

# IWRAW Asia Pacific



## 2012 ANNUAL REPORT



*International Women's Rights Action Watch Asia Pacific*

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## Executive Summary

The year 2012 represented the 19th year of IWRAP Asia Pacific running its programme targeted at supporting women's rights groups in understanding and using the CEDAW Convention, its standards and mechanisms, as a source of law and a framework to interrogate laws and policies, to strengthen the institutions of the State and the cultural environment towards gender equality and for combating discrimination against women.

Much of the work in 2012 continued to address **connection of local and regional advocacy initiatives and partners to the global policy platforms on gender and women's human rights**. Based on our overall programme direction for the year, IWRAP Asia Pacific focused on strategic collaborations and thematic rights discussions with our CEDAW partners in Middle East North Africa, Southern Africa and South East Asia and was able to achieve various highlights. The strategic partnerships and collaborations with global partners, on strengthening compliance to treaty standards of women's human rights showed that in various regions there has been a growing use of CEDAW as the standard to measure gender equality results of the State. Across the globe many new laws and programs were enacted throughout 2012 which reflect the object and purpose of the CEDAW Convention and the aspirations and needs of women<sup>i</sup>. Despite this general trend toward legal compliance, there are also cases of backsliding in the legal framework of rights for women<sup>ii</sup>.

This year we worked on a programme that addressed the need to **monitor laws for CEDAW compliance**, to **strengthen government agencies mandated to promote gender equality** and to **advocate for positive legal environment for gender equality** including removal of discriminatory laws and CEDAW compliance by non-state actors. We learnt a vast deal about the external factors impinging the critical work of all rights and equality advocates, the constraints that women's groups face in promoting gender equality and the many lessons both conceptual and practical which we learnt in implementing our programme on CEDAW.

We are proud to celebrate various **key achievements** this year:

Facilitated 64 activists from nearly 40 organisations globally to the CEDAW review who then contributed nearly 30 shadow reports to the CEDAW Committee's review of states and worked as part of our global mobilization of women's groups to monitor the accountability of states to gender equality.



Supporting women's groups at Southeast Asia brainstorm and strategise to respond to the impact of the current development agenda and economic crisis and austerity using a CEDAW framework<sup>iii</sup>.

Progress on the ground - The impact of our activism on women's human rights can be seen in observable change in the policy and law at country level. In 2012 we were pleased to monitor and follow-up with the progress of our partner NGOs who attended our From Global to Local training, engaged with the CEDAW Committee and made recommendations which the state later implemented. In 14 countries where we have supported women's rights activism at the CEDAW review we note positive change to the legal and policy environment. As reported on page 24, Jordan, Algeria, Morocco, Israel, Slovenia, Macedonia, Saudi Arabia, Malaysia, Uruguay, Ireland, Slovakia, Philippines and United Arab Emirates have all amended laws which discriminated against women.

Developed a guide on strengthening women's economic social and cultural rights using the two treaties, CEDAW and CESCR<sup>iv</sup> in collaboration with ESCR Net.



Reconnected and provided a platform to raise conceptual clarity on the application of the CEDAW framework of women's human rights and sustained CEDAW activism through five regional dialogues including in Southern Africa, Meso America, Central America, Southeast Asia and in Asia Pacific with more than 300 women's human rights advocates from civil society and state agencies.

Engaging with the network of national human rights institutions in the Asia Pacific at their annual meeting in Jordan by clarifying the need for NHRI's to play a strong role in the MENA region on the constitutional reform process to ensure CEDAW compliance.<sup>v</sup>

Raised women's human rights issues at the Rio+20 towards impacting the NGO-state process in various briefing papers and statement<sup>vi</sup> which posed the question of accountability of states for gender equality through their development agenda and plans for economic financing.

Addressed critical contexts which create greater challenges for women's exercise of their rights and freedoms through strategies that strengthen the use and application of international human rights norms, especially CEDAW to strengthen protection and promotion of equality and non-discrimination for women facing vulnerability and rights violations due to the situation of **conflict** or transitioning states, as well as the situation of **women migrant workers** through regional strategy processes with the broader network of peacebuilding and migrant worker advocates and on the issue of women's **access to justice** through research and development of briefing papers by experts to strengthen clarity on components and elements of this approach to justice and equality.

Through the Women's Caucus we were able to impact the drafting of the ASEAN Declaration on Human Rights<sup>vii</sup> through developing a substantive briefing paper on elements of the ADHR<sup>viii</sup>. When the Declaration was adopted with some negative phrasing in its text, we continued to raise objections to the use of concepts such as "public morality" to limit the scope of protection for human rights in ASEAN<sup>ix</sup>.

## Acknowledgements

2012 has been a year of uncertainty for the organisation and we have overcome only with the unswerving support of our staff, resource pool, our NGO partners and our donor allies.

I thank the Board of Directors, the Advisory Committee as well as the individual committees namely the Capacity Building Advisory Group (CBAG), Optional Protocol to CEDAW Advisory Group (OP CEDAW AG) and the Programme Management Team (PMT) for the From Global to Local, for all their continued input, expertise and efforts expended in 2012 to ensure the success of the programmes of our programmes.

We could not have carried out our work without the dedication, understanding and flexibility of our pool of resource persons and all our NGO partners who have contributed their time and expertise for our common cause.

We also wish to thank our donors - **Ford Foundation New York, the Global Fund for Women, HIVOS, Oxfam Novib, the Oak Foundation, and the United Nations Entity for Gender Equality and Women's Empowerment (UN Women) Southeast Asia and New York**, all of whom have helped us take one step closer towards our goals of a society based on gender equality and social justice.

IWRAW Asia Pacific accomplishments in 2012 was shaped and driven by the ideas, enthusiasm and tenacity of the staff, and thus I wish to record the organisation's appreciation and thanks to Wathshlah Naidu, Gauri Bhopatkar, Ayesha Sen Choudhury, Dorathy Benjamin, Gayathiri Jambulingam, Pook Li Ping and Azlini Ghani.

Our interns Amanda Thompson and Inn Young Park were a great help and provided youthful inspiration and energy to all!

A special note of thanks to Ivy Josiah who resigned as a member of the Board of Directors in December 2012, for her support and hard work over the last ten years and providing her brand of spirited activism and guidance to the organisation. We wish her the best and are eager to continue to work with her in other ways. A million thanks Ivy!

We also welcome two new Board members Amal Hadi of Egypt and Lesley Ann Foster of South Africa who have been long-standing partners of IWRAW Asia Pacific.

Audrey Lee  
Officer in Charge

# Organisational Information

International Women's Rights Action Watch (IWRAP) Asia Pacific is an international

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## Vision

Our vision is of a world in which everyone enjoys human rights and fundamental freedoms on the basis of equality, without discrimination on the ground of sex and gender, and free of oppressive power relationships, within a developmentally sustainable and inclusive society.

## Mission

To achieve our vision we adopt an approach based on the universal nature of human rights, focusing particularly on the experiences of women from the global South by:

(a) promoting and facilitating the effective implementation of human rights in conformity with CEDAW and other international human rights treaties and mechanisms;

(b) advocating and facilitating the inclusion of women and a women's rights perspective in human rights standard-setting, interpretation, monitoring, and implementation

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organisation based in the South working nationally, regionally and internationally towards the achievement of women's human rights. It plays a critical role in ***filling the gap between the promise of women's human rights as embodied in human rights treaties, and their actual realisation at the national level.*** It does this by mobilising women's groups at all levels to draw accountability from governments on the domestic application of human rights standards.

IWRAP Asia Pacific was set up in 1993 and remains the only organization that ***works systematically and consistently on monitoring and implementation of CEDAW,*** using the work of the CEDAW Committee and of other human rights mechanisms to advance the promotion and protection of women's human rights.

One of the foundational concepts embodied in IWRAP Asia Pacific's work is that women's equality is central to the full enjoyment of human rights. Another working premise of the programme is that a rights framework does not automatically confer rights. Rather it legitimises the claim for rights and women have to be able to claim their rights.

One of IWRAP Asia Pacific's goals is the elimination of all forms of discrimination, including discrimination against women, using a focus on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) as the basis for activism for the advancement of women's human rights. To do this, IWRAP Asia Pacific has chosen to focus on the promotion of women's rights as women face an additional layer of discrimination as compared to men due to historical disadvantage. CEDAW mandates substantive equality and gender responsive policies and programmes that are premised on a human rights

(c) critically engaging with and advocating progressive interpretations of human rights standards, promoting the adoption of new standards; and, in collaboration with our partners, generating new knowledge and materials on women's human rights,

(d) contributing to the further mobilisation of women towards achieving human-rights based governance and sustainable development, and holding accountable both State and non-State actors for protecting, promoting and fulfilling women's human rights.

## **Philosophy**

As a feminist human rights organization, we strive to cooperate and collaborate with women's groups and others, towards women's agency, visibility and empowerment.

perspective.

It requires States parties to condemn discrimination against women in all its forms and to ensure its elimination. The strength of the CEDAW Convention is that it recognises the systemic nature of the oppression of women and extends protection to all groups of women in all contexts.

In our stakeholders meeting of August 2011 the organisation worked on a restatement of its Philosophy, Vision and Mission towards engineering its response to the global challenges affecting people and societies.



# Environment for women's human rights

## Resistance to 'real' gender equality in the global development agenda

Our activities and responses continued to seek enhanced commitments in promoting the participation of women in the development of human rights standards and to build women's capacity to claim and access their rights through the promotion of the principles enshrined in the CEDAW Convention. There continues to be resistance to recognition of substantive equality and a return to the equity framework in the context of development. This was very evident in the Rio+20 debates which focused on equitable measures in the context of trade, transfer of technology, financing and climate change. The arguments are now also rather focused on the Common but Differentiated Responsibility (CBDR) principle that focuses on the responsibilities and respective capabilities of different states in addressing discrimination and inequalities. While, this is being applied in the macro context, at the micro and national level the impact on women's human rights is not fully addressed. In short the approach locates the social cost of environmental degradation only to the tallysheet between nation states, and negates approaches that are founded on people's rights and the realities faced by individuals and communities. This conceptual degradation adds further to the lack of emphasis or political will on ensuring substantive equality for women and further limits the States' fulfillment of their obligations under other human rights treaties.

In 2012 our engagement with the international women's human rights advocacy through various global/regional discussions and newly created systems e.g. the ASEAN human rights system, the Rio+20 circled around the debates around new standards for the (new) Sustainable Development Goals and the review of the Millennium Development Goals, the possible changes to be proposed in the ICPD global survey mechanism and document, new mechanisms for promoting human rights such as the Working Group on Discrimination in Law and Practice. These advocacy efforts confirmed for us the need to respond to the shifting policy environment for gender equality. We knew that promoting awareness of these environmental and structural changes and the need to address the impact of these overarching factors (including conflict, the economic-financial crises, as well as climate and environmental degradation issues) on women specifically, would be critical to ensure the promotion of substantive equality of women. It is paramount for the voices of the grassroots and national organizations to be strengthened to influence these global and macro policy changes.

In 2012 we supported women's groups' strategies that focus on strengthening women's empowerment in economic and political spheres including looking at development policies/national economic plans/agricultural policy and to ensure that these are grounded

on the idea of women as rights holders and beneficiaries and should address specific problems such as land-grabbing, sustainable livelihoods, housing, food and water security as well as climate change and environmental degradation. The agency of women from and representing marginalised issues within this context is also prioritised, particularly in the context of impact on rights of and role of rural women, women with disabilities, young women, migrant and refugee women.

### **Changing environment for rights advocacy**

Changes to the treaty body review process and related aspects of the ongoing treaty body strengthening and reform process also places some stress in terms of the continued need for NGO (and specifically women's human rights) advocacy to ensure that evolving systems, harmonization of procedures and belt tightening by the UN does not jeopardise the human development agenda and focus on ensuring that all people can and are enabled to exercise their human rights and fundamental freedoms. There have been various limitations proposed by member states to the UN to limit international and expert scrutiny of their human rights record and the legitimate expectations of civil society organisations in taking part, providing submissions and alternative solutions and perspectives in such processes of the UN as well as in holding their States accountable for human rights implementation at both national and international levels.

Similarly, the changing political landscape at domestic level greatly affects the work with national groups to address the current dangers and threats e.g. law reform based on extremely retrogressive interpretations of religion, lack of recognition of gender equality and the role of women in the reform movement translating into eroding political power and representation. There is a need to address the impact of culture and religion in the promotion and protection of the rights of women especially in majority Muslim countries. Related to this is the need to address the political strategies employed by women's human rights groups who use the framework of State secularism as a means for evolving the concept of rights, gender equality and relevant protections and steps needed to correct the environment, in juxtaposition with those women's groups who seek to articulate feminist perspectives and rights from an (progressive) Islamist approach. These two dominant ideological groups in MENA feminism have had space for constructive discourse and our future plans for this region need to allow for this but still locate the discourse in international norms which have been accepted by nearly all member states of the United Nations.

### **No end in sight for global economic and financial crisis**

The current economic crisis has caused a significant shift and shrinking of financial support to women's human rights organization. There is increasing emphasis on the promotion of the development agenda with a focus on economic empowerment of women. While on one

hand there is renewed consideration of women as “agents of change” and “economic actors”, especially the bilateral and multilateral donors, the challenge increases in women being instrumentalised based on this neoliberal perspective that places emphasis on women’s economic contribution and power in the context of current financial and economic system. This has resulted in us having to re-evaluate and shift our advocacy focus within the very narrow channel of donor priorities. We were able to initiate a discussion between our partners and a few donors to look at the challenges in funding and to deliberate on innovative measures and solutions to address the funding crunch and to sustain and support women’s human rights advocacy. The near future shall also include advocacy focused particularly on strengthening the understanding of bilateral and multilateral donors on the importance of women’s human rights and to ensure the incorporation within their agenda and action plans.

Private sector investments in the transitioning states, ASEAN countries and new economies have been doubling for the past years. The influx of these investments, especially in relation to land investments, most of the time results in the displacement of communities and other kinds of human rights violations. Mechanisms and policies have to be in place in order to help communities address the impact of high level policy making which do not normally take account of the impact of business, environmental change to local populations.

### **The civic and political futures for women**

Development and rights experts have commented that the lesson learnt from the Arab Spring is that inclusion and participation are essential to development, that lack of trust in government fiscal and political agendas, lack of jobs, and imbalances in wages in places factored into the destabilisation even where economic growth was high. In the same way, democracy is furthered by women’s equality, where women are free and capable of exercising and enjoying all their universal and constitutional rights, and to translate that into political power and social capital. However, the world’s average political participation percentage is still under 20%.

States have pursued gender mainstreaming and specific actions to address inequalities and discrimination faced by women, but the progress is extremely slow. This deficit in women participating, especially in women’s voice and influence in society and being represented in public policy, needs to be corrected to ensure women can truly enjoy the greatest payoffs from policy changes and development. Thus, there is need to continue to ensure gender equality continues to be the centre of any development policy and national action plans for growth and progress. Compliance with gender equality standards can only occur in a society and in governments based in rule of law, good governance, access to justice and recognition of the legitimate role of civil society actors in advancing policy and discourse on any issue relating to the role of citizens, states and the international community. Women need to be

able to debate and answer these obstacles as a matter of public interest and of their inherent rights.

### **CEDAW Framework for gender equality**

While we observed that CEDAW is recognized by both State and non state parties as a framework for institutionalizing gender equality and change in public policy and there needs to be further work to ensure that both constraining factors to the practical realisation of women's human rights are identified, monitored, addressed and eliminated and strengthening and enabling processes put in its place. CEDAW focus, especially as an enforcement mechanism is needed to prevent regression from gains and achievements thus far by the women's rights activists and advocates in terms of enactment of progressive laws in various spheres; expansion in jurisprudence, particularly progressive interpretations under religious laws; building social awareness and acceptance of issues relating to women's human rights; and gaining political commitments towards meeting state obligations under CEDAW and other international human rights standards relating to women's human rights. Ensuring incorporation and implementation of CEDAW principles through individual stages within processes of state restructuring, constitutional reforms, and conflict resolution and peace building is another key area of our ongoing work. This would largely include fair, adequate and effective participation and representation of women in each of the processes; reflection of CEDAW principles in new constitutions and laws adopted; adherence to CEDAW standards in establishment of new institutions and structures or reformation of existing ones.

### **Combating the endemic nature of violence against women**

Progress on establishing norms, standards and strategies to address violence against women has not been accompanied by similar progress in their implementation. Globally, various local laws and policies state their compliance to the international standards on women's human rights but remain inadequate and inconsistent. In spite of growing awareness of the magnitude of the problem of violence against women, its dimensions, forms, consequences and costs to both the individual and society at large, the political and social will to end the culture of impunity, and to effectively prevent and address violence against women, has not yet materialised. All too often, perpetrators of violence against women go unpunished. There still exists the existence of a range of social and cultural norms and traditional practices that justify and condone violence against women and the States failure to eliminate such practices and provide justice to the victims and survivors of violence has perpetuated this culture. The failure of the State to act is a key factor that contributes to the high levels of violence against women throughout the world. Further we see the connection to our work on conflict and peace-building. The global political economy which supports militarism and conflict further exacerbates women's rights in private and public sphere, and sexual and gender-based violence makes women's and girl's bodies sites

for control and infliction of terror over society. Given the current trajectory of the global discourse on international human rights and in particular women's human rights, which continues to use the arguments of culture, religion, traditional beliefs and public morality to limit and undermine enjoyment of rights of women in both public and private spheres we need to reinvigorate global support and develop a holistic accountability framework to eliminate violence against women.

### **Continuing to highlight the need for women's groups to work with International and regional mechanisms**

There is still ongoing debate at the level of governments and the United Nations to circumscribe the powers and processes of treaty bodies, and other independent mechanisms of the UN for the protection of women's rights and also to influence the evolution of the normative content of human rights (universality, indivisibility, interdependent and interrelated) by promoting alternative concepts through proposals on protection of traditional values.

Since 2008 IRAW Asia Pacific has worked on a strategy to ensure that ASEAN regional human rights structures substantively comply with international treaty obligations towards women's human rights and development, and that in terms of process and structure, the regional structure will harmonise with the treaty body system, especially CEDAW to impact gender equality. The recent negativity observed from states parties have made it harder for NGOs in Southeast Asia to advocate that ASEAN should emulate the progressive approach of other regions and states because even at the UN fundamentalist forces are in ascendancy. In the ASEAN, lack of transparency and denial of 'real' CSOs in dialogue processes continued and was resisted by NGOs but with different levels of success. There is a need to create alternate streams of impact/influence with ASEAN and national representatives to influence the strongest possible gender-positive response from states so that at least at regional and national level, women's rights does not backslide. Thus we are also strengthening IRAW AP's communication methods through improvement to the website and to highlight the core content of our work through social media to ensure that information and mobilization is still possible despite narrowed channels of communication on human rights in mainstream media. We are also creating more expert allies to support the Southeast Asia Women's Caucus on ASEAN's calls for progressive standards.<sup>x</sup>

### **Challenging funding environment**

In addressing the constraints we face in obtaining donor support that understands the need for flexible and collaborative funding without overburdening IRAW Asia Pacific and our partners in monitoring and reporting criteria that reduce the efficiency and strategic value of our programme, we proposed various alternative methods to work towards multi-stakeholder networks aimed at influencing the agenda on women's human rights and its

intersections towards the post 2015 development agenda. Ideas included - dialogues between women's human rights organisations and donors focused on common priorities, sharing existing innovative practices that have impacted social, environmental and institutional changes related to eliminating gender discrimination and brainstorming on reinforcing standards and elements of a feminists framework that would influence donor priorities and foster multi-stakeholder collaboration to promote work on eliminating inequality and discrimination against women. We will be pursuing these ideas as we head towards the next three year strategic plan for the organisation.

### **IWRAW Asia Pacific's sustained efforts in the face of organisational challenges**

The situation for the organisation in 2012 was beset by both financial and operational challenges which saw us unable to retain staff, caused the workload burden of existing staff to increase and impacted our ability to strengthen our partnerships with national networks working on CEDAW. Despite these constraints the staff resourcefully worked together and implemented the activities as planned with the help of IWRAW Asia Pacific's talented and generous resource pool of CEDAW activists.

## Our Work in 2012

In 2012 we sought to improve understanding of CEDAW as an instrument that adds concrete significance to the concepts of substantive equality, non-discrimination, the relevance of treaty law to improving national level action plans geared towards social justice, women's equality and empowerment of marginalised groups. Despite many advances in the law and policy environment towards recognition of gender equality and new mechanisms for the promotion and protection of women's human rights, exclusion of gender perspectives and obstacles to women's participation in public and civic roles negatively impacts democratic principles, good governance and rule of law. The programme focused on using CEDAW to empower women as agents of social change will strengthen good governance and rule of law and ensure the integration of women's human rights in the context of development.

In 2012 we continued to work through our four inter-related strategies:

- **Enhancing Realisation of Rights Strategy** (ERR), which focuses on regional and international advocacy, supporting women to participate in standard-setting activities at the regional and global level and ensuring that women's rights concerns are embedded in the work of international and regional human rights organisations and civil society organisations.
- **Building Capacity for Change Strategy** (BCC), which focuses on building skills and capacities of partners through workshops, training of trainers, application of frameworks for monitoring and application of CEDAW and tool kits to support trainers in their work.
- **Information Dissemination, Exchange and Application Strategy** (IDEAS) which supports information capture and knowledge generation through publications, research, listservs and the website.
- **Institution Building Strategy** (IB), which provides the administrative and financial management support for the organisation as well the structures for guiding future directions of IWRAW Asia Pacific.



# Enhancing Realisation of Rights (ERR) Programme

## Overview

ERR as the advocacy programme, continued to focus on two main strands: firstly direct engagement with regional and international mechanisms to ensure gender perspective and articulation of positive gender equality policies, and secondly working in support of national groups to enhance their capacity and participation in policy advocacy processes through capacity building and facilitating their participation in the regional and international processes. The national level work primarily involves supporting national level groups to carry out their own advocacy strategies based on the CEDAW framework to strengthen respect for and fulfillment of women's human rights by their government. This is often conducted as a support strategy for activities by the BCC programme or in conjunction with regional or international strategies.

ERR is focused on expanding normative human rights standards and ensuring that the national level perspectives have an impact on the formulation of international instruments. This strategy attempts to enhance synergies to ensure that international level policies are informed by and, therefore, reflective of the realities of women's lives and that these gains are able to support and strengthen claims for human rights at the national level. It directly aims to strengthen state accountability for the fulfillment of human rights and adherence to international human rights norms through strong civil society responses and resources for building common approaches to discrimination and violations of women's human rights.

## Highlights

Strategies were focused thematically on these **key thematic areas** where women's rights are facing grave violations – women's rights in **development**, women's rights in situations of **conflict and post conflict**, use of CEDAW and other rights frameworks to strengthen the protection for **women migrant workers** and **women's access to justice**. These activities strengthened capacity of national level women's groups in SEA on the application of CEDAW to address specific rights contexts.

### Women and conflict

On the issue of women's realities affected by conflict our strategy was to strengthen state accountability and private actor's responsibility through the CEDAW process. By collaboration with UN Women Southeast Asia and South Asia and OHCHR Asia we convened an expert meeting (the **CEDAW Committee's Asia Pacific Regional Consultation for the proposed General Recommendation on Human Rights of Women in Situations of Conflict and Post-conflict** in March 2012).





Asian Activists and state representatives  
at the CEDAW Committee Consultation  
on Conflict

Through this we engaged 64 state actors, from government ministries and NHRIs working at policy level on conflict and gender equality issues, and NGOs from Asia Pacific states which have a history of conflict, to strengthen their understanding of the authoritative mandate of the Convention relevant to the issue of conflict and women's rights therein. We also enhanced clarity on how CEDAW can raise accountability of the State to implement the Convention and highlighted certain concepts such as that state responsibility is non-derogable and continues in conflict as well as post-conflict & transitional situations. This concept is crucial as it shows that the link is not broken even in times of conflict on the duties and responsibilities of states to act in ensuring peace, democratic processes of governance and politics, as well as in suppressing violence and ensuring protection of women's rights, not just their lives or their physical bodies.

As a region, the meeting also helped activists groups to consider the different experiences of armed conflict and post-conflict which are shaped by women's multiple identities, and build networks and strategies on how to use the simultaneous and complementary application of the International Humanitarian Law and the International Human Rights Law, in particular CEDAW, during conflict. The area of change expected is in development of stronger, more accountable approaches to state obligation by CEDAW and to have states parties respond on these issues and to the status of implementation of the 1325 national action plans through the CEDAW review.

The result so far is that the CEDAW Committee's various drafts are inclusive of the submissions we made comparing the elements raised by CEDAW Committee in their report. The recommendations and inputs from this meeting can be found here<sup>xi</sup>.

By continuing to keep raising these issues with the CEDAW Committee and to network with our partners to lobby their governments to increase focus on accountability of violations to women in conflict times, we hope that the final

General Recommendation will be adopted by the UN General Assembly, thus making a useful link for gender & conflict activists to use CEDAW to raise issues and thus create another mechanism for accountability and progress reporting.

### Women's development rights

Development rights and rights in private life, as well as public or political power, are all key enablers for women. In June 2012 we held a conceptual meeting with our partners in Southeast Asia. 23 women from the region and 6 others from regional organisations joined us at the **SEA Consultation on Using CEDAW to strengthen Accountability for Women's Human Rights in Development in June 2012** to brainstorm with women's groups on how CEDAW can be applied to make their demands for development rights and to ameliorate the negative impact on women rights, of the twin factors of globalisation and development.



Southeast Asian women's right activists considering application of various frameworks to address major issues for women, affected by globalisation and changes to development policy.

Through the meeting we produced a framework to illustrate and guide women's demands on development rights in the current context. The meeting also resulted in an outcome document which called on the states to address 5 demands of the Southeast Asia women, including recognition of intersectionality and multiplicity of women's human rights and participation of ALL women; women's rights to land and property; women's right to

### Our key principles towards ensuring the promotion and protection of women's human rights in the context of develop:

- The foundational nature of human rights being **Universality and Inalienability**.
- **Indivisibility & Inter-relatedness (non-hierarchical)** of human rights which cannot be exercised in isolation.
- **Non-Retrogression**<sup>1</sup> - once a particular level of enjoyment of rights has been realized, it should be maintained.
- **Non-discrimination** - to prohibit discrimination in addition to mere avoidance of active discrimination. It includes proactive measures to ensure that the specific needs of vulnerable and/or marginalized groups, women, people living in informal settlements, and excluded minorities are addressed.
  - Address direct and indirect discrimination.
  - Address discrimination in both the private and public divide.
  - Address discrimination based on religion, beliefs, race, caste, sexual orientation and political stands
  - States to regulate and hold non-state actors accountable to violations and discrimination against women.
  - Adopt temporary special measures to address historical discrimination against women and to facilitate and increase the participation of women and eliminate inequality.
- **Substantive equality** - to ensure equality of opportunity, access and benefits.
  - States to address the impact of historical and structural discrimination against women and include **temporary special measures** as necessary to accelerate the achievement of gender equality.
- **State obligations**
  - **Respect, promote, protect and fulfill** women's human rights by "adopting appropriate legislation and other measures including sanctions where appropriate, prohibiting all discrimination against women.
  - **Non derogation** - a range of human rights that States cannot derogate from even in public emergencies or to without derogation of their obligations to private actors.
  - **Extra territorial obligations** - refer to the obligations of states to respect, protect and fulfil

food; women's employment and labour rights; and women's rights and climate change. This document was utilised as a lobbying tool at the UN Conference on Sustainable Development (Rio +20), held from 20 – 22 June 2012 in Rio.

### Impact of business on women migrants and women labourers

From 3-5 December 2012 we organised a **Consultation on Exploring Engagement with Non State actors using CEDAW to address the rights of women in the context of migration and trafficking**. 22 CEDAW and migrant worker rights activists from selected Southeast Asia countries participated in the regional migration consultation along with related subject matter regional experts to reflect on approaches to address the context of both sending and receiving states.



### Networking with new partners on monitoring the impact of big business on women's realities and rights in Southeast Asia

The consultation explored the ways in which women's human rights activists may engage with state accountability systems and actors in the business sphere (and recruiting agencies) to eliminate discrimination and protect women's human rights within the migration - trafficking nexus. The selected countries were Cambodia, Laos, Vietnam, Thailand, Burma, Indonesia, Malaysia and Singapore.

In the past, the primary focus of IWRAW AP's CEDAW work has been to ensure state accountability on the issues of

a person's human rights not only within, but also outside their territories. In the light of the ongoing globalization processes, it is inevitable to take into account the international dimension of human rights in policy-making.

- **Accountability, Participation and Transparency** - governments are obliged to provide mechanisms through which citizens (women and men equally) can hold the State and private actors accountable, participate constructively in decision and policy-making, and access information required to do so.
- **Due diligence** – to adopt a conceptual and policy framework to anchor the business and human rights debate, and to help guide all relevant actors. The framework should consist of three pillars:
  1. The State duty to protect against human rights abuses by third parties, including business and international financial institutions, through appropriate policies, regulation, and adjudication;
  2. The corporate responsibility to respect human rights, which means to act with safeguards due diligence to avoid infringing on the rights of others; and
  3. Greater access for victims to effective remedy, judicial and non-judicial.
- Requirement of **Progressive Realization** - States must take specific steps to ensure that people's rights improve over time.
- **Maximum Available Resources** - requires States to show that they are using the maximum of their available resources to ensure realisation of rights.
  - Resource availability depends on the level of economic output, growth rate, the level and growth of inflows of resources from other economies and the ways in which States mobilise resources from citizens to fund its obligation to fulfill human rights.
- **Minimum Core Obligations/Minimum Essential Levels** - there is a threshold within which States must comply.

migration/trafficking and building the capacity of our national groups in demanding their rights under CEDAW.

While this continues to be the primary focus of our work, current developments taking place globally indicate the importance of ensuring that our CEDAW advocates are also able to engage with non-state actors including corporations, businesses, recruiting agencies and others on the women's human rights violations relating to migration/trafficking. This regional consultation assisted our CEDAW activists/advocates in building conceptual clarity on how to use the CEDAW Convention and other relevant standards and tools to engage with businesses.



Strategy sessions

This consultation was the first step in a long term strategy in Southeast Asia that hopes to result in stronger promotion and protection of the rights of SEA women migrant workers. As part of this first step, IWRAW Asia Pacific invited experts and activists in the areas of migration, migrant work, trafficking and human rights who are already engaged with businesses/corporation to attend and share their experience and knowledge to reduce duplication and enhance synergies. IWRAW Asia Pacific is hoping to explore the various entry points for addressing the different principles through which accountability mechanisms of private sector businesses/corporation are governed. The result created synergistic use of various international legal frameworks and processes (CEDAW, ILO, Convention on Migrant Workers, the UN General Principles (UNGP) on Business and Human Rights Framework, IOM) to strengthen protections for women and girls. The area of change we will monitor in the upcoming year is synergy between the various groups working on women's rights, labour rights, migrant rights and trafficked women initiate sharing and strategies at a national and supra-national level which further defines how the legal environment can be strengthened to respond to state and business actor accountability for rights violations to these categories of people. A clear identification of the need to work with a gendered perspective especially on the issues relating to migration; women migrant workers are disproportionately adversely affected as clearly outlined in the notes above. They face various human rights violations that range from physical violence to restricted movement

The main output from this exploration is the development of strategies to build conceptual clarity on how to effectively use the UNGP but with a more gendered lens that is provided for under CEDAW and a user-friendly booklet on using CEDAW & UNGP to engage with businesses and even maybe training materials on this.



## Access to Justice

In 2012, we embarked on a strategy to address the gaps in addressing **women's access to justice**. Our approach was based on the fact that in many countries women are already unequal in the law because of the existence of discriminatory laws and practices and worse still, the discriminatory application of good laws. Focusing on access to justice is precisely so that rights are not only recognised but also claimed and effective and fair redress is sought and received. Principles guiding the concept of access to justice ensure recognition of rights that should ultimately help identify and strengthen state obligation which in turn will strengthen the exercising of rights by women. Thus we convened an expert group to help us develop a basis for articulating clear principles in applying CEDAW to access to justice – the **scope of our approach to access to justice** will address very specifically **access to judicial justice<sup>xii</sup>, administrative and quasi judicial justice, as well as informal mechanisms of justice**, which decide on and create jurisprudence on rights being violated and provide the required remedies. Access to this type of justice takes into consideration all the substantive, structural, economic, cultural, social or political obstacles to this access, and also includes in the remedies access to economic, cultural, political, social, civil rights that have been denied on grounds of discrimination against women based on sex and/or gender, inextricably linked with other factors that affect women, such as race, ethnicity, religion or belief, nationality, health, status, age, class, caste and sexual orientation and gender identity. We have now developed a briefing paper and a draft framework<sup>xiii</sup> on access to justice and will develop this further in 2013 through projects with the UN Women Southeast Asia.

### Summary of access to justice framework and some critical elements of proposed access to justice framework

De jure and de facto access to adequate and effective judicial remedies is essential towards advancing the rights of women in all spheres, including civil, political, economic, social and cultural. Restrictions and barriers to women's access to justice at the national level limits the remedies available in addressing discrimination against women and impacts their capacity to bring communications under the Optional Protocol.

It is imperative to note that the question of women's access to justice is also positioned in the context that in many countries women are already unequal in the law because of the existence of discriminatory legislation and practices and worse still, the discriminatory application of equal legislation. This is further exacerbated by reservations entered into by the state parties, which hamper the elimination of these laws and limiting state obligation, often on the basis of culture or religion.

Women's right to access justice is often exacerbated by the substance of the legal framework which does not ensure that the constitutional, legislative, customary law and jurisprudences are CEDAW compliant. It is therefore important that women's access to justice within national contexts is elaborated on within the purview of the text of the Convention, which recognizes human rights specific to women while also respecting their diversity in identity and experiences of discrimination and inequality.

Often the culture which underpins laws and justice systems is of patriarchal nature and often rooted in discriminatory constructions of gender leading to negative gender stereotypes, hetero-normative bias, and restrictive constructions of sexuality prohibiting transgressions and thus leading to discriminatory treatment of women in the administration of justice by law enforcement and courts as well as the discriminatory application of the law.

Gender bias can be compounded by other biases within the justice system, such as those related to class, race, disability, marital status, age, sexual orientation etc. which also contribute to subverting the role of the law by perpetuating power inequalities. Most approaches also fail to consider the heterogeneity among women and provide for the different contexts and situations of diverse groups of women. Certain groups face additional difficulties accessing justice because of intrinsic characteristics or particular circumstances which place them in an especially vulnerable position.

Inefficiency as well as lack of autonomy and independence of redress mechanisms, including states with plural legal systems contributes to the discrimination. This increases and contributes to unfair and lengthy procedures and evidentiary standards and requirements. Inefficiency and lack of protection and support structures and insufficient regulation of such structures, including awareness and information provision, legal aid services, mobile courts, protection for witness and victim protection as well as other supports such crisis centres, shelters, hotlines, counselling, financial support, medical, psychological is another key factor in denying women full access to justice. Ineffective legal remedies and sanctions that is not equal, impartial, timely and carried out in an expeditious manner, disproportionate, lacking in gender sensitive and non-transformative as well as lack of structures of implementation adds to challenge as well.

Challenges to access to justice are especially aggravated and acute in the context of conflict, transition, and failed states. Formal systems may not exist or function with any level of efficiency or effectiveness. Existing public institutions may be more likely to violate rights than to protect or realize them which deter the majority of victims from accessing them to seek justice.

Focusing on access to justice is precisely so that rights are not only recognized but also claimed and effective and fair redress is sought and received. Principles guiding the concept of access to justice ensure recognition of rights that should ultimately help identify and strengthen state obligation, which in turn will strengthen the exercising of rights by women.

There is need to address very specifically, access to judicial justice, administrative and quasi-judicial justice, as well as informal mechanisms of justice, which decide on and create jurisprudence on rights being violated and provide the required remedies. Access to this type of justice takes into consideration all the substantive, structural, economic, cultural, social or political obstacles to this access, and also includes in the remedies access to economic, cultural, political, social, civil rights that have been denied on grounds of discrimination against women based on sex and/or gender, inextricably linked with other factors that affect women, such as race, ethnicity, religion or belief, nationality, health, status, age, class, caste and sexual orientation and gender identity.

## Advocacy at the CEDAW Review

IWRAW Asia Pacific continued to be the key NGO recognized by the CEDAW Committee to facilitate alternative information to them for the review process we have been running the **From Global to Local Training and Mentoring** project for the 12<sup>th</sup> successive year since 1997.



As of the 53rd CEDAW session which ended in October 2012, we have facilitated participation of more than 600 women from 142 countries to **attend the CEDAW review, monitor state reporting and engage with the CEDAW Committee** to strengthen the work being done on CEDAW implementation at the national level.

In 2012, we were able to provide targeted support for 64 women activists from Algeria, Brazil, Grenada, Jordan, Norway, Republic of Congo, Zimbabwe, Bahamas, Bulgaria, Guyana, Indonesia, Jamaica, Mexico, New Zealand and Samoa. Chile, Comoros, Togo and Turkmenistan. In this group we included representatives from groups of women subjected to multiple forms of discrimination to advance their advocacy agendas in global human rights, especially those groups that have not been able to access space for public dialogue, attention, or policy focus from Brazil, Jordan, Zimbabwe, Bulgaria, Guyana, Mexico and New Zealand.



**me the opportunity to realize the immense interest that experts agree on the global evolution of the situation of women. This reinforces my commitment to contribute to the struggle for a society without discrimination."**

**Activist from Turkmenistan - "The training provided me practical and useful tips – it prepared me well for the oral statements, lunch briefing and by providing me information on the CEDAW experts"**

The 64 activists were prepared for the review through **3 day intensive trainings** by international law experts, feminist activists and IWRAW Asia Pacific staff focused on substantive and process related aspects of CEDAW review and was held a to ensure that women from these countries understood the CEDAW process and would be able to provide NGO submissions to the Committee, as well as gain strategic knowledge about how to continue the process of engagement with their states after the review, based on the

recommendations of the Committee in the Concluding Observations. The Concluding Observations are an analytical and legal tool women can use to mobilise and fast – track policy change domestically. The training was followed by supporting national women's groups to hold a one hour sessions with the CEDAW Committee – this question and answer session helps the Committee to engage more critically with civil society information. Through the programme we were also able to provide opportunities for women groups to conduct joint strategy sessions to drive action on law and policy for gender equality.

The biggest benefit of this programme is the sense of empowerment and recognition of the legitimacy of CSO initiatives that the women experience when they interact with the CEDAW Committee and the legal obligations of the State to demonstrate their plans

and actions comply with the standards for gender equality and the needs of women. Many of them experience a sense of achievement when they hear the CEDAW Committee ‘voicing’ their concerns during the State’ review. The CEDAW Committee on numerous occasions use the information provided by the NGOs to frame their questions to the state. The information provided by the NGOs in the Shadow reports (available from OHCHR website) also allowed for more effective questioning by the CEDAW Committee during the State’ review as they provided much needed context to many of the activities carried out by the State.

Women’s groups from the 21 reporting States who came to the CEDAW review and joined our programme presented more than **30 shadow reports and multiple oral statements** to the Committee. These perspectives and alternative data were vital to contributing to the relevance of concluding observations so that they can then be used as a tool for advocacy at the national level.

Witnessing the CEDAW session helps to build confidence in international Treaty Body systems to fuel engagement with more mechanisms in international human rights processes. NGOs provided invaluable insight to the committee on issues affecting women at the national level. The opening statement of the Chair of the CEDAW Committee this year specifically recognized the role of NGOs in the CEDAW review process, which aids in the recognition of the role of NGOs at the domestic level, where women’s groups may not have much access to state agencies and processes of policy making.

Direct impact of NGO advocacy is noted where the Committee’s recommendations to states have incorporated data and positions from CSO advocacy. Here we provide some illustrations of this impact:

- Concerns expressed by **Zimbabwean** women’s human rights activists for the need for the state to document and respond to cases of gender based politically motivated violence, to protect LBT women against violence and discrimination through the anti-discrimination legislation and the need review and urgently repeal section 23.3 of the Constitution that allows discrimination based on sex or gender in matters that fall within the provisions of personal and customary law as shown in the content of their shadow report (<http://www2.ohchr.org/english/bodies/cedaw/cedaws51.htm>) was echoed by the Committee in its Concluding Observations to the Zimbabwean government (<http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-ZWE-CO-2-5.pdf>) as it highlighted both these issues for official follow-up.
- **Jordan** – NGOs lobbied the Committee on issues relating to equality between men and women in terms of nationality and citizenship benefits as well as



- addressing honour crimes as a serious matter. The groups want to see the State addressing honour crimes as a serious offence by ensuring investigation and not allowing impunity. They also sought for equal laws afforded to women and men in Jordan who marry foreigners to ensure that Jordanian women who marry foreign men have the rights of their children and husband protected just like Jordanian men. (<http://www2.ohchr.org/english/bodies/cedaw/cedaws51.htm> ). The Committee in its Concluding Observations addressed both of these issues as the priority for follow-up by stating the need for equality between Jordanian men and women and the prohibition of discrimination and to ensure that perpetrators of honour crimes do not benefit from mitigating circumstances (<http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-JOR-CO-5.pdf> )
- In the review of **Chile**, the Committee strengthened the protection environment of women facing multiple discrimination especially due to their gender identify, sexual orientation or indigenous status, which is a key context of Chile, and while congratulating the state on good laws further required the state to prove its intent to support these communities by dealing strongly to change perception and stereotypes. We will be able to use this as a strong example that the CEDAW position is evolving towards greater recognition of rights of sexual minorities and recognition of the complexity of gender based discrimination<sup>xiv</sup>.
  - **Indonesia** – The Ministry for Women’s Empowerment and Child Protection is the national machinery for the advancement of women and the achievement of gender equality announced the draft Comprehensive Gender Equality Bill in May 2012<sup>xv</sup> as a focal point for all government assessment of policies and programmes to ensure the de facto achievement of equality for women in compliance with CEDAW and clarifies the hierarchy of CEDAW, central and local laws(which became a problem upon decentralization e.g. autonomous regions like Aceh). IWRAW AP had supported groups in 2007 and in July 2012 which lobbied the state and CEDAW Committee to propose various overarching changes to address gender discrimination and to domesticate CEDAW The Committee in its Concluding Observations from the 39<sup>th</sup> CEDAW session recommended that the Indonesia government “incorporate a definition of discrimination into its Constitution or national legislation that conforms with article 1 of the Convention. It recommends that the State party ensure that effective mechanisms and remedies are available to women whose human rights, as provided for in the Convention” (para 9 of Indonesia Concluding Observations from 39<sup>th</sup> CEDAW Session).
  - NGOs from **Guyana** had highlighted in the shadow report and oral statement that there was no indication that states had made any active steps in ensuring the juridical relevance of CEDAW, and this matter was highlighted as a concern by the Committee in the Concluding Observations<sup>xvi</sup>

- **Bahamas** – Bahamian NGO Women’s Crisis Centre advocated on the need to work on societal mindset which was a factor in allowing violence against women. Through their advocacy the state of Bahamas was asked to consider the need for addressing cultural stereotypes about the role of women in society especially through the education curriculum, and to explore enabling girls to non-traditional areas/careers as they had achieved general advances in literacy<sup>xvii</sup>. States were also reminded to ensure young girls right to sexual and reproductive rights education and services including contraception to address HIVAIDS and their reproductive needs<sup>xviii</sup>.
- **Jamaica** - based on the priority areas identified by NGOs, the Committee reminded states to ensure young girls right to sexual and reproductive rights education and services including contraception to address HIVAIDS and their reproductive needs.
- Through our programme we facilitated women’s groups from **Guyana and Bahamas** who otherwise would not have had the resources and capacity to engage with the Committee and provide shadow reports. This allowed the Committee members to understand the civil society perspectives and resources to better critique and assess state actions or inactions. This improves the quality of the review process and enables the state to improve its interventions towards compliance with CEDAW. The CEDAW review process in many ways validates and highlights data from non-state sources which is helpful for equality programming.

### Progress on the ground

The ground impact of the activism on women’s human rights is in **real observable change in the policy and law at country level**. In 2012 we were pleased to monitor and follow-up with the progress of our partner NGOs who attended our From Global to Local training, engaged with the CEDAW Committee and made recommendations which the state later implemented. These are some of the observable **achievements of our partners and various actors who contributed to domesticating CEDAW’s principles and standards** into national legal systems. (These are observational as well as reported news from partners).

- Through the CEDAW review Jordanian government signaled the possibility to increasing number of women in the Lower House of the Parliament<sup>xix</sup>
- In Algeria women’s quota in Parliament was announced in January 2012<sup>xx</sup> and was implemented by May with 31% of 462 seats in the lower house now represented by women legislators.
- Israel<sup>xxi</sup> made amendment to its (religious) divorce law to mandate that rabbinical courts set a specific date for the divorce decree so that women will not be left without a solution in the dissolution of marriage process. This was an issue highlighted by NGOs in the 48<sup>th</sup> CEDAW session<sup>xxii</sup>.

- Slovenia plans to work on horizontal and vertical job segregation through the national economic policy from 2012-2014 and to address pay gap<sup>xxiii</sup>. It is also working on providing legal protection for those facing discrimination for any reason (including gender and gender identity) based on (the act happening on its) territorial jurisdiction which increases protection to women (migrant workers, trafficked women)
- Macedonia passed the Law on Equal Opportunities of Women and Men on 11th January 2012 towards improving the legal regulation and successful establishment of equal opportunities of women and men in all spheres of the social life<sup>xxiv</sup>.
  - On 20<sup>th</sup> September 2012, Swaziland banned child marriages, especially a specific type of cultural practice of marrying girls to adult men, which was thought to raise an issue of cultural accommodation under the constitution but is now resolved upon the enforcement of the Child Protection and Welfare Act of 2012. Swaziland has never yet reported to the CEDAW Committee but in preparation to their first report which is in 2014, various legal reforms were made to reflect their compliance to CEDAW and CRC<sup>xxv</sup>.
- Malaysia - Long term engagement with women's groups in Malaysia since 1996 shows CEDAW has taken root at judicial level with more domestic level use of CEDAW to inform and interpret equality challenges in the law. In the Noorfadilla case<sup>xxvi</sup> the high court has found that pregnancy should not be a ground for discrimination in employment to comply with CEDAW. Another case which also sought to use CEDAW to interpret discriminatory employment practices in terms of retirement age is still undergoing appeal. The Judicial and Legal Training Department of the Malaysian government is also beginning CEDAW and CRPD training as part of the official professional curriculum for judicial officers.
- On September 24, 2012 Moroccan parliamentarians called for passage of the draft law on violence that has been stalled in Parliament<sup>xxvii</sup>.
- On 25 September 2012 legislators in Uruguay passed a law which provided greater rights to women in relation to reproductive contraception and extended the right to legal abortion<sup>xxviii</sup>. This is based on calls since 1985 by women's rights groups<sup>xxix</sup> to legalize abortion and was highlighted in CLADEM's shadow report to CEDAW in 2008 where they identified clearly that compliance with international laws required Uruguay to remove the punishment under criminal law on women who sought abortion services. CLADEM was the group IWRAW Asia Pacific supported in 2008 in the From Global to Local in their advocacy to CEDAW.
- 2<sup>nd</sup> October 2012, the Parliament of Ireland banned<sup>xxx</sup> female genital mutilation with harsh punishments meted out to perpetrators.
- On 2<sup>6th</sup> October 2012 Saudi Arabian Islamic cleric announces new guidelines to reduce harassment of women in public by agents of moral policing, signaling that certain previous practices of public humiliation for women who do not conform to certain behaviours, are seen as violating women's rights<sup>xxxi</sup>. This was an issue highlighted by

Women for Reform, in their shadow report to CEDAW<sup>xxxii</sup> in 2008, seeking to ensure women's right to free mobility in public as an enabler of other rights.

- 13 November 2012, The European Court found Slovakia had infringed rights of Roma women forcibly sterilized<sup>xxxiii</sup>. Women's NGOs in Slovakia had raised this issue with the CEDAW Committee in 2008, and the Committee had responded<sup>xxxiv</sup> with clearly articulated findings asking the state to desist and to ensure effective remedies for the victims.
- 21 December 2012, Philippines parliament passed a law to protect women's reproductive health and rights<sup>xxxv</sup>. This is a product of many years advocacy of NGOs in Philippines and highlighted in their advocacy to CEDAW in 2006<sup>xxxvi</sup>.
- 10 December 2012 United Arab Emirates Cabinet passed a resolution<sup>xxxvii</sup> which requires state management and boards to have women in their membership. The CEDAW Committee in their recommendations to UAE in 2010 raised the issue of the need for temporary special measures and quotas to correct historical inequalities.<sup>xxxviii</sup>

### International advocacy

Another result area involves broadening our CEDAW advocacy through other global fora where there is opportunity to enhance progressive norms for women and seek member states of these systems to commit to CEDAW in these policy forums. IWRAW Asia Pacific was part of the women's human rights networks engaged in current dialogues on development to forefront gender equality as a key outcome of all global development policy-making. Our interactions can be characterized more as 'preventing further loss of progress' than advocacy within an environment which proactively engaged on questions of gender equality.

Our global interventions included:

- Developing position papers to address the development paradigm's impact on women - this was circulated to policy makers at the United Nations during the **56<sup>th</sup> Commission on Status of Women Conference (CSW)** We then held a **Panel on The Development Paradigm and Women's Agency & Rights**, as part of the NGO side events on 5<sup>th</sup> March 2012. Along with the Center for Women's Global Leadership (CWGL) convened a panel of experts to raise the issue of the negative impacts of the current global economy on women and the lack of centrality of women's human rights in the current development discourse. This was held as a side event to the official CSW deliberations which focused on the theme of rural women's rights. A major cause for concern from this CSW session was the fractious discussions at the official panel which resulted in the lack of an

outcome document and set of agreed conclusions, which usually followed the CSW meeting, thus signaling a backsliding on commitments to gender equality.

- Collating and providing analysis based on CEDAW compliance to various NGO lobbying documents which aimed at impacting global development policies two major CSO and government platforms via the AWID **International Forum on Transforming Economic Power** and **the Rio+20 - The United Nations Conference on Sustainable Development (UNCSD)** at the People's Summit on Rio and at the **International Conference of National Human Rights Institutions**.
  - **The AWID Forum** explored how the current economic power is impacting on women and facilitated connections amongst the diverse groups working on these issues from both human rights and justice approaches so that collectively stronger and more effective strategies to advance women's rights and justice could be developed. The Forum brought together more than 2200 participants from all parts of the globe and provided the opportunity for sharing of diverse cross regional and national experiences that were rich in substance as well as provided opportunity for continued discourse on the trajectory of the development agenda and role of various stakeholders, including non-state actors and bilateral and multilateral donors and their impact on WHRs.
  - We provided inputs on gender equality into the NGO draft outcome document on **Rio +20** – women's groups' perspectives were extremely critical of the current globalization and business oriented economic policies which were not supportive of women's human rights. We sought to impact 4 areas of the official document – gender equality and empowerment of women, gender equality and sustainable development, mining and impact on women and women's right to health.
  - IWRAW Asia Pacific was invited to the NGO Forum held parallel to the 11th ICC **International Conference of National Human Rights Institutions** in Amman Jordan to discuss and present a paper on the issue of Constitutional Reform in relation to Gender Equality and Women's Political Participation. The NGO Forum was organised by the Amman Centre for Human Rights Studies (ACHRS) in collaboration with the Jordanian National Commission for Women (JNCW) and Asian NGOs Network on National Human Rights Institutions (ANNI). Largely attended by NGOs from within the MENA region, the NGO Forum resulted in the drafting of a Statement containing extensive recommendations on upholding Gender Equality through legal and constitutional reforms and women's participation/ representation in such reform processes. IWRAW Asia Pacific was a member of the drafting group along with ANNI, IGLHRC and Harm Reduction International.



- IWRAW Asia Pacific continued to engage in the Treaty Body Strengthening processes. Several statements were issued or signed on to emphasizing the need to ensure the inclusion of civil society participation in the process as well as non-retrogression of established standards and practices in trying to reduce the works and costs of the members states and respective treaty bodies.

## Regional Advocacy

In 2012 our organisational strategy related to strengthening the gender equality mandate of the **ASEAN human rights structures** through our campaigning via being a co-convenor of Southeast Asian Women's Caucus on ASEAN (Women's Caucus). Our partner the Asia Pacific Women in Law and Development (APLWD) acted as the Secretariat, while IWRAW Asia Pacific played a shared role in decision-making, strategizing, conceptualizing and providing technical input related to CEDAW and the linkage between international treaty law and domestic rights protection.

The most critical intervention of 2012 was coordinating advocacy on the ASEAN Declaration on Human Rights (ADHR) advocacy which was being drafted at the time by the ASEAN Intergovernmental Commission on human rights (AICHR). We made space for women's human rights activists to engage through 5 regional and 3 national level activities.

- To impact the advocacy of the AICHR and ACWC, as Women's Caucus we produced various thematic briefing papers/reports and statements, as a platform for negotiation with ASEAN and used opportunities to directly engage with the AICHR and ACWC, and create working relationships with the state representatives. Including a paper on Due Diligence and Violence against women [ [http://www.apwld.org/wp-content/uploads/Due-Diligence-and-VAW\\_final1.pdf](http://www.apwld.org/wp-content/uploads/Due-Diligence-and-VAW_final1.pdf)] We also were able to impact ASEAN level discussions on specific thematic areas including VAW (through our paper on due diligence and Violence Against

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## KEY GOALS OF ASEAN STRATEGY

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*Through a combination of national and regional capacity building and consultation activities culminating in a formal submission on the AHRD, and formal recognition of Women's Caucus by ASEAN, the Women's Caucus delivered on the two key intended outcomes:*

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*(i) Strengthened awareness, skills and expertise of ASEAN and its Human Rights instruments amongst the women's movement in SEA including how to strategise on ensuring that there is less overlapping and more coherence between regional and international systems towards greater impact of CEDAW.*

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*(ii) Women's movements are able to engage with ASEAN and influence its processes, decisions, instruments and policies and at least clarify the concerns and demands of women with regard to the slow progress for equality in law and policy, as well as the need for further focused support to women marginalised from mainstream economic or political processes.*

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Women) and various other thematic issues which are priorities set by our partners, based on statements presented to the AICHR and ACWC.

- The Caucus membership now numbers nearly 68 organisations, and they have individually and collectively as Women's Caucus been able to engage directly with the ASEAN mechanisms to provide a gender perspective and civil society articulation of concerns and priority issues seeking a State and ASEAN resolution. Also, at the main CSO-ASEAN regional consultation the ASEAN People's Forum Women's Caucus continues to make inroads – we co-conducted 3 forums to ensure the mainstream rights groups/people's organisations incorporated gender perspective in their advocacy on ASEAN.
- Impact of Women's Caucus advocacy can be observed - statements, submissions on the rules of procedure (ROP) of both AICHR and ACWC as well as the AHRD were well-received. The Caucus also participated in semi-closed conferences and informal meetings. It has become a model that has helped facilitate the national formations of women's groups which engage ASEAN.
  - Through the ASEAN strategy there is some evidence of increase in recognition of accountability of national and regional system for women's human rights implementation e.g. Cambodian Member of Parliament appealed to government in supports of protestors in the land grabbing case at Boeng Kak Lake to ensure Cambodia meets its obligations to women's rights in international and regional regimes by first releasing the protestors, most of whom are women and then to review the decision to privatize the land.
  - In 2012 we worked on overarching strands on capacity building with state agencies and women's machinery as well as with the ACWC to create cohesion in gender equality programming for the region. Through several national initiatives and collaborations the Caucus were also able to increase the demand for accountability of States by mobilizing women's organisations on substantive rights and with regard to practical considerations for gender equality such as budget commitments and operational plans on CEDAW in national action plans of ASEAN members<sup>xxxix</sup>. The outcome of this focus on influencing equality programming plans in this region is that there will be focus for next year on thematic papers including feminist critical analysis of the ASEAN blueprints which are the basis for national-regional policy integration on political/security, economic and social issues.
  - The ASEAN mechanisms set the agenda on various thematic issues. In 2011-2012 the ASEAN Intergovernmental Commission for Human Rights (AICHR) sought to complete its priority instrument on human rights which is the ASEAN Declaration on Human Rights – which aimed at both a normative instrument as well as one that creates structures and processes for further evolution of the ASEAN system for human rights and also fixed on the issue of corporate business responsibility

- which Women's Caucus will provide advocacy to ensure that ASEAN engages with non-state actors on the impact of business on people's rights (CSR).
- Contributed to inclusion of women's human rights in the ASEAN structures and mechanisms by preparing two substantive briefing papers to the ASEAN Intergovernmental Commission on Human Rights (AICHR) and ASEAN Commission on the rights of Women and Children (ACWC)
    - We created white paper and briefing documents to impact the normative framework for the ASEAN Declaration on Human Rights.
    - Challenging the ASEAN states to ensure that the ADHR was not regressive the Philippine Representative of the AICHR , Ambassador Manalo responded to our demand that the ADHR does not use the language of morality to deprive women of rights, in her public opinion<sup>xl</sup> to her peers in AICHR.

### Litigation strategies

Using these strategies to claim rights for women is a major strand in our approach to the use (and interrogation) of law as a tool for achieving gender equality and to recognize women's human rights. In 2012 we were able to undertake initiatives to promote understanding and use of women's rights groups on use of law and litigation as important advocacy tools to achieve gender equality using CEDAW and international women's human rights standards.

- In September we conducted the **3<sup>rd</sup> Regional Workshop for lawyers on women's human rights litigation using CEDAW** held for legal practitioners in Southeast Asia, who were interested in litigation strategies. 19 lawyers from nine countries in SEA joined us in a skilling programme to help them articulate rights violations using standards for equality and non discrimination embedded in CEDAW. These 19 participants will now help strengthen the legal resources for women in SEA who wish to claim their rights through the domestic legal system. We were supported by Andrew Byrnes and Christine Forster, whose expertise guided the training.

Our new pool of legal practitioners on CEDAW from the SEA region.





The workshop resulted in more clarity to the participants around their role as lawyers in advocating women's human rights, to understand the challenges they face as human rights lawyers and identify new skills to strengthen their role in upholding the rights of women within their countries.



Considering the diversity in context and legal systems in the South East Asia region, and scope for law and judicial process as a tool of social change, the knowledge on international human rights standards and their use in domestic legal system proved to be critical learning for the participants.

#### Lawyers working on case studies applying CEDAW

- At the national level we supported South Africa and Philippines on litigation strategies.
  - With our partner **Masimanyane Women's Support Centre in South Africa**, we continued to help them build their case under the OP CEDAW procedure for development of a submission on the issue of domestic violence, providing inputs and technical advice in 2011 and jointly organising a series of consultations on filing of cases in 2012.
    - **CEDAW Inquiry Workshop, Capetown, South Africa** in February as follow up to South Africa's periodic reporting at the 48th CEDAW Session in Geneva, January 2011, Masimanyane Women's Support Centre had initiated discussions on the implementation of the Concluding Observations of the CEDAW Committee at the national level. These discussions resulted in identification of use of the Inquiry Mechanism under the OP CEDAW to be a strategy towards ensuring state accountability for problems relating to violence against women which endemic and yet remained unaddressed. Towards this identified strategy IWRAW Asia Pacific provided financial support and assistance in organising this meeting as a precursor to supporting the women's groups in their OP CEDAW strategizing. The meeting was attended by key partners and regional representatives in South Africa from amongst the coalition of NGOs that helped draft the Shadow Report to CEDAW. The discussions at the meeting resulted in further narrowing down of the problem to domestic violence in specific as a form of

violence against women that was widely prevalent without adequate legal redress.

- **Technical assistance and training (case clinic) - Consultation On Request For An Inquiry Under OP CEDAW, East London South Africa.**

In continuation of our support to Masimanyane's strategy on use of OP CEDAW, a consultation was organized with the aim of providing technical assistance towards formulation of the request for the proposed Inquiry. This consultation was attended by participants from the previous consultation in February 2012, during which domestic violence was identified as the issue to be addressed through the request for the Inquiry. We provided inputs to help produce clarity on the criteria that needs to be fulfilled to launch the inquiry, as well as resulted in mapping of action plans for data gathering and monitoring to provide a clear evidence base for the inquiry.

- **Technical assistance for Philippines Inquiry**

In November 2012, with our partner Engenderights in Philippines and the Centre for Reproductive Rights we helped coordinate and prepare NGOs and individual women for the inquiry process when CEDAW Committee would investigate the subject matter of the inquiry based on the lack of reproductive health services to women excluded by the Manila municipal agency which have a critical impact on their rights and freedoms, and potentially a danger to their lives.

## Building Capacity for Change (BCC) Programme

### Overview

The objective of the Building Capacity for Change (BCC) programme is primarily to develop new ways of knowledge creation and skill building for activists, women's rights organisations and advocacy groups for the advancement of women's human using the key principles and framework of international human rights law, primarily the CEDAW Convention. The Programme works very closely with national partner organisations and in tandem with the advocacy programme to develop responsive and innovative strategies for building the capacity of organisations and institutions at national, regional and international levels for gender equality advocacy and reform.

### Highlights

BCC in 2012 focused on various types of capacity building initiatives. The activities mainly related to strengthening the capacity of our NGO partners in using CEDAW as a framework to analyse laws and policies towards more effective advocacy, trainings for lawyers on use of CEDAW in litigating women's human rights cases and help in preparing their data and shadow report to the CEDAW Committee.

### Building new partnerships with national networks for CEDAW

As an exploratory strategy we made **an investigation visit to Myanmar** in July 2012 to assess the status of implementation of CEDAW and capacity and resources required to work cohesively and on a long term basis in support of state and CSO initiatives for gender equality. We are pleased to note there was great interest to learn and open up to new concepts and recognize the need for greater improvement in gender equality outcomes by state and NGOs.



Meeting Myanmar state officials at the Ministry of Social Welfare in Yangon.

### Shadow report trainings

In order to support the advocacy of women's groups at the CEDAW review we held **CEDAW shadow report trainings** for Togo and Benin in May 2012. We worked with the West Africa Human Rights Defenders Network which was attended by 17 participants from non-

governmental organisations from **Togo and Benin** who were preparing reports to CEDAW. Togo reported in October 2012 while Benin will report in 2013. Togo's shadow report made good impact at the CEDAW review where they were able to present concise information and highlight critical concerns. W will continue to work with Beninese groups to ensure they submit a strong shadow report in 2013.

### **CEDAW Compliance Framework Project**

This is a strategy that supports CEDAW Compliance by supporting national partners to develop a comprehensive strategy for analysing, monitoring and developing solutions/responses to specific laws and policies to ensure the outcome/results of such law and policy produces the effect of equality and elimination of discrimination, and women's exercise of rights under the law. The very nature of the CAF project was to allow the national partner its own space and autonomy to pursue specific policy change and law reform plans while enabling IWRAW AP to provide its technical assistance through a cohesive and mutual assistance framework toward common goals in relation to working on projects related to strengthening the normative standards for gender equality in the domestic environment in support of its national partners. The basic stages of this project included: project briefing and planning in phase 1 with core groups, workshop on use of the CAF analytical tool, IWRAW AP staff providing technical support in implementation (research, data gathering, monitoring, audit/review, socialization, advocacy strategising); and the final phase of holding regional sharing meetings towards assessment and determining future directions for their law and policy reform initiatives.

To support growth of NGO capacity to perform evidence based monitoring and advocacy on CEDAW we held three **national level trainings on the CEDAW Compliance Framework** for our partners from women's organisations coalitions working on CEDAW in Bangladesh (Naripokkho and network), Timor Leste (Rede Feto network), Vietnam (Gencomnet) and Indonesia (CEDAW Working Group Initiative, Indonesia) we supported the 4 networks in building their analysis of specific laws/policies and its impact on women and girls (on agriculture and the violence law, the education policy on girls attrition and return, the retirement and labour laws, as well as the matrimonial law respectively), to develop a clear articulation of the problems based on a situational analysis which concretely identifies the problems and proposes recommendations to the state. This policy engagement approach aims at ultimately resulting in change in the policy but is currently targeted at building better NGO advocacy intervention on these issues. So far we have the 4 country level situational analysis of the problems and the plans to gather data on how these are implemented so that accomplishment/weaknesses can be measured.

- In June we held one five day substantive CEDAW framework training for 25 women in Vietnam, called **Orientation Workshop on CEDAW Compliance Framework**. For

Indonesia the activity was postponed to 2013, as the groups were occupied with their advocacy around Indonesia's reporting on the CEDAW Convention in July 2012. We are also doing a substantive CEDAW training for Cambodia in October 2012 to build more capacity of gender advocates and lawyers in the country to effectively provide gender equality input and interventions into law and policy processes, and to additionally support groups developing their shadow report to CEDAW.

- From 8-12 October in Timor Leste we worked with our partners in Timor Leste through a **project workshop** for walking activists from three organisations (Rede Feto, Alola and Fokupers) through IWRAW Asia Pacific's CEDAW Compliance Framework to enhance law and policy especially on the priority issues of the education re-entry policy for girls/young women and also the employment. The workshop focused on providing an overview of the significance of CEDAW and the project guiding principles to ensure the participants understood the CCF as being a practical tool for change within their legal system which can be adapted to the different areas of rights they wish to work on. With the skills and the tool, the participants will now be conducting an in depth situational analysis on both laws/policies and then further identify specific advocacy strategies and key stakeholders in implementing the long term plan to realize the implementation of the laws.

Our Timor Leste  
partners



- From 22- 26 October we worked with our core partner in Cambodia to provide in depth **training on CEDAW** to build the pool of CEDAW and women's rights experts in that country, thus training and mentoring 16 rights trainers to further their knowledge on using CEDAW as a tool for gender advocacy. This activity saw the participation of 16 experienced trainers from various fields and issues, eager to learn more about CEDAW and its application. These trainers, with strong rights based backgrounds were trained on the various elements and uses of the CEDAW Convention as well as women's human rights. The participants learnt on how to apply the CEDAW framework in specific contexts such as in the development of policy and programmes, use, implementation, and application of laws and policies and other advocacy on women's human rights. They were also expected to enhance their knowledge on the significance of engaging in regional and



international advocacy to advance women's human rights and to create an understanding of UN and ASEAN mechanisms and processes and entry points for women's activism.

- To support the progress of the projects and to confer with our partners we held a 3 day **workshop for the Resource Persons for the CEDAW Compliance Framework Project**. **Through this meeting we were able to conduct a** review of the CCF in light of the lessons learned, challenges faced and strategies used in Bangladesh in implementation of pilot on the CCF, develop guidelines for IRAW Asia Pacific on enhancing the CCF Project design, and discuss strategies for CCF Project implementation in Asia Pacific, including the identification of a list of priority countries

### **Strengthening CEDAW Concluding Observations for national level monitoring and implementation**

The BCC programme also focused on initiatives that built capacity of NGOs on the **use of CEDAW Concluding Observations** as a tool for CSO planning on a common campaign/advocacy agenda.

- In January 2012 we collaborated with the Fiji Women's Rights Movement to host a **National Consultation on the Implementation of the CEDAW Committee's Concluding Observations in Fiji**. The key outcome was that FWRM would coordinate the next follow-up report to be drafted by March 2012, and to provide feedback on the issues identified in the new follow-up mechanism. IRAW AP and Pacific partners FWRM and RRRT/SPC were also able to raise awareness of the importance of international human rights standards and to build on existing understanding and obligations of states on CEDAW implementation towards the promotion and protection of women's rights to substantive equality and non-discrimination; including the fact that non or late reporting to CEDAW was a technical breach of such obligations. This is a major problem of many Pacific Island states –mainly through lack of resources but also from weak political will to allocate state resources.
- In January we also held a **CEDAW Training and Strategy Meeting in Kiribati**. IRAW Asia Pacific, in collaboration with Kiribati Women Activists Network (K-WAN) organised a National Training/Strategy Meeting Post the Government-NGO Dialogue 2010 for participants from non-governmental organisations in Tarawa, Kiribati from 16<sup>th</sup> – 18<sup>th</sup> of January 2012. Kiribati as an initial reporting state has a lower amount of awareness of CEDAW and how it can be used to ground gender equality advocacy.

The clear lessons that were learnt from this meeting was the importance of sustained and concrete CEDAW related work even in countries that have yet to report to the CEDAW Committee. Unfortunately, many of the activities in Kiribati are donor-driven. It is

hoped that this meeting contributed in some way to empowering the participants who attended this meeting on the relevance and importance of systematic CEDAW related work. Some major issues that must be addressed in Kiribati are on the development agenda and climate change. This may be an area where IWRAW AP might be able to assist in. The major outcome from this meeting was the formation of the National CEDAW Coalition of Kiribati, which will be coordinated by AMAK (Aia Maea Ainen Kiribati) the umbrella body for 33 women's NGOs (akin to the national coalition of women's groups) to initiate and plan CEDAW monitoring.

### Strengthening initiatives focused on gender machinery

Various initiatives to **support capacity building of national machinery for gender equality** were actively scheduled in 2012 as a means for direct engagement with the key government stakeholders on ensuring the outcomes on CEDAW.

- In August 2012 we provided support to a field visit by **Nepal's National Women's Commission** (NWC) to Philippines. Our partners in Philippines, Rainbow Rights, organised visits and briefings with NGOs and state agencies to aid in exposure visits for the commissioners from Nepal.
- From 17-18 October we worked with the **Liechtenstein National Office for Gender Equality and Diversity** to hold a workshop for 15 women from national NGOs on implementation of CEDAW Concluding Observations whereby the findings of CEDAW was highlighted and used as an entry point to discuss collaboration between the National Office of Gender Equality as the gender machinery with NGOs.



Nine women activists and representatives of NGOs representing Women in Good Governance and Pro-democracy Movement, Infra, Refuge for Battered Women, International Office from University of Liechtenstein and the National Office participated in the workshop.

For the Liechtenstein NGOs, the Workshop was first of its kind learning and interactive space on CEDAW Convention and it was therefore very much appreciated. The NGOs agreed to focus on plan initiated by the Government to restructure the National Office, and in light of the upcoming national elections, work towards women's participation in politics and public sphere, and one immediate step that the national NGOs agreed to do is prepare shadow report to the CEDAW Committee on follow-up procedure. The Workshop has led to development of strategies and action plan on advocacy around National Office and women's political participation.

- From 19-21 November we worked with the **National Commission for Women of Bhutan** providing 25 officials from ministries and agencies, as well as some activists from NGOs, a workshop on the next phase of CEDAW implementation for Bhutan. The workshop built awareness in state agencies especially gender focal points capacity to integrate CEDAW standards into law and policy initiatives.



Encountering new concepts and tools for CEDAW compliance

The execution of this activity can be considered as a success and a model to build further IWRAP Asia Pacific's engagement with the State on CEDAW reporting. At the Consultation, IWRAP Asia Pacific – took the staff of NCWC through the reporting process and key steps obligating State to furnish information and status update on implementation of the Convention. NCWC staff was made familiar with the core documents – Common Core Document, Harmonised Reporting Guidelines and treaty specific/CEDAW reporting guidelines. The discussions at the consultation helped to build clarity on the follow up procedure and report to be submitted by the State to the CEDAW Committee.

In terms of key input on report preparation, IWRAP Asia Pacific used its Monitoring Framework to map out the discrimination, its impact on women's human rights and fulfilment of state obligation to address the diverse context of discrimination and inequalities faced by women. The two issues – para 18 on women's role in public life and decision making, and para 20 on the issue of violence against women and lack of access to justice, from Bhutan's last concluding observations of CEDAW were used to build skills of the NCWC staff on analysis and reporting on CEDAW implementation.

Finally in terms of the next steps and processes, NCWC agreed to use the process of the Monitoring framework with other gender focal points to compile information on specific articles of CEDAW. One of the areas that CEDAW Committee is expecting an update from Bhutan is on legislation on protection of rights of women against domestic violence, and it is expected that in December Bhutan's National Assembly will pass this law, and hence, it was suggested that NCWC finalise its report on para 18 and para 20.

- In November 2012 we partnered with the Office of the High Commissioner for Human Rights and the UN Women Asia Pacific Office on a **Southeast Asian consultation**



between the women's machinery, state agencies and the ASEAN mechanisms to discuss ways to strengthen compliance with CEDAW and government follow-up to the Concluding Observations of the Committee.



This was an important interface for us with the various government agencies to raise clarity of the need for greater commitment to using such rights as tools for national progress, noting the power and flexibility of CEDAW – the Convention on Elimination of Discrimination Against Women. CEDAW, frames rights as a process of development and progress, and can be used to ensure change for the status of women in sex and gender relations in every country. During the three-days, representatives brainstormed possible initiatives and strategies that could be employed at national and regional levels to strengthen the existing institutional mechanisms, using the CEDAW framework for which will be the basis of our engagement with them in 2013.

### Providing CEDAW technical assistance to national and regional networks

We were also invited as resource persons to provide **technical assistance for various capacity building initiatives** of other organisations due to our expertise on CEDAW and how it can be used to strengthen government accountability for women's rights in various situations.

- We participated as a regional organisation in January **NGO Regional Conference on CEDAW, Bogor(Indonesia)** . This consultation was organised as part of SEA UN Women's next steps in SEA which is CEDAW SEAP Phase II Project. The Conference was held to recap the progress of CEDAW in the region and look at ways on moving forward in terms of further building the capacity of NGOs in the region and providing them relevant technical assistance that is required in the monitoring and implementation of CEDAW in

their respective countries (Philippines, Thailand, Indonesia, Cambodia, Timor Leste, Laos and Vietnam) Gayathiri Jambulingam represented IWRAW Asia Pacific, as an observer to this UN Women project meeting.

- In April 2012 we were invited to provide resource input to a training held for young women by the YWCA called Mobilising Young Women Leadership and Advocacy Training “I am a Young Woman , I am a Leader”. We provided input sessions and facilitation to the training on specific subjects related to CEDAW and the international human rights system. As a young activist and trainer herself, Gayathiri represented us at this training.
- As part of the Women’s Caucus **Skills-Building Workshop (Bangkok, Thailand) for ASEAN-related Strategy** we provided programme planning and substantive training for a five-day skills-building workshop from 9-13 May in Bangkok, Thailand. This is the main capacity building activity for the group in 2012. The workshop consisted of five modules on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), feminist monitoring and evaluation, campaigns, media skills and ICT for advocacy. These modules have been identified through a survey that mapped the immediate needs of the members. The workshop had more than 30 participants from Brunei, Myanmar [Burma] (both inside and outside Burma), Cambodia, Laos, Thailand and Vietnam; one participant from each of the following: Indonesia, Malaysia, Philippines and Timor Leste; and five from the coordinating group and the secretariat.
- In August we were invited by the Women and Media Collective to play a resource role at a **4 day training in Sri Lanka** for minority community women in the post conflict context of the country especially in relation to monitoring and seeking accountability for past violations.
- In October 2012 we participated at the **conference in Cambodia, by International Land Coalition** to discuss the opportunities and challenges for enhancing CSO Engagement in Regional and International Processes towards securing women’s land rights.
- From November 4-6 2012, IWRAW Asia Pacific was invited by AJAR – **Asia Justice for Human Rights for a consultation on Repairing the Past, Building Our Common Future - Policy Makers Workshop on Gender and Reparations** (Timor-Leste and Indonesia) with Timorese and Indonesian parliamentarians and justice ministry and NHRI officials at the funded by and provided some CEDAW perspectives to the reparations issue for rights violations that occurred in Indonesia and Timor Leste. We linked up the State and NGO groups working on the question of greater state accountability for past wrongdoings, and provided perspectives of international law on the need to provide remedies and

reparations to the victims, using a framework that integrates CEDAW as a tool for advocacy and accountability.

- From 7-8 December IWRAW Asia Pacific was invited to provide technical input to the **Litigation Surgery on Women's Human Rights** held by Interights in Mombasa Kenya, with the aim of supporting litigation of women's rights cases for Kenya, Zimbabwe and Gambia. As IWRAW Asia Pacific also implemented its own litigation strategy especially in supporting use of CEDAW in domestic cases and in submission of cases and requests for inquiries under the OP CEDAW it was important to learn from other networks on similar styles of advocacy through law based strategies.

# Information Dissemination Exchange and Application Strategy (IDEAS)

## Overview

The IDEAS programme functions through systemising information related to CEDAW and other human rights mechanisms and then channeling this into IRAW Asia Pacific's own programmes as well as those of our partners. IDEAS works in close collaboration with the ERR and BCC units of the organisation, to process knowledge gained through the organisation's activities as well as funneling back relevant information to enhance the programmes based on research and collected data from various sources.

Its main areas of work are research and communications support to enhance the effectiveness of the other programmes within the organisation. It aims to promote activism that is more knowledge based to tackle discrimination. Since its inception, IRAW Asia Pacific has worked at creating awareness and building the capacity of women's groups to enable them to use international human rights treaties and mechanisms at the national level. It has always been integral to the organisations objectives to produce and distribute knowledge products on CEDAW and the treaty bodies.

Should more structured knowledge building be required, the unit will in collaboration with the others, organise expert group meetings (EGM) calling on partners with particular knowledge or expertise to brainstorm and produce new and critical thinking about a particular topic or issue. It is through this engagement with activism that IRAW AP is able to identify areas that still require work and how best to proceed in order to advance domestic application of international standards and norms.

## Highlights

In 2012 the IDEAS programme was still able to tackle some key conceptual questions in support of the overall goals, despite being reduced in staff.

- We focused on ways to support our partners many of whom are facing a tide of political change which potentially represents greater democratic changes and may also be a point of resistance for women's rights – thus we implemented a **strategy to assess the opportunities for legal changes to incorporate CEDAW and gender equality through Constitutional reforms**. To address emerging contexts for countries undergoing constitutional reform which may provide an opportunity to incorporate CEDAW into domestic legal frameworks through originating statutes such as constitutions, we organised the **Regional Expert Group Meeting on Constitutional Frameworks for Gender Equality in Lebanon in July 2012**. This was especially to support our partners in MENA facing both opportunity for change as well as

challenges in fore-fronting the feminist struggles in the region, where fundamentalism is becoming more entrenched in law and society. 12 experts of which 4 from Jordan, Morocco, Egypt and Lebanon provided perspectives and recommendations for working strategically to ground gender equality in the (new/revised) Constitutional documents. A set of 8 individual papers presented at the Expert group Meeting Gender Equality Frameworks in Constitution Drafting/ Reform Processes held in July 2012 are currently in the stage of finalisation for publication. These papers would supplement and substantiate the Framework containing strategies and best practices that have been used and tested by Experts in their engagement with constitution drafting processes within their individual countries. The Framework is currently being updated with the newest developments and examples of strategies used in Fiji and the countries in the MENA region.

- Besides this IDEAS continued to maintain the website and resource centre of the organisation.
- Working with ESCR-Net the team also completed a **guide on strengthening women's economic social and cultural rights** using the two treaties, CEDAW and CESCR.

# Institution Building

## Overview

The strategy looks at strengthening organisational capacity, sustainability and management. Funding was still a key concern for 2012 thus the institution building unit had to focus much energies on identifying new grant makers and applying for grants as well as looking for ways to cut back spending. Cost cutting measures were undertaken beginning with the office move to a more cost effective premise.

## Highlights

The **History Project** was devised as a way to track the history of IWRAW AP's work and provide key lessons and reflections for other organizations as well as for IWRAW AP to move forward in its work for women's human rights. As part of recording the institution's history we held 3 regional workshops with our partners in Andean region, Meso America and Southern Africa. Through these **Workshops** we documented progress on CEDAW implementation and also reinvigorate interest in using CEDAW, not only as a way to make states accountable at the review in Geneva/New York, but as a tool to help focus the work of government agencies and strategies of NGOs by directly engaging with states on accomplishing the Concluding Observations of CEDAW.

At three regional meetings in Southern Africa (Ghana, Lesotho, Nigeria, Kenya, Botswana, Zambia, Zimbabwe, South Africa, Tanzania and Uganda), Meso America (El Salvador, Mexico, Nicaragua and Costa Rica) and Andean America (Bolivia, Colombia, Peru, Venezuela and Ecuador) our partners worked with us on sharpening their understanding and approaches for working on CEDAW. Key outputs from each engagement were the agreements reached by the various NGOs to work as a collective at national and regional level, as well as to use the knowledge gained at the meeting to reassess their own organisational plans. Each region agreed upon certain priorities which they felt could benefit from utilising CEDAW to sharpen their analysis and inform their planning and responses<sup>xli</sup>.

- **Partnerships in Implementation: Building a Relationship with IWRAW Asia Pacific (History Project/CEDAW Partnerships) Quito, Ecuador**

The Consultation, with the assistance of the UN Women Regional Office for the Andean Region, in Quito saw women from the Andean region come together to share their experiences with IWRAW AP, what they learnt, how this then affected their work and what they would like to see in future in terms of a partnership with IWRAW AP. More than just assisting in writing a history document for IWRAW AP, the consultation was



able to bring together women who had for some time lost touch with IWRAW AP and to re-energise the organisation's collaborative efforts in the region.

- **Partnerships in Implementation: Building a Relationship with IWRAW Asia Pacific (History Project/CEDAW Partnerships), San Jose, Costa Rica**

The Consultation in Costa Rica saw women from the Mesoamerican region come together to share their experiences with IWRAW AP, what they learnt, how this then affected their work and what they would like to see in future in terms of a partnership with IWRAW AP. More than just assisting in writing a history document for IWRAW AP, the consultation was able to bring together women who had for some time lost touch with IWRAW AP and to re-energise the organisation's collaborative efforts in the region.

- **Partnerships in Implementation: Building a Relationship with IWRAW Asia Pacific (History Project/CEDAW Partnerships), Southern Africa**

This consultation for Southern Africa for our partners in Lesotho Nigeria Kenya Botswana Zambia Zimbabwe South Africa Tanzania Ghana and Uganda gave a similar opportunity to assess the status of advocacy using CEDAW in those countries and to plan ahead. Besides obtaining feedback on how IWRAW Asia Pacific's support and capacity to link these groups to regional and global processes for promoting women's human rights, operational decisions from this meeting included future plans for collaboration where it was decided that all the women's groups from countries from the three sub regions of West, East and Southern Africa who attended the workshop will commit towards focusing on the issues identified by the CEDAW Committee's new follow-up procedure which was implemented in 2009. The 2 follow-up issues have been identified for Lesotho Nigeria Kenya Botswana Zambia Zimbabwe South Africa Tanzania and Uganda. Only Ghana does not have these 2 issues identified as its last Concluding Observations did not include the new follow-up procedure, thus Ghana NGOs should decide the issues they will address and that each NGOs from the 10 countries will prepare a country level operational plan to advocate and monitor state obligation on the 2 issues.

## **Funding Strategies**

The organisation worked on various efforts to ensure sustainability of the institution including direct fundraising and through discussion platforms between donors and our partners.

- **Panel at CSW - Global Economic Crisis: Sustaining and Invigorating Women's Human Rights Agenda (in conjunction with the 56th session of the CSW)**

This panel was held as a way to gather better understanding about the challenges faced by other women's groups working on rights and gender equality in the current financial and donor context. The panel sought to address the context of the current economic crisis which has caused significant shift and shrinking of financial support to women's human rights organisations. We facilitated a discussion with 50



women to address the impact of donors, particularly the bilateral and multilateral donors promoting the development agenda with a focus on economic empowerment, the need to ensure donors adopt a holistic rights-based approach to development that places women at the centre as rights holders.

The women's groups raised issues of needing funds not only for grass roots work but also for regional and international advocacy and standard setting and made a point for the significance of international and universal standards, for creating conceptual clarity regarding women's rights, for investing in women's organizations and movement building. They also pointed to the dangers of gender mainstreaming and of distortions around the meaning of gender. Some of them described ways in which they had innovated to raise funds. Some spoke of the difficulty of small organizations in raising funds who did not know the language of fundraising. Another issue was the politics of not receiving funds from some donor organizations and the politics of relationship with donors that needed to be one of partnership and equality and not one of hierarchy or patronage. Participation was lively. Findings from this meeting were circulated to donors and partners to seek further understanding and solutions to address the identified gaps and challenges.

## **Governance**

Our Board of Directors met three times in 2012, in February, August and December to monitor and oversee management decisions. The Board also provided input into the planning of the next three year plan for 2014-2016.

## Looking Ahead in 2013

2013 will be a pivotal year for IWRAW Asia Pacific – it will mark the 20<sup>th</sup> year of our sustained engagement on CEDAW. Our simultaneously focus on practical application of CEDAW at national level and international monitoring of the implementation by national governments, will continue, so that the link between national level activism and international advocacy becomes stronger.

To be effective as a global south network IWRAW Asia Pacific and our partners agreed in August 2011 at our stakeholders meeting, and in specific project discussions in 2012, to focus organizational resources and strategies to impact the decision-making in the current development, aid and gender policy discussions to prevent further erosion of the agreed commitments to women's human rights. We will continue to fight against the narrowed space for the realisation of women's human rights because of these factors and the need to strengthen their activism by locating the discussion of the universality and interdependence of human rights and international standards are always reflected in any discourse on religion or culture.

As the geographical scope and the nature of support anticipated by its various national and regional partners which at this moment number more than 40, IWRAW Asia Pacific needs to secure in advance funding for its plans for the next three year plan of 2014 – 2016.

Our support to partners at the national level include the CEDAW Application/Compliance Framework Project as a means to drive cohesive and evidence based advocacy for law reform and policy change especially on specific rights such as ESC rights especially land rights, employment rights, role of women in national economic policies, and strategies for using the court system to entrench CEDAW standards into domestic jurisprudence and practice.

There is continued need for support of partners who are new to CEDAW reporting and how to make linkages between these international processes of interpretation and scrutiny to impact local level changes.

Internal needs will also drive our work in 2013, which include considerations of how to increase the capacity of staff and build their knowledge on application of CEDAW to reduce dependence of external resource persons. However, this needs to be balanced with having a diverse mix of old and new resource persons and experts to ensure IWRAW AP's resources and strategies continue to be relevant and effective.

The team is committed to exploring strategies to reduce these risks and ensure the relevance and viability of using CEDAW as a framework for cohesive and comprehensive platform for change at the national level and to enable women's groups to claim rights and seek accountability from their governments in a way that promotes a climate that respects human rights and recognizes the different dimensions of discrimination that women face.

We look forward to a new year of supporting our activist partners who are working on groundbreaking initiatives and great ideas to promote and protect women's human rights.

# Endnotes

<sup>i</sup> Progressive laws, policies and jurisprudence for women's human rights include:

- In July 2012 Namibian high court in Windhoek ruled that state violated rights of women with HIV by forcibly sterilizing them without consent. This judgement is applicable in the African regional system and provides greater protection for the rights of women discriminated due to their HIV status. <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/namibia/9438896/Namibia-court-in-landmark-HIV-ruling.html>
- May 2012, In Egypt, NGOs take parliamentarian to court to ensure compliance with law which bans FGM [http://www.wunrn.com/news/2012/05\\_12/05\\_07/050712\\_egypt.htm](http://www.wunrn.com/news/2012/05_12/05_07/050712_egypt.htm)
- On 20 February 2012 Pakistan's Senate passes the domestic violence bill which provides protection and sanctions for violence in the domestic sphere. The law classifies domestic violence as acts of physical, sexual or mental assault, force, criminal intimidation, harassment, hurt, confinement and deprivation of economic or financial resources. <http://tribune.com.pk/story/339308/senate-unanimously-passes-domestic-violence-bill/>
- April 2012, In India, results of Odisha government scheme to provide land to landless poor families especially legal right to won land to women, to grow food, show women tillers raised the health and nutrition of their families. [http://www.wunrn.com/news/2012/04\\_12/04\\_16/041612\\_india3.htm](http://www.wunrn.com/news/2012/04_12/04_16/041612_india3.htm)
- July 2012, Indonesia continues to debate Gender Equality Bill, <http://www.thejakartapost.com/news/2012/07/17/why-we-need-a-gender-equality-bill.html>
- May 24 2012 European Parliament makes resolution to work towards equal pay for equal work environment [http://www.wunrn.com/news/2012/06\\_12/06\\_18/061812\\_eu2.htm](http://www.wunrn.com/news/2012/06_12/06_18/061812_eu2.htm)
- 25 June 2012 Council of Europe Convention on Domestic violence receives 20<sup>th</sup> signature [http://www.wunrn.com/news/2012/06\\_12/06\\_25/062512\\_council.htm](http://www.wunrn.com/news/2012/06_12/06_25/062512_council.htm)
- In July 2012, the positive enactment of the new Anti GBV law in Zambia is highlighted for action. <http://www.ukzambians.co.uk/home/2012/07/10/ywca-calls-for-effective-implementation-of-anti-gbv-act/>

<sup>ii</sup> Negative laws and practices for women considered and enacted in 2012 include:

- In May 2012, Mali Personal Family Code [http://www.wunrn.com/news/2012/05\\_12/04\\_30/043012\\_mali.htm](http://www.wunrn.com/news/2012/05_12/04_30/043012_mali.htm)
- In May 4 2012, Egypt's new lawmaking body discusses possibly reducing age of marriage to 9, [http://www.wunrn.com/news/2012/05\\_12/05\\_07/050712\\_egypt2.htm](http://www.wunrn.com/news/2012/05_12/05_07/050712_egypt2.htm)
- In May 29 2012, Turkish premier discusses limiting right to abortion services despite long standing practice of allowing such contraceptive services. [http://www.wunrn.com/news/2012/05\\_12/05\\_28/052812\\_turkey.htm](http://www.wunrn.com/news/2012/05_12/05_28/052812_turkey.htm)
- In June French NGOs find that despite French quota law for women in political participation, more than 70% of constituencies have never fielded a woman candidate. [http://www.wunrn.com/news/2012/06\\_12/06\\_11/061112\\_france.htm](http://www.wunrn.com/news/2012/06_12/06_11/061112_france.htm)

<sup>iii</sup> <http://www.iwraw-ap.org/publications/doc/developmentframework.pdf>

<sup>iv</sup> <http://www.iwraw-ap.org/publications/doc/Migrationreport.pdf>

<sup>v</sup> <http://www.iwraw-ap.org/publications/doc/amman.pdf>

<sup>vi</sup> [http://www.iwraw-ap.org/documents/SEA\\_Statement\\_on\\_WHRs\\_to\\_Development\\_15June2012\\_final.pdf](http://www.iwraw-ap.org/documents/SEA_Statement_on_WHRs_to_Development_15June2012_final.pdf) and <http://www.iwraw-ap.org/documents/rio.pdf>

<sup>vii</sup> <http://www.asean.org/news/asean-statement-communiques/item/asean-human-rights-declaration>

<sup>viii</sup> Briefing Paper on AHRD [http://www.iwraw-ap.org/publications/doc/ADHR\\_Briefing\\_Paper19\\_July.pdf](http://www.iwraw-ap.org/publications/doc/ADHR_Briefing_Paper19_July.pdf)

<sup>ix</sup> [http://www.iwraw-ap.org/documents/WC%20Statement%20on%20AHRD%20\(For%20Immediate%20Press%20Release\).pdf](http://www.iwraw-ap.org/documents/WC%20Statement%20on%20AHRD%20(For%20Immediate%20Press%20Release).pdf)

<sup>x</sup> Campaign to ensure women's human rights are part of ASEAN Declaration on Human Rights [ <http://www.apwld.org/our-work/asean-the-womens-caucus/call-to-action-sign-on-to-ensure-women%E2%80%99s-human-rights-are-part-of-the-asean/> ]

<sup>xi</sup> Please compare the CEDAW Committee's proposed elements to be found here: <http://www2.ohchr.org/english/bodies/cedaw/docs/BangkokMarch2012.pdf> and here <http://www2.ohchr.org/english/bodies/cedaw/docs/GRConceptNote.pdf> to submissions made by IWRAW AP and partners to be found here:

<http://www2.ohchr.org/english/bodies/cedaw/docs/Discussion2011/IWRAWAsiaPacific%20.pdf>; <http://www.iwraw-ap.org/publications/doc/FinalReporttoParticipantsApril202011.pdf>; <http://www2.ohchr.org/english/bodies/cedaw/docs/Discussion2011/NorthEastNetwork.pdf>;

<http://www2.ohchr.org/english/bodies/cedaw/docs/Discussion2011/WomenMediaCollective.pdf>;

<http://www2.ohchr.org/english/bodies/cedaw/docs/Discussion2011/WomensInternationalLeaguePeaceFreedom.pdf>;

<http://www2.ohchr.org/english/bodies/cedaw/docs/Discussion2011/AssociationNajdeh.pdf>;

<http://www2.ohchr.org/english/bodies/cedaw/docs/Discussion2011/DevelopmentAlternativesWomenNewEra.pdf>

<sup>xii</sup> Including state sanctioned plural legal systems.

<sup>xiii</sup> <http://www.iwraw-ap.org/publications/doc/a2joutline.pdf> and <http://www.iwraw-ap.org/publications/doc/a2jbriefingpaper.pdf>

<sup>xiv</sup> <http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW%20C%20CHL%20CO%205-6.pdf> . Para 16 (b) The Committee recommends that the State party: Transform its recognition of the problem of multiple forms of discrimination into a comprehensive strategy to modify or eliminate stereotypical attitudes, in order to implement the new anti-discrimination law

- <sup>xv</sup> See Ministry announcement [http://menegpp.go.id/V2/index.php/component/content/article/5-gender/296-atk]
- <sup>xvi</sup> Guyana Concluding Observations (Para 9) <http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-GUY-CO-7-8.pdf>
- <sup>xvii</sup> Bahamas Concluding Observations from 52nd CEDAW Session. <http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-BHS-CO-1-5.pdf> (para 21 and 31)
- <sup>xviii</sup> Ibid para 36
- <sup>xix</sup> [http://www.wunrn.com/news/2007/08\\_07/08\\_27\\_07/090207\\_jordan.htm](http://www.wunrn.com/news/2007/08_07/08_27_07/090207_jordan.htm)
- <sup>xx</sup> [http://www.wunrn.com/news/2012/05\\_12/05\\_14/051412\\_algeria.htm](http://www.wunrn.com/news/2012/05_12/05_14/051412_algeria.htm)
- <sup>xxi</sup> <http://www.newisraelfund.org.uk/news-and-media/new-law-to-protect-agunot-----chained-women-----april-2012.php>
- <sup>xxii</sup> [http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/WomenCitizens\\_of\\_Israel\\_for\\_the\\_session\\_Israel\\_CEDAW48.pdf](http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/WomenCitizens_of_Israel_for_the_session_Israel_CEDAW48.pdf)
- <sup>xxiii</sup> [http://lib.ohchr.org/HRBodies/UPR/Documents/Session7/SI/Slovenia\\_mid-term\\_report.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/Session7/SI/Slovenia_mid-term_report.pdf)
- <sup>xxiv</sup> [http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/MK/FYRM\\_mid-termreport.doc](http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/MK/FYRM_mid-termreport.doc)
- <sup>xxv</sup> [http://www.wunrn.com/news/2012/10\\_12/10\\_01/100112\\_swaziland.htm](http://www.wunrn.com/news/2012/10_12/10_01/100112_swaziland.htm)
- <sup>xxvi</sup> [ <http://www.loyarburok.com/wp-content/uploads/2011/12/Noorfadila-binti-Ahmad-Saikin-v-Chayed-bin-Basirun-Ors-HCT-Grounds-of-Judgment1.pdf>]
- <sup>xxvii</sup> [http://www.wunrn.com/news/2012/09\\_12/09\\_24/092412\\_morocco.htm](http://www.wunrn.com/news/2012/09_12/09_24/092412_morocco.htm)
- <sup>xxviii</sup> [http://www.wunrn.com/news/2012/10\\_12/10\\_01/100112\\_uruguay.htm](http://www.wunrn.com/news/2012/10_12/10_01/100112_uruguay.htm)
- <sup>xxix</sup> See page 18 of the Shadow Report <http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/CLADEMUruguay42.pdf>
- <sup>xxx</sup> [http://www.wunrn.com/news/2012/10\\_12/10\\_01/100112\\_ireland.htm](http://www.wunrn.com/news/2012/10_12/10_01/100112_ireland.htm)
- <sup>xxxi</sup> [http://online.wsj.com/article/SB10001424052970203400604578074302419883098.html?mod=dist\\_smartbrief](http://online.wsj.com/article/SB10001424052970203400604578074302419883098.html?mod=dist_smartbrief)
- <sup>xxxii</sup> <http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/womenreform40.pdf>
- <sup>xxxiii</sup> <http://reproductiverights.org/en/press-room/european-court-of-human-rights-finds-slovakia-violated-romani-women%E2%80%99s-rights-in-another-i>
- <sup>xxxiv</sup> (page 38 of [http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/IWRAW\\_Asia\\_Pacific\\_Slovak41.pdf](http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/IWRAW_Asia_Pacific_Slovak41.pdf))
- <sup>xxxv</sup> [http://www.wunrn.com/news/2012/12\\_12/12\\_24/122412\\_philippines.htm](http://www.wunrn.com/news/2012/12_12/12_24/122412_philippines.htm)
- <sup>xxxvi</sup> [http://www.iwraw-ap.org/resources/36\\_ngocedaw\\_resources.htm](http://www.iwraw-ap.org/resources/36_ngocedaw_resources.htm)
- <sup>xxxvii</sup> <http://gulffnews.com/opinions/editorials/women-a-vital-part-of-uae-workforce-1.1116819>.
- <sup>xxxviii</sup> (para 21 and 22 <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/242/76/PDF/N1024276.pdf?OpenElement> )
- <sup>xxxix</sup> National level initiatives on specific thematic areas by Women's Caucus members

a. Peace-building and access to justice

Philippines member Sentro ng Alternatibong Lingap Panlegal (Saligan) worked on conflict issues at the Asia-Pacific Regional Women's Hearing on Gender-Based Violence in Conflict, organized by the Cambodian Defenders Project. As Saligan provides legal services for women victims and survivors of VAW and is involved in the peace and human security issues in Mindanao in Southern Philippines, the event is useful as it demonstrates a good alternative venue that recognizes and documents human rights violations against women. The hearing resulted in a set of recommendations, which include those specific to ASEAN, urging the ASEAN Intergovernmental Commission on Human Rights (AICHR), the ASEAN Commission for the Promotion and Protection of the Rights of Women and Children (ACWC) and other relevant bodies to adopt measures that will end cases of impunity and ensure effective remedies on sexualized and gender-based violence in armed conflict (SGBVC).

b. Sexual and reproductive health and rights

The Women's Caucus participated in activities of groups which closely work on sexual and reproductive health and rights, including HIV/AIDS and which increasingly engage ASEAN. These are the Asia Pacific Alliance for Sexual and Reproductive Health and Rights (APA), Asia Pacific Council of AIDS Service Organisations (APCASO), and the Asian-Pacific Resource and Research Centre's (ARROW). Through these activities, the Women's Caucus imparts its own learnings from its own ASEAN advocacy; enriches its own work on discrimination and violence against women; and encourages more women's organizations to engage ASEAN outside the Women's Caucus. The sessions on Women's Caucus help us to navigate ASEAN structure, priority and interest on women's issues especially around sexuality, SRHR and the interlinkage between women and young people's issues. Partners who joined the capacity building expressed that the session is also helpful to gauge the political situation within ASEAN, the challenges occur and how CSO can mobilise the support. –

c. Labor and marriage migration

The Women's Caucus has started a thematic study on women's migration with a focus on the domestic workers and to a lesser extent, marriage migrants. It will be led by Brunei's Council of Social Welfare, Indonesia's Kalyanamitra and the Philippines' Women's Legal and Human Rights Bureau. The discussion of these issues through the panel has sharpened the design of the thematic paper, which aims to go beyond a victimization approach and instead surface pockets of empowerment in order to better appreciate the violence that is endured and agency that is exercised by women migrant workers.

d. Corporate social accountability

Private sector investments in the ASEAN countries have been doubling for the past years. The influx of these investments, especially in relation to land investments, most of the time results in the displacement of communities and other kinds of human rights violations. Mechanisms and policies have to be in place in order to help communities in ASEAN. The forum on Corporate Accountability was very timely since CSOs and communities must demand accountability from the private sector corporations, ensuring that rights of communities are protected and upheld.

Similarly Women's Caucus started a thematic paper on gender and corporate social accountability to deepen its analyses of the concept and contribute further to the work of AICHR as it considers corporate social responsibility in relation to the right to development and ACWC, for its institutional strengthening. The Caucus earlier proposed the framework of corporate social accountability in its submissions to AICHR on the AHRD and ACWC on the latter's proposed declaration on violence against women and children as well as work plan. A panel was also organized on this issue to stimulate more discussion during the AEPF. This resulted to substantive recommendations which have been communicated to the leaders of the ASEM. Details on this thematic paper will be shared in the final report.

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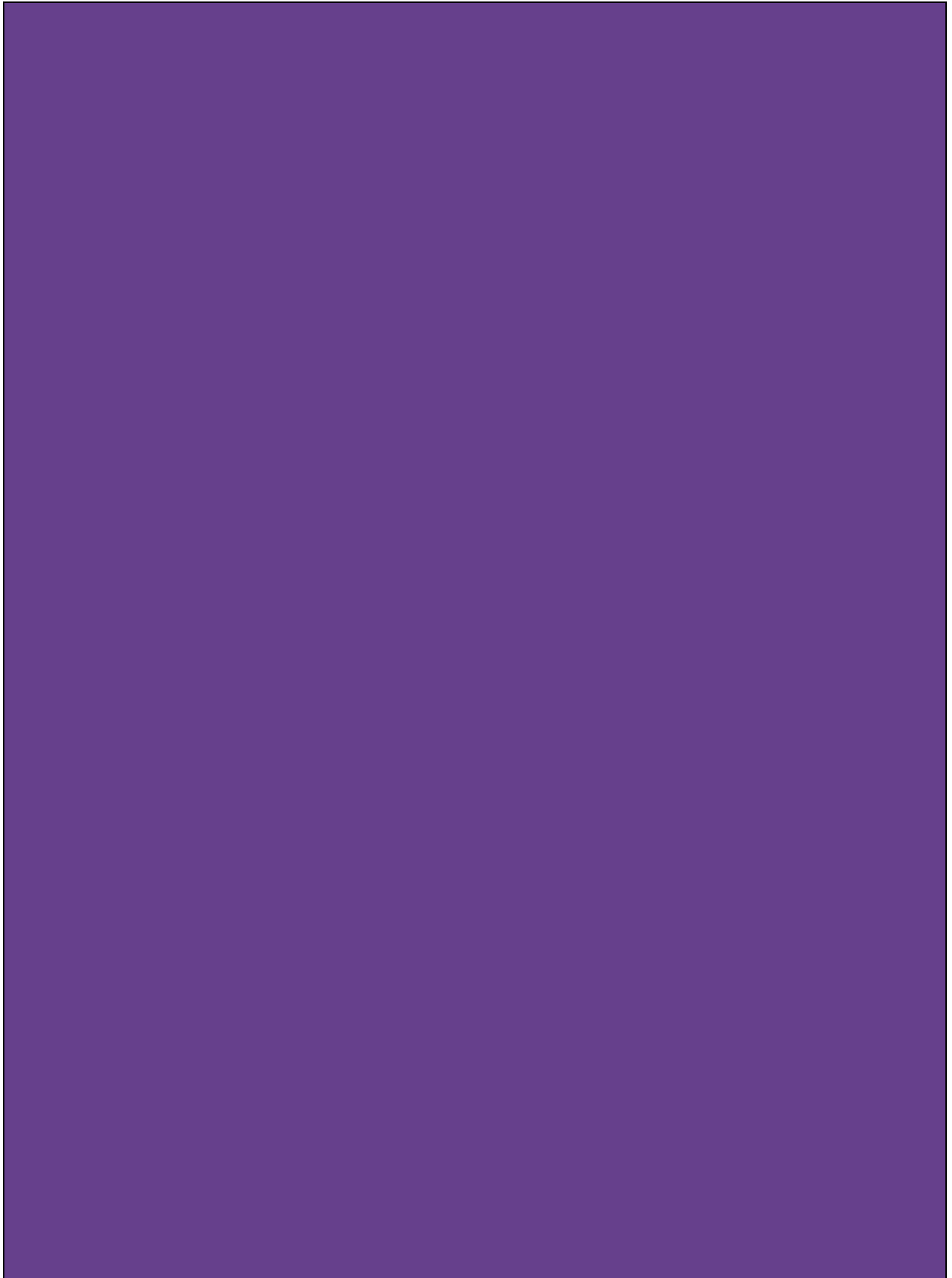
e. Increasing Participation of Young Women

More and more young women, including new faces attended the capacity-building and movement-strengthening activities of the Women's Caucus, such as the 5-day skills-building workshop, the ASEAN Peoples Forum as well as the Annual Meeting. The 5-day skills-building workshop, held from 9 – 13 May 2012 saw the participation more members who are young in terms of age and in the movement. This activity was the first Women's Caucus activity for more than half of the participants. Of the 25 participants, only seven represented focal point organizations. For the first time, the Women's Caucus also had a participant from inside Burma. Since the skills-building workshop, which included modules on CEDAW, feminist monitoring and evaluation, media advocacy, and ICT for advocacy, more than half of the participants were members, some participants have been encouraged to replicate the training at the national level (See Plans) and developed their own blogs and mailing lists as in the case of the Cambodian Women's Caucus, <http://www.cambodianwomenscaucus.blogspot.com>

<sup>xi</sup> <http://www.apwld.org/latest-news/strike-out-%E2%80%9Cpublic-morality%E2%80%9D-from-the-ahrd-draft-sea-women-urge-aichr>

<sup>xii</sup> Issues prioritized by Latin American groups include- Citizenship and Political Participation, Strengthening of institutions, the rule of law and system of human rights and women's human rights, Fight against religious, cultural, and economic fundamentalism (Catholic Church, indigenous jurisdictions, the construction of mega projects, neoliberal ideology) and work towards building a secular state., Violence and armed conflict. Preventing violence in situations of armed conflict and post-conflict contexts. Issue of reparation for the victims of violent episodes in the context of armed conflict., Sexual and reproductive rights and Access to justice and impunity. Southern Africa groups prioritized issues related to Violence against women, economic rights, land rights, the impact of cultural systems, and the conflict in the region, as well as need to focus on the priority areas for followup under the new CEDAW procedure. In Fiji the NGOs felt that the focus had to be on Constitutional reform and systemic strengthening to ensure rule of law and separation and balance of organs of the state, and protection for human rights defenders.





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