

Malaysia: Groups want anti-sexual harassment bill to be survivor-centric

Tuesday 1 March 2022, by [Malaysiakini](#) (Date first published: 16 December 2021).

A total of 58 activist groups and 34 individuals have called for the Anti-Sexual Harassment (SH) Bill was tabled in Parliament for its first reading yesterday to be improved with comprehensive survivor-centric elements.

The bill was among five that has been pushed back to the next sitting which is currently due to start on Feb 28, 2022.

"The rakyat has already waited for more than 20 years for the Bill. In light of current legislative gaps and widespread prevalence of sexual harassment online, in public spaces and organisations (including educational institutions), the Rakyat needs well thought through, comprehensive survivor-centric legislation," said the groups in a joint statement.

They said that the Bill that has been currently proposed fails to meet these standards and simply provides for the setting up of a Tribunal to deal with sexual harassment.

"For the Bill to be survivor-centric, three components have to be included:

- A comprehensive sexual harassment definition, which covers sexual harassment in all of its forms and contexts. This includes online sexual harassment. The definition that is suggested by the Special Project Task Force of the Anti-Sexual Harassment Bill (made up of women's groups, government agencies, academicians and other civil society actors) is as thus:

"sexual harassment" means any unwanted conduct of a sexual nature, in any form, including verbal, non-verbal, visual, gestural or physical, against another person, which reasonably causes offence, humiliation, threat to the person's well-being or creates an intimidating, offensive or hostile environment."

- A tribunal to receive and investigate sexual harassment complaints in a manner that not only is fast and affordable, but also protects survivors' privacy, provides protection against victimisation and addresses survivors' needs via provision of a range of remedies (including compensation, rehabilitation for and apology from perpetrators)

- Explicitly-mandated commitment by organisations (including educational institutions) in the public and private sector to prevent and address cases of sexual harassment, as well as create organizational awareness about sexual harassment via anti-sexual harassment policies, trainings and effective redress mechanisms.

The statement highlighted that women's groups first proposed a draft bill in 2001.

"Since that time there have been numerous meetings with various Ministries, government agencies and the Attorney General's Chambers to educate, inform and negotiate the creation of SH legislation

that puts the needs of the survivor first.

“Yet key concerns are not reflected in the Bill as it stands. Most glaringly, the Bill does not include organisational duties to address sexual harassment,” it said.

The groups urged that when Bill comes up for debate in the second reading, the MPs are to look out for the above components and raise questions as to the utility, effectiveness and workability of the provisions in the draft legislation as it stands.

“Such inclusions are needed for Sexual Harassment laws to be robust and effective in our country, thus the above are non-negotiable. Without the aforementioned components in the draft legislation, the Bill should not be passed and instead should be amended accordingly,” they said.

Endorsed Organisations

Joint Action Group for Gender Equality

1. All Women’s Action Society (AWAM)
2. Association of Family Support & Welfare Selangor & KL (Family Frontiers)
3. Association of Women Lawyers (AWL)
4. EMPOWER
5. KRYSS Network
6. Perak Women for Women Society (PWW)
7. Persatuan Sahabat Wanita Selangor (PSWS)
8. Sabah Women’s Action Resource Group (SAWO)
9. Sarawak Women For Women Society (SWWS)
10. Sisters In Islam (SIS)
11. Women’s Aid Organisation (WAO)
12. Women’s Centre for Change (WCC)

Other Civil Society Organisations

13. Architects of Diversity Malaysia
14. Belia di Bawah Bayu
15. Best Choice Delights Sdn Bhd
16. Borneo Spirit
17. Childline Foundation
18. CRIB Foundation

19. Demokrat Kebangsaan
20. Demokrat UKM
21. Demokrat UM
22. ENGENDER Consultancy
23. Federation of Malaysian Sri Lanka Organisations
24. Good Shepherd Services
25. Legal Dignity
26. Mahasiswa Keadilan Malaysia
27. MISI: Solidariti
28. Monsoon Malaysia
29. National Council of Women's Organisations Malaysia (NCWO)
30. Nokobu Tech & Resources Sdn Bhd
31. Parti Sosialis Malaysia (PSM)
32. Partners of Community Organisations (PACOS)
33. Pergerakan Tenaga Akademik Malaysia (GERAK)
34. Persatuan Untuk Anak Kita (Puak Payong)
35. Persatuan Wanita BCCM BM
36. Persatuan Wanita Mesapol
37. Pertubuhan Generas Aspirasi Pemimpin Wanita Malaysia (GAP.MY)
38. POWER (Pergerakan Orang Wanita. Empowerment and Revolution)
39. Protect and Save the Children
40. Reproductive Health Association of Kelantan (ReHAK)
41. Sabah Action Body Advocating Rights (SABAR)
42. Sabah Human Rights Centre
43. Sabah Next Generation (SNG)
44. Sarawak AIDS Concern Society (SACS)
45. Sekretariat #KitaSelamat
46. SFSG

47. Society for Equality, Respect And Trust for All Sabah (SERATA)
48. Soroptimist International Club of Petaling Jaya SIPJ
49. Soroptimist International Kota Kinabalu
50. SPOT Community Project
51. The Talisman Project
52. Undi Sabah
53. UPKO WOMEN
54. USHWANE SABAH
55. Voice of the Children
56. Wanita Inspirasi Sabah (WISH)
57. X Ed Malaysia
58. Youth For The Future

Endorsed Individuals

1. Ain Husniza #MakeSchoolASaferPlace
2. Andy @ chia chee shiong
3. Anne Lasimbang
4. Benreza Hezery Uzair
5. Celeste Chung
6. Chaw Pei See
7. Chin Poh Choo
8. Claudia Lasimbang
9. Dato' Dr Amar-Singh HSS, Consultant Paediatrician
10. Dayang Aishah binti K. Rakhbir Singh
11. Dinie Fadil
12. Dr Henry Chok
13. Fanny Philip
14. Fazar Arif
15. GEOALLEN GEORGE

16. Ho Yock Lin (Social Activist)
17. Jacqueline Lingham
18. Jenifer Lasimbang
19. Keith Shana Dawson
20. Maini Gompisan
21. Marathamuthu Suppanainar
22. Marina Mahathir
23. Megan Steven (NGI)
24. Michelle de la Harpe-Germani
25. Mohina Binti Sidom@ Mohina Ronnie Sidom (AMT UPKO Malaysia)
26. Noor Hayaty Binti Mustapha
27. Roddy Teo
28. Rowindy Lawrence @ Belle
29. Saiful Nizam #MakeSchoolASaferPlace
30. Siti Aishah Hassan Hasri
31. Sivakumar Kumaresan
32. Syed Azmi Alhabshi
33. Tamara Mae Kinsuan
34. Wong Chow Shang

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