

# **CITIZENS AGAINST RAPE PRESS STATEMENT ON THE TABLING OF THE DEFINITION OF RAPE**

***For any queries, contact:***

*Evie Gomez, AWAM (on behalf of CAR)*  
03-78774221 / [infocom.awam@gmail.com](mailto:infocom.awam@gmail.com)

***For release on:***

*13th July 2015*

Recently, de facto law minister Nancy Shukri highlighted that the definition of rape will be broadened and tabled at the next Parliamentary sitting. Mentioning that the Attorney-General's Chambers were in the process of finalising the process, Shukri also raised that non-penile methods of sexual penetration are being considered in the amendments.

The Citizens Against Rape (CAR) welcome the proposed legislative amendments to review and broaden the definition of rape. The present legal definition of rape under Section 375 of the Penal Code includes only penile penetration. We believe strongly that the expansion of this legal definition to include penetration using other body parts or objects, as well as oral penetration, to be a step in the right direction.

A broader definition of rape has been accepted in numerous countries as it more accurately captures the spectrum of non-consensual sexual acts that constitute rape. In 2013, the Criminal Law (Amendment) Act 2013 in India amended the legal definition of rape in the Indian Penal Code to include the "(insertion), to any extent, any object or a part of the body, not being the penis, into the vagina, the urethra, mouth or anus of a woman", while the International Criminal Court Statute now recognises rape as "penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body."

In Malaysia, the Joint Action Group for Gender Equality (JAG), which is part of the Citizens Against Rape, has had several meetings with the Attorney General Chambers to discuss numerous amendments addressing sexual violence, including the expansion of the legal definition of rape, the deletion of an exception for marital rape under the current definition of rape, the removal of the requirement of proof of protest and corroboration warnings under the Evidence Act for survivors of sexual assault, as well as the strengthening of the weight given to a child's evidence. We hope to see these proposals included in the new bill.

The Citizens Against Rape coalition supports the above legal reforms, but also calls for concrete actions and policies beyond legal reforms.

The "Hentikan Rogol: Stop The Rape Of Our Children" petition issued by the Citizens Against Rape, calls also for the inclusion of a gender equality curriculum in schools. Whilst rape manifests itself as acts of sexual violence, it is at its core about power and inequality, rather than sexual desire. Rape arises as a result of the unequal power dynamics between men and women in society, and is a direct result of gender stereotypes and roles that only serve to perpetuate this inequality.

We also call on the government for an open dialogue with regard to issues pertaining to violence against women, and we look forward to engaging with the de facto law minister and the Attorney General to support the passing of laws and other measures to address sexual violence against women and girls.

**Endorsed by the Citizens Against Rape:**

1. All Women's Action Society (AWAM)
2. Association of Women Lawyers (AWL)
3. Childline Malaysia
4. Malaysian Child Resource Institute (MCRI)
5. Persatuan Pengasuh Berdaftar Malaysia (PPBM)
6. Sisters In Islam (SIS)
7. Suara Rakyat Malaysia (SUARAM)
8. Voice of the Children (VoC)
9. Women's Aid Organisation (WAO)
10. Women's Centre for Change (WCC)