outside marriage as the current legal situation adversely affected women's and girls' access to health care. She wondered whether the Government would protect lesbian, bisexual, transgender and intersex women against attempts to correct or rehabilitate them.

40. **Ms. Bethel** said that it was still not clear how, in undertaking the transition to renewable energy, the Government would protect the land rights of Indigenous Peoples, prevent irreversible environmental degradation and ensure the realization of women's human rights and their access to energy.

41. **A representative of Malaysia** said that the Ministry of Health was making efforts to enhance women's access to quality sexual and reproductive health services, including by collaborating with NGOs and other agencies to provide relevant information to those who needed it. The Ministry was taking steps to ensure women's access to safe and legal abortion services.

42. **A representative of Malaysia** said that answers to the Committee's questions about the transition to renewable energy would be provided in writing.

43. **Ms. Hacker** said that she would welcome information on the implementation and outcomes of the Rural Development Policy 2030, which included a specific chapter on rural women. She wondered what the State party had expected to achieve from the policy in the first five years of its implementation and what had been achieved in practice. It would be interesting to know what percentage of rural land was currently owned by rural women and what would be done to guarantee women's equal right to land ownership. She was curious to know how many shelters for victims of domestic violence were operating in rural areas and how many women and children they could accommodate. The delegation might describe any measures being taken to collect data disaggregated by sex, ethnicity, geographic location, age, citizenship, disability and gender identity that would provide a comprehensive picture of the human rights situation of girls and women through an intersectional lens.

44. She would welcome an explanation of how the interests of rural and Indigenous women had been accounted for in policies, programmes and decision-making relating to development, land, food security, nutritional investment, disaster mitigation and climate change. The delegation might also explain how the National Strategic Plan for 2023 to 2026 identified and addressed intersectional forms of discrimination faced by Indigenous women.

45. She wished to know how many women and girls were currently in detention centres, how many had been deported from detention centres over the previous five years, the reasons why they had been deported and the procedure followed to deport them. The Committee would be grateful to learn about the protection and assistance afforded to women refugees and asylum-seekers who faced sexual or domestic violence in detention centres. It was not clear why UNHCR had been denied access to immigrant detention centres since 2019. She wondered what steps would be taken to cooperate with UNHCR in preventing the arrest and detention of UNHCR document holders and conducting procedures for determining the status

of migrants. What alternative measures to detention was the State party planning to implement for refugees and asylum-seekers?

46. The delegation might describe any measures in place to protect the dignity and physical integrity of lesbian, bisexual, transgender and intersex women. She would be interested to know whether laws discriminating against such persons would be repealed or reformed and whether steps would be taken to put an end to conversion practices targeted at them. Was it the case that transgender persons were not permitted to change their assigned sex in any circumstances?

47. The Committee would appreciate details of any measures being taken to ensure the full, equal and meaningful participation of women with disabilities in society and public life. It would also welcome information about any data being gathered, or studies being conducted, to assess the effectiveness of initiatives to promote their integration, such as the guidelines on the integration of children with disabilities in elementary schools. She would be interested to hear about any measures being implemented to prevent discrimination against women with disabilities in health-care settings and to enable them to make informed decisions and enjoy bodily autonomy. She wished to know what was being done to enhance support for Indigenous persons with physical or mental disabilities, especially in rural areas. Why had the State party still not submitted a report to the Committee on the Rights of Persons with Disabilities when it had ratified the Convention on the Rights of Persons with Disabilities 14 years previously?

48. She would be grateful to learn how many women were currently facing the death penalty in Malaysia, how many of them were non-citizens and whether the State party had any plans to abolish the death penalty. The delegation might explain how the State party would guarantee that convicted women, including foreign nationals, had adequate time and resources to gather evidence for resentencing applications, including access to mental health assessments. The Committee was curious to know whether gender-related vulnerabilities, such as economic insecurity and vulnerability to coercion, intimidation and deception, were taken into account in sentencing and whether judges were made aware of such vulnerabilities and of the need to take them into account. She would appreciate details of any steps being taken to create adequate and gender-appropriate conditions for all incarcerated women, including transgender women.

Articles 15 and 16

49. **Ms. de Silva de Alwis** said that she wondered whether the State party would consider withdrawing its reservations to article 16 of the Convention on matters relating to marriage and family relations with a view to upholding the fundamental principle of equality between women and men. She wished to know whether the State party would consider the following revisions to its legal system: establishing a non-derogable minimum age of marriage of 18 for both sexes, including by removing clauses that created exceptions and indeterminacy in the law; abolishing the requirement for a male guardian to consent to a woman's marriage; calling for a standard form of marriage contract in which polygamy was prohibited while, in the interim, only allowing polygamous marriages with the agreement of all parties and protecting the rights of women already in polygamous marriages; establishing an equal right to divorce and divorce only by judicial decree; ensuring the equal division of matrimonial assets and an equal right to custody and guardianship of children; annulling the Zina Hudood ordinance which criminalized adultery including premarital and extramarital sex; removing the restriction of interfaith marriages under family laws; upholding the equal rights of women and men in all family and marriage matters, including equal capacity to enter into marriage, divorce and remarriage; and recognizing affirmative consent in rape law.

50. **A representative of Malaysia** said that there were 11 nurseries, 283 kindergartens and 95 primary schools dedicated to Indigenous children in Peninsular Malaysia, which had benefited nearly half of that population. Female students had represented 63 per cent of recipients of a scholarship granted to Indigenous children.

51. The Rural Development Policy 2030 outlined strategies to empower rural women and strengthen rural leadership. Dedicated funding for entrepreneurship programmes and skills-training programmes aimed at rural women was available. The percentage of women

in decision-making positions in the Village Development and Security Committees stood at 9 per cent for the position of chairperson and 28 per cent for the position of secretary.

52. The Government supported the implementation of any programmes intended to protect and empower Indigenous people in Peninsular Malaysia, including programmes concerning the reservation of land. Land ownership among Indigenous persons, including women, was recognized under Malaysian law. More than 40,000 hectares of aboriginal reserve had been gazetted as of 2024.

53. Several initiatives to intensify awareness-raising campaigns had been conducted to address domestic violence and promote available support services, including a 24-hour community care hotline and counselling services. The Sarawak government had organized social development dialogue and outreach programmes to advance and promote the rights and empowerment of women and girls, including rural and Indigenous women. In 2019, it had established a helpline for women seeking support with issues such as mental health, domestic violence and divorce. The Government would continue to strengthen its cooperation with relevant agencies and NGOs to address violence against rural and Indigenous women. The Government intended to review and amend the Aboriginal Peoples Act of 1954 and all relevant policies from a gender perspective. It welcomed technical assistance from the Committee to improve its mechanism for disaggregated data collection.

54. **A representative of Malaysia** said that the Government was in the final stages of preparing its report for the Committee on the Rights of Persons with Disabilities. The report had been prepared with the cooperation of more than 60 multisectoral government agencies, NGOs and the Human Rights Commission of Malaysia.

55. There were currently 43 safe places and 12 temporary transit centres designated to provide temporary refuge and assistance to victims of domestic violence.

56. **A representative of Malaysia** said that, regarding the recommendation for the total abolishment of the death penalty, the mechanisms put in place following the recent legal reforms should first be fully implemented to enable a fair and effective review of the system. Women facing the death penalty had the right to legal assistance. Prisoners that requested legal assistance could be represented by a lawyer of their choice or by a lawyer appointed by the court or the National Legal Aid Foundation. Funding was also available for lawyers appointed by the Office of the Chief Registrar of the Federal Court in cases involving the death penalty. As of May 2024, 34 female prisoners sentenced to the death penalty had completed the review process. The sentence of all 34 women had subsequently been reduced. Hearings for the review of the remaining 61 resentencing applications submitted by female prisoners would take place between May and July 2024.

57. The embassies of the respective countries of foreign prisoners assisted with reviewing prisoners' resentencing applications. The review procedures took into account factors such as the prisoner's age, health condition and length of term of imprisonment. In certain cases, the Federal Court could grant an extension on the time limit for prisoners to submit a resentencing application, namely 90 days from the date on which Act No. 847 came into force. Officials of government institutions and law enforcement bodies received training on the rights of women under the Convention and gender sensitivity in relation to capital offences.

58. **A representative of Malaysia** said that, despite its reservations to the Convention, the Government demonstrated its resolve to protect and promote the rights of women in marriage and family relations through its policies. It continually reviewed, strengthened and improved its mechanisms to prevent gender-based discrimination and address women's grievances, and welcomed the assistance of the Committee and the international community to that end. The Government would continue to review the feasibility of withdrawing its reservations.

59. **A representative of Malaysia** said that the requested data on deportation and female detainees would be provided in writing. The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and other relevant laws and regulations were observed in immigration detention centres. Female detainees with young children were placed in separate blocks and the basic needs of mothers and babies were met.

The detention centres were often visited by entities such as the Enforcement Agency Integrity Commission and the International Committee of the Red Cross and improvements were made on the basis of their feedback and within the scope of the allocated budget.

60. **A representative of Malaysia** said that the Town and Country Planning Act of 1976 allowed any party to register their objection to land development, including members of the Indigenous community. To encourage higher participation by women in the agricultural sector, the Farmers Organization Authority had created a group of female farmers, breeders and entrepreneurs. The group currently had more than 230,000 members. The Government had also established a fishermen's wives group which served as an economic and social support system for fishermen's families. Funding for female entrepreneurs in the agricultural sector was available through the Agrobank microfinancing programme.

61. **A representative of Malaysia** said that refugees and asylum-seekers with valid UNHCR documents were released from detention and had special permission to remain in Malaysia while waiting to be resettled in a third country or return to their country of origin. UNHCR officers were permitted to meet with detained refugees as long as consent was obtained from the Immigration Department.

62. **A representative of Malaysia** said that, while the Constitution protected the human rights of all citizens and prohibited discrimination on the grounds of characteristics such as religion, race, place of birth or gender, the rule of law depended on the moral consensus of the community. In Malaysia, gender was understood to mean male and female only, and the concept of marriage referred to the matrimonial relationship between men and women. While the law did not deny the rights of an individual, neither did it recognize rights that went against the societal norm. The Government had a duty to act in line with the moral consensus of the country and uphold the sanctity of religion and its accepted norms and values.

63. **A representative of Malaysia** said that the concept of guardianship was intended to protect the rights of women and girls and did not take away their right to choose their partner. The consent of both the man and the woman was required for marriage; the woman's consent was requested at the time of submitting the marriage application and at the moment of solemnization. Awareness-raising initiatives had been implemented regarding the rights of Muslim women in marriage. For example, all couples intending to marry were required to take pre-marriage courses covering topics such as divorce, family life, family law and Islamic teaching to equip them to build a fulfilling relationship.

64. Evidence indicated that child marriage was practised in Muslim and non-Muslim Indigenous and refugee communities. In 2020, a comprehensive standard operating procedure had been launched to assess marriage applications involving Muslim girls and boys under the age of 18. The procedure made it compulsory for parents to register marriage applications for minors and for a family assessment to be carried out, including a psychological and health assessment. Poverty was not a valid justification for underage marriage. The Government worked to increase public awareness of underage marriage to safeguard the well-being of children. Data showed that child marriage involving Muslim girls had decreased by approximately 58 per cent between 2018 and 2023.

65. **A representative of Malaysia** said that proactive and necessary measures were in place to safeguard the rights of all women in polygamous marriages. Muslim men were legally obliged to obtain the permission of the court to marry more than one woman, and the court determined the monthly allowance and division of matrimonial property for the existing wife and children. The number of polygamous marriages had declined between 2021 and 2023. Women's rights with regard to the distribution of inheritance were safeguarded. The sharia courts required cases involving joint matrimonial property to be resolved before an inheritance trial could take place. If a woman's husband had died, she was entitled to claim matrimonial property before it was divided through inheritance.

66. **A representative of Malaysia** said that the Committee's recommendations would serve as a road map for improving national initiatives to advance the rights of women and girls in Malaysia. She extended an invitation to the Committee members to visit the country to witness the progress already made. The Government was keen to collaborate with like-minded countries and relevant United Nations agencies on technical assistance and capacity-building programmes to further enhance the promotion and protection of women's rights.

67. It was essential to recognize the correlation between gender-based discrimination and broader human rights violations, particularly in conflict-affected regions. Malaysia remained deeply concerned about the impact of the crisis in Gaza on its citizens, particularly on women and children. Her country called for an immediate cessation of hostilities and the lifting of all barriers to the provision of humanitarian assistance. All parties were reminded of their obligations under international law to protect the rights of women and girls in conflict-affected areas. Malaysia stood in solidarity with women and girls around the world who faced disproportionate hardships in the midst of conflict.

The meeting rose at 5.05 p.m.