

Annual Report

2014



MAKING A DIFFERENCE TO WOMEN'S ACTIVISM

CELEBRATING 20 YEARS • IWRAW Asia Pacific

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Coverpage graphic: Wordle visualization of CEDAW



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ABOUT IWRAW ASIA PACIFIC

International Women's Rights Action Watch (IWRAW) Asia Pacific is a feminist organisation based in the Global South. We work nationally, regionally and internationally towards the achievement of women's human rights. We work on progressive social change for women based on the universality, interdependence and interrelatedness of human rights, and use the lens of the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW) to contribute to the progressive interpretation and realisation of the human rights of women.

Our programme focuses on building understanding of and using CEDAW as a lens to address gender equality and discrimination against women. Our strategies are designed to fill the gap between human rights monitoring by the CEDAW Committee at the international level and national activism of non-governmental organisations demanding government accountability at the national level, and to strengthen both normative and process content of global and regional law and policy instruments which affect women's rights.

Since 2004 we have been recognized by the CEDAW Committee and the Office of the High Commissioner for Human Rights (OHCHR) as the key NGO to support communication and submission of alternative information to the CEDAW Committee.

As of December 2014, our list of country level partners working on CEDAW has grown to 200 organisations globally, with further 30 international and regional networks and organisations with whom we collaborate with, on various strategies to promote women's human rights. We have facilitated participation of about 650 women from 165 countries to attend the CEDAW review sessions, monitor state reporting and engage with the CEDAW Committee. This strengthens the work being done on CEDAW implementation at the national level, including through law reform, policy analysis and litigation initiatives which we do in partnership with women's groups at the local and state level.

The ideology of IWRAW Asia Pacific continues to be framed on its role as a facilitator and enabler of the capacity of women's groups and networks at the national level in strengthening the environment for respect, protection and fulfilment of women's rights.

Our work in 2014 - one year in CEDAW implementation

As the NGO recognized officially to support the CEDAW process, we were able to provide targeted support for women's NGOs in 2014 to ensure participation of 74 women from at the 57th – 59th sessions, from Bahrain, Cameroon, Finland, Iraq, Kazakhstan, Qatar, Sierra Leone, Central African Republic, Georgia, India, Lithuania, Mauritania, Peru, Swaziland, Syrian Arab Republic, Belgium, Brunei Darussalam, China, China (Hong Kong), China (Macau), Ghana, Guinea, Poland, Solomon Islands, and Venezuela (Bolivarian Republic of) to engage with the CEDAW Committee's review of their governments. This programme helped to facilitate participation of mainstream women's rights groups from developing countries to ensure coverage of a broad range of issues under all articles of the Convention and to facilitate better strategic linkage, partnership and normative agreement between mainstream women's rights groups and marginalised, thematic and/or sectoral groups. The activists from marginalised groups were also able to use the CEDAW review as a space to spotlight their issues, as access for public dialogue, attention, or policy focus has been rare.

At the end of 2014 we have been able to facilitate the participation of about 760 women from 165 countries in "From Global to Local" 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.

From January – December 2014 we held 3 global trainings on NGOs in the CEDAW review process, a regional training on CEDAW with Young Women Activists, a regional Training of Trainers for Southeast Asia (SEA), 1 regional consultation with national human rights institutions on women's access to justice in Southeast Asia, a judicial colloquium on women's economic rights in SEA, several shadow report trainings to support NGOs in a group of African countries, Georgia, Mauritania, Bhutan, Vietnam and Laos in developing their shadow reports, country level consultations with gender machinery in Laos on priority areas of followup for CEDAW Concluding Observations implementation, support to regional networks working on rights of women sex workers and women who use drugs in Central Eastern Europe and Central Asia. Besides this IWRAW Asia Pacific engaged in advocacy at various for a such as the ASEAN People's Forum, ASEAN human rights bodies dialogues on women's rights, Commission on Status of Women and Asia Pacific regional conference on the Review of the Beijing +20.

The organisation is grateful for the support from its various donors Swiss Agency for Development Cooperation, UN Women, Oxfam Novib, Australian Department of Foreign Affairs and Trade, Oak Foundation, Channel Foundation that enabled the work and our contribution to the women's movement in 2014 and we continue to look forward to their support in building the reach of our strategies and initiatives.

OBJECTIVES

Across the globe many new laws and programs were enacted in the last few years which reflect the object and purpose of the CEDAW Convention and the aspirations and needs of women. Despite this general trend toward legal compliance, there are also cases of backsliding in the legal framework of rights for women. Both formal frameworks and informal processes need to recognize and address gender and discrimination.

Our three year plan from 2014-2016 is designed to address the need to effectively 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, strengthen women's economic rights, work on strategies to enhance accountability systems for women's rights and CEDAW compliance by non-state actors especially business sector actors.

In this year, we worked in collaboration with our partners women's organisations at the ground level, as well as regional NGOs, as well as state agencies to advance feminist perspectives, and apply the core principles of universality, non-retrogression and indivisibility as key principles to address the governance, financial, environmental and human rights challenges that present themselves in the current global context.

Throughout 2014, we worked on improving 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 towards these 4 key outcomes:

1. Strengthened application of CEDAW and WHR standards through a broader actor base at national levels
2. Enhanced access to an expanding knowledge base and advocacy strategies on critical and emerging issues in women's human rights amongst global actors
3. Global and regional policy and standard setting processes are supportive of women's human rights or use a gender equality approach
4. Increased private sector sensitivity towards benefits of gender equality approach

Context Analysis of 2014

Changes and highlights in the context of our work on women's human rights

Changing political economy

In the last ten years civil society groups and women's human rights activists have debated whether global and national legal, economic and political systems are changing and responding to the multipolar world which brings in important key actors in the new global order such as the BRICS or if indeed the current dominance of the Global North in development politics and global governance will continue. Some questions that are raised in this discourse include how have new economic centers and companies affected the protection of women's rights and what are the effects of this new order on the UN system and regional human rights systems and accountability frameworks for women's rights? What knowledge and capacities do civil society groups and women's equality activists need to have to respond to such changes in the environment. As feminist activists challenge the status quo and power imbalances, systems, structures and cultures that reproduce discrimination, stereotyped gender roles and devaluation of women's contributions into economies and in society, understanding the actors and 'rules' of this tacit system will guide our interventions as rights activists.

Neoliberal development has resulted in rising inequalities and left women and marginalized persons in more vulnerable positions and with fewer social protections. Despite international human rights standards, rights violations take place with impunity in the name of development and by states with the support of international finance institutions. Ongoing inequality in the world - but especially in the global south - in the sphere of economic, social and cultural (ESC) rights contributes to the continuing subordination of women and makes them especially vulnerable to violence, exploitation and other forms of abuse.

Disaster and climate change issues have also surfaced the need to address the participation and representation of women, especially those from marginalised communities, in environmental management and education towards demanding and accessing climate justice. It also surfaced the need to engage more holistically with the indigenous groups who are more adversely affected and explore the broad divergence between the collective rights and individual rights discourse within a human rights framework.

The impact of unjust economic development and geopolitical shifts on the international human rights system has led to inconsistency. States pay lip service to international human rights norms. The current environment is seeing increasing migration, displacement, and xenophobia arising out of economic and political deprivation, climate change, and the twin crises of food and finance. What are we saying about this is that our strategies must continue to address not only states but also multinational corporations and powerful non-state actors. Impunity in compliance with the global compact and UN GP and its impact on women's human rights is addressed, through sustained advocacy by national women's rights groups.

Confluence of the development agenda and the political agenda for women's human rights

In 2014, a window of opportunity existed for women to work in concert to seek clear gender equality outcomes and opportunities for social transformation, in the development agenda. Historical and contextual power imbalances have marginalised women and limited their ability to fully exercise their fundamental freedoms and human rights enshrined by domestic and international legal and policy frameworks. The post-2015 development agenda has focused on economic growth and poverty reduction, not social justice and human rights. It has led to both the proliferation of spaces for engagement and the narrowing of meaningful non-governmental organization involvement. The discourse has moreover shifted focus from rights to delivery and "harmonization".

Initiatives and processes need to reinforce the principle that achieving gender equality, women's empowerment and human rights are autonomous ends in themselves and not simply instruments to achieve economic growth. In 2014 we worked on networking with regional and global women's groups to input into the 2015 process.

Working with our key constituency of women's groups and advocating at various levels, it is still true that Human Rights based approaches to development and policy engagement continue to provide a strong foundation to the ideological tools activists can use to stop exploitation and address inequality. A working premise that creates a synergy between the enforcement of rights and the culture of compliance with human rights norms is that a rights framework does not *automatically* confer rights; it only legitimises the claims for rights. Women have to be able to advocate for and claim their rights and IWRAW Asia Pacific's programmes towards 2015 targeted this need.

There are many barriers to women claiming their rights. These may be hostile culture or tradition, a gender bias in the administration of justice, and many other reasons. Hence training and education of women and providing them with the support to enable them to claim their rights is essential. Still, scepticism and the lack of understanding of how the international human rights system functions to promote women's human rights continue to be key challenges. Other concepts in international human rights law beyond state obligation are in existence and our interventions need to strengthen the analysis on the impact of non-state entities and ways to engage with private sector actors on gender equality.

We often talk of women's empowerment – what it means is a change in power relations to enable compliance for human rights. This requires addressing structural inequalities. It also requires activating women politically and supporting them to act politically. There are major challenges faced to institutions and in wider society when attempting to enable women's empowerment and social change. Development and empowerment work cannot be done in a 'business as usual' way but must serve as a platform for challenging and then transforming social inequities and promoting the rights of girls and women. Politics is both the problem, but also part of the solution.

Supporting gender equality needs a strategies and a vision to alter existing power relations and ways to help 'politicise' women's rights – these initiatives include strengthening women's voice and agency, both individually and collectively, changing institutional cultures to promote equity and grass-roots activism equipping women and girls with the skills and aptitudes to access resources and economic opportunities, while also giving them the ability to leverage political power.

The ideological and practical linkage of feminism and human rights is powerful as it is based on human experiences, suffering, and a response to power imbalance, and seeks to promote accountability on the exercise of such power and recognition of strength in common priorities and a valuing of difference and diversity in society. However, the gender equality agenda has not permeated other social change agendas. Culture and religion continue to be used to undermine women's human rights. This agenda has furthermore not been linked to other agendas for social change. Democratisation processes around the world bring into the mainstream actors from the religious fundamentalist background, therefore producing new forms of discrimination against women and human security. Our approaches need to capitalise on women's voice, mobilisation and 'power' – especially strengthening women's rights agenda through the political framework and constitutional reform. Thus the feminist movement continues to gear towards 'cultural revolutions'. To achieve full recognition of women's rights and for people centred development to work it needs to also address socially constructed power relations, norms and practices which inform family dynamics, communities, religious bodies, states, institutions, and political parties as well as mass and social movements.

An age to focus demands for women's economic social and cultural rights

The realisation of women's economic, social and cultural rights can itself be transformative, not only in ensuring that women's immediate material needs are met, but also in fundamentally reshaping unequal power relationships is also a key area of focus at this time.

Women's economic rights are consistently challenged by various factors and multiple forms of discriminations in law and in practice. In recent times, it has become more evident that women's economic and social rights are globally impaired by patriarchal, traditional and cultural structures and practices, in addition to the lack of formal equality and accountability of State and key stakeholders, extractive private sector behaviours and the focus on infrastructure and technology-driven national development. In 2014 we worked to make better links between economic and social justice and legal rights in order to strengthen the Economic, Social and Cultural rights agenda through creating greater capacity of legal communities to address claims for redress and strengthen their litigation programmes for women's rights cases.

State institutions and systems

State institutions and national human rights machineries must be engaged and supported to enable them to fulfil their commitments to gender equality. The focus should be on addressing systematic patterns of discrimination rather than individual violations per se, and on law reform as well as implementation and enforcement.

In 2014 and 2015 we continue to implement a holistic programme on CEDAW implementation in SEA region, working with government agencies, national human rights institutes, and civil society groups. This overlap was useful to open various opportunities for linking the advocacy of women's groups to existing structures of women's human rights such as the gender machinery, as well as open channels of communication for them to build partnerships on specific issues related to marginalised groups and young women. IWRAW AP will actively connect marginalised groups to its other regional and national initiatives

The role of business and the private sector.

Increasingly the dominant economic system being adopted, including in newly developing and democratising countries is that of capitalism featuring limited state regulation, privatisation of national resources, public services and utilities. This bodes dangers for people, especially those facing marginalised discrimination. As an actor, private sector lobbying is also playing a greater role in both domestic and international policy making which impacts people's rights to food, water, healthcare, employment and labour standards. Accountability of private sector for human rights impact within their mandate of profit seeking activities and their role in weakening the legal framework which sustains human rights needs to be addressed. In 2014 IWRAW Asia Pacific focused on using frameworks¹ which address the role of businesses in realizing women's human rights and in exploring the engagement of business sector in our advocacy programmes especially on priorities of women's economic rights in the ASEAN context.

¹ Ruggie Principles and CEDAW Framework

Focused support for CEDAW Reporting and Monitoring for Southeast Asian countries as part of CEDAW obligations

Monitoring, adequate data and operationalization of CEDAW Concluding Observations are perennial problems in SEA, due to political will, physical resources and institutional capacity. Indonesia and Singapore was reviewed in 2012, and Cambodia, were reviewed in 2013. All other SEA countries are due for reporting in the next two years. Myanmar will be scheduled for reporting in 2016, Vietnam in July 2015, Timor Leste in October 2015. Malaysia and Thailand's reports are past due on its state report since 2010 and Laos has already completed its state report and will be scheduled by the Committee soon).

In this time before the review, it is critical for civil society groups to monitor the implementation of Concluding Observations of Convention on the Elimination of all forms of Discrimination Against, prioritizing gender equality issues which have been pending for resolution and to put forward issues of particularly marginalised groups or problematic contexts which can be addressed through the international framework for development and rights such as issues of rights in migration and rights in conflict, as well as issues of young women. For the young women we are working with under this project there is also opportunity for them to input into these international scrutiny processes to ensure that the rights of girls and young women are represented.

Addressing the impact of ASEAN integration on women in Southeast Asia

The ASEAN Economic Community will move towards greater integration in 2015. It moves ASEAN into a region potentially founded on free movement of goods, services, investments, skilled labour and free flow of capital. It is a key instrument to move the region into the global market, serving as a vehicle for greater intra ASEAN cooperation. ASEAN's format for regional integration will be characterised by financial and trade liberalization that increases the potential for intra-regional trade. Trade policies, by their nature, are often not sensitive to women's interests and aspirations², even though women's participation is fundamental to equitable economic growth.

Given their increasing role in the economies of Southeast Asia, women will be exposed to new opportunities and risks in this environment of economic openness. Poor women, in particular, remain vulnerable to economic policy changes that occur in the region. Among the growing trends is the feminization of current migration patterns in Southeast Asia, which is mainly due to the rise in the number of women seeking work outside their home countries. Particularly at risk are indigenous women and women from ethnic minorities as the introduction by dominant outsiders of institutions of private property can lead to indigenous women progressively losing their traditional rights to lands and natural resources.

Implementation of the ASEAN Economic Community has the potential to offer unprecedented economic opportunities to women, but also to seriously undermine their ability to contribute to the future of the region. Crucial to how this plays out will be the voice of women from member economies in the formal and informal ASEAN structures. Women's effective engagement is needed to avoid inequality becoming entrenched, driving unprepared economies into greater economic and political instability and into unbalanced and unsustainable development caused by the countries focussing on mega sized, energy and infrastructure driven projects. Given the above there is an urgent need for ASEAN decision makers to be more aware of the social impact of the ASEAN economic community and in particular the impact on women. This will require the 'voice' of poor and vulnerable women to be heard by these decision makers and in an appropriate format and in strategic venues. The above will require strong women's organisations in each member country that are able to document the potential impact on women, develop alternatives or mitigation measures and then present these issues to decision makers.

Changes within the Organization

² http://www.iisd.org/tkn/pdf/beyond_barriers_gender_southeast_asia.pdf

2014 was the 21st anniversary of the IRAW Asia Pacific. In January 2014 we launched a new 3 year plan focused on four strategic directions. In the first quarter of 2014 we also expanded the programme team.

In early 2014 we were joined by Amarjargal Davjayev from Mongolia who is working on a project on CEDAW capacity building in Southeast Asia and Sanyu Awori from Kenya who is working on our projects on national human rights institutions, and advocacy at the ASEAN level.

At the end of 2014 Urmila Bhoola our Executive Director had to leave the organisation as she was appointed as the UN Special Rapporteur on Modern Forms of Slavery and the organisation wished her success in her new position.

In May –June 2014 we worked with Oxfam Novib to develop a new project on Women’s Economic Leadership and Empowerment to support our Southeast Asian partners especially in Cambodia, Laos Vietnam and Myanmar to strengthen their advocacy and policy engagement on women’s economic leadership at the country and ASEAN level.

Report of Our work in 2014- Implementation of Strategies and Activities

Outcome 1: Strengthened application of CEDAW and WHR standards through a broader actor base at national levels

This outcome was achieved by implementing 6 different strategies.

1.1 Strengthening capacity of gender/women's machinery to ensure national level CEDAW compliance through national action plan and law reform

Collaboration with women's rights groups to strengthen demands for CEDAW implementation through advocacy on law and policy reform

In implementing the **CEDAW Compliance Framework Project** which is a project designed for us to provide sustained technical support to women's groups working on using CEDAW standards in their advocacy with the state on specific priority issues where there is a legal/policy framework to act as a foundation for raising their voices and making specific claims from the state.

- In **Timor Leste** we held an assessment meeting in Dili on 13-14 May 2014, with the partners Rede feto, We have moved to the next stage which is to work on the situational analysis which provides the rationale and basis for strategizing on the priority issues. The 20 women in the group is focused on two issues, the returning policy (to support girls/young mothers to return to education) and the labour code.
- In **Cambodia** on 29-30 April 2014 we held a project meeting with the partners to plan for the development of a situational analysis on the issue of the lack of effectiveness of the Law on Prevention of Domestic Violence of 2005. The lack of success in converting the law into prevention has been demonstrated in many studies. The project will work on advocacy to strengthen its implementation and work on amendments to make the law more effective to eliminate VAW.
- In Vietnam in September 2014 we worked with partners Gencomnet and CGFED on CEDAW Compliance initiatives. There are still discriminations between men and women in term of **retirement age and rights to access to land**. Many laws are gender-neutral without mention of the differences in culture and society between men and women which has increased gender inequality and preventing women's access to these rights.

As part of IWRAW Asia Pacific support for law and policy reform in Bangladesh, Laos, Cambodia, Vietnam Thailand and Timor we have supported women's groups and development NGOs to develop **situational analyses** reports on priority issues requiring a law and policy reform approach. These 6 situational analyses reports are important project tools that guide future strategizing on CEDAW compliance initiatives – they will help earmark areas for building women's groups strategies, and areas where there are gaps in information and tools or actors to monitor and advocate on the issues. These are available from IWRAW Asia Pacific upon request as they document internal strategies of the groups.

1.2 Focus on strengthening National Human Rights Institutions and gender machineries' mandate and work plans to implement CEDAW and ensure adequate protection for women

Strengthened engagement with state institutions working on CEDAW and gender equality as a means to strengthen the policy frameworks. Several consultations were held as a part of a larger project on engaging with national women's and national human rights institutions in Southeast Asia.

Working with national human rights institutions

NHRIs have a key role to play in the domestication of human rights, as they have a mandate to promote and protect human rights. Their core functions include monitoring implementation of international human rights standards, complaints handling, human rights education, and provision of law and policy recommendations. In the context of development and women's human rights, various changes are occurring at the global level that will greatly impact the fulfillment of state obligation for CEDAW. Addressing the unequal status of women in this complex environment is one of the primary responsibilities of NHRIs. NHRIs are key actors in promoting and protecting human rights including women's human rights. They are also part of the institutional mechanism for drawing accountability to gender equality measures and delivery of women's access to justice in the context of economic and political shifts, which affect the way women can exercise their fundamental freedoms and rights. NHRIs can provide positive support to the State in implementing a systematic approach to gender equality and ensuring a gender perspective in its work through operationalizing CEDAW concepts and standards.

ASEAN Focused- Building Linkages and Joint Strategies between ASEAN human rights bodies and SEA national human rights institutions

IWRAW Asia Pacific partnered with the Malaysia Human Rights Commission (SUHAKAM) to hold a **regional dialogue with representatives from Southeast Asia National Human Rights Institutions (NHRIs) and the ASEAN Intergovernmental Commission on Human Rights (AICHR) to identify and discuss critical areas of access to justice for women's human rights in Southeast Asia**. The dialogue recognised that accessing justice systems is particularly challenging for women from vulnerable and marginalized groups. The dialogue also recognised the key principle of intersectionality; and that multiple factors compound discrimination against women. Different issues were identified and discussed as barriers to accountability for violations of women's human rights including discriminatory customs, laws and practices; culture; religion; low levels of education in particular literacy on human rights; and communication barriers. The event held from 8-10 December 2014 focused on deepening understanding of how NHRIs can monitor the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), specifically using the Convention's normative framework and standards of access to justice for women's human rights.



Commissioners from SEA national human rights institutions sharing their experiences

Agreement was created on key strategies and suggestions for future action that NHRI in Southeast Asia could pursue to enhance women's access to justice:

- Looking into how NHRIs can play a neutral role in conflict/post conflict situations. This is important as the presence of NHRIs can help to reduce tensions between conflicting parties.
- More dialogue focusing on rights of women in conflict areas.
- Using CEDAW and other human rights treaties such as CAT, ICCPR, ICESCR as there is very little knowledge of these treaties in public
- A focus on girls.
- Involving more NHRIs in the region for more productive exchange of knowledge and information, best practices and experiences especially those considering strengthening their NHRI structures.
- That IWRAW Asia Pacific should continue a similar forum for NHRIs and ASEAN regional mechanisms

Through the consultation 25 specific policy recommendations³ were made. The substantive recommendations from this dialogue can be used to push government and relevant parties to respect women's rights to access to justice include:

- Agreement was reached that NHRI strategies must address:
 - Violence against Women Addressing Barriers to access to justice for women's human rights in the area of 1)culture, support infrastructure – ie (a) few available shelters; (b) few psychological services; 2)security; and 3) inadequate gender sensitivity within the legal system – (a) judges, prosecutors, members of the bar; (b) law enforcement agents.
 - Engage with private sector on their accountability for women's human rights as one key priority.

Working with gender machinery

- Laos

Supported Laos National Commission on the Advancement of Women to develop of a multi-sectoral, multi-stakeholder Action Plan for supporting the implementation and enforcement of implementation of CEDAW Concluding Observations in two areas – **protections and policies related to women migrant workers and a draft Anti-violence against women Law** through a Consultation with National Women's Machinery (NWM) in Lao PDR on Expanding and Applying the Indicators for CEDAW Implementation from 8-10 April in Vientiane, Laos with 20 state actors.
- Timor Leste

Supported Secretary of State on Promotion of Gender Equality in Timor Leste from 22-24 October 2014, Secretary of State for the Promotion of Equality (SEPI), UN Women and International Women's Rights Action Watch Asia Pacific held a **national consultation/workshop** in Dili, Timor Leste. 19 representatives from SEPI and the Gender Working Group (GWG) (comprising representative from different ministries, including the Ministry of Social Solidarity, Ministry of Petroleum and Natural Resources, Secretary of State for Youth and Sport, Ministry of Administration of State (MAE), Secretary of State for Professional Training and Employment Policy (SEPFOP)) participated in order to identify and explore strategies to support the

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- ³ Myanmar and Thailand agreed on these recommendations
 - Begin lobbying for the establishment of a separate sub-committee for women (Myanmar).
 - Raise awareness about VAW and provide victims of VAW with increased legal aid services.
 - Priority: Establish a mechanism through which victims of VAW can access help quickly – i.e.interim measures aimed at protecting women before they are able to seek justice from the court system.
 - Set up a hotline for victims of VAW.
 - Lobby for increased monitoring on the implementation of laws affecting women in the workplace – specifically, a separate agency tasked with performing inspections and monitoring duties.
 - Philippines hopes to:
 - Strengthen human rights education.
 - Priority: lobby for full implementation of laws – in particular the Guidelines for the HRC's Women's Ombud mandate (this will involve a lot of engagement with all levels of government).
 - Lobby for security measures for VAW victims.
 - Come up with training modules on human rights for judges, prosecutors and other government personnel.
 - Indonesia focused its attention on the issue of violence against women and children. Over the next 12 months, Indonesia hopes to:
 - Priority: Educate law enforcement officials about violence against women and children and introduce gender mainstreaming programs.
 - Introduce new punishments for law enforcement officials who violate women's and children's rights in cooperation with National Commission for Police.
 - Evaluate the current MoUs that they have with the police for effectiveness and identify best strategies for going forward.
 - Monitor treatment of cases of sexual harassment by police.
 - Seek cooperation from regional human rights mechanisms - AICHR, ACWC and ASEAN – and use their position as an NHRI to report to UN Special Rapporteurs.
 - Malaysia and Timor-Leste focused on strategies for approaching two major issues:

Issue one: Access to justice for women in the private sector. Strategies proposed for the next 12 months were:

 - Priority: Propose the government enact laws for private companies/sector to comply with CEDAW– propose an increase in labor/human resources to monitor the issue of equal pay and conditions.
 - Approach the private sector and highlight the issue of discrimination with a view to getting government to revisit their policy/terms of reference regarding employment with a view to enhancing have gender equality.
 - Increase awareness in the private sector about human rights and CEDAW.

Issue two: Domestic violence. Strategies proposed for the next 12 months were:

 - To monitor, report and provide recommendations to government about minimum social security/welfare standards for victims of VAW.
 - To propose amendments to the Domestic Violence Act (Timor-Leste)
 - To streamline complaints mechanisms to make it easier for women to make complaints of VAW,
 - Priority: To work with NHRIs and NGOs to establish a safe house for women.

implementation of priority issues identified in the CEDAW Concluding Observations. aims to strengthen the role of Secretary of State for the Promotion of Gender Equality (SEPI) as a key duty bearer in promoting and protecting women's human rights in Timor Leste. Knowledge was built on two key priority areas discussed and where tools were shared during the consultation were on

- Ensuring Realization in **addressing Violence Against Women** - This provided a constructive review of the State Report to the CEDAW Committee highlighting its obligations to eliminate VAW. There were many cultural and religious factors identified that could impede a societal response to violence and this was also discussed by participants. The group was also provided a brief analysis using the access to justice framework for analyzing State compliance and guaranteeing women's human rights. The focus was on articulating the framework of CEDAW in addressing violence via General recommendation 19. Elements of this framework include:
 - Prevention: legislation; public education; empowerment programs; training police, medical professionals, and others on the "front line" that VAW is a serious violation of rights
 - Protection: hotlines, shelters, victim & witness protection measures
 - Punishment: increased prosecution & punishment, specialized investigation units, training for police, judiciary & prosecutors
 - Reparation: compensation, rehabilitation
- Ensuring Realization of **Women's Health Rights**
 - The session shared other authoritative sources of state accountability for ensuring the highest attainable standard of health for people.

Several recommendations were made for SEPI to ensure how they could better implement their obligations under the two priority issues. These recommendations will be means of following up to see if there are any positive changes to these aspects of the states response to women's rights to health and right to be free from violence.

- Consider trying to work with Catholic Churches for issues related to family planning and reproductive rights of women.
- Set up of Gender Working Group (GWG) at the village level, which could be a helpful strategy to promote the effectiveness of CEDAW implementation and monitoring.
- Encourage and promote the use of CEDAW in the courts at the domestic level.
- One area in which to monitor CEDAW is in the laws and policies; SEPI should try to find discriminatory laws and make policy recommendations for change. The guardianship provision in the Civil Code is an example of discriminatory laws.
- Consider formulating a Gender Equality Law
- Indonesia
 - Followed up on support provided to the Ministry of Women's Empowerment Indonesia. Through a National Consultation with National Women's Machinery (NWM) in Indonesia on Expanding and Applying the Indicators for CEDAW Implementation held on 4-6 December 2013 we supported the sectoral bodies to analyse its position and its action plan on addressing 3 areas for **law and policy reform – female circumcision, the reform of the marriage law and the existence of new discriminatory by laws** in the autonomous regions e.g. Aceh which are in direct contravention to Indonesia's CEDAW obligations.

1.3 Strengthening justice sector capacity to address women's access to justice through capacity building and energising judicial activism on gender equality

Judiciary as key actors for strengthening women's economic social and cultural rights

At the Southeast Asia level we focused on **working with the judicial sector on issues of access to justice** especially on women's economic rights in SEA. By holding a **Judicial Colloquium on Access to Justice for Women's Economic Social and Cultural Rights with judges and justice personnel in Southeast Asia** on 28th – 29th September 2014,

IWRAW Asia Pacific with was able to jointly debate specific priority issues for women's human rights jurisprudence with judicial actors. The colloquium covered recognition of emerging issues, contexts and challenges relating to economic, social and cultural rights within the South-East Asia region, their disproportionate impact on women, and the inadequacy and in some instances even lack of legal protections for violation of such rights within national jurisdictions. At the end of the colloquium we were able to build on regional efforts towards strengthening women's access to justice through a thematic lens reflective of the current contexts and challenges that affect women's equal enjoyment of human rights within South East Asia and enhance understanding amongst judges on existing standards and principles under international human rights treaty law in relation to justiciability of women's ESC rights.



Judicial actors of Southeast Asia

The 16 participants at the Colloquium included judges from Thailand, Cambodia, Indonesia, Philippines and Malaysia as well as representatives of the judicial training academies of Philippines, Indonesia, Malaysia and Vietnam open forums of discussions regarding best practices, challenges and obstacles in adjudicating cases relating to ESC rights in general and examining the impact of resulting jurisprudence on women's enjoyment of ESC rights at the domestic level.

Key learning areas were identified by the participants as areas that needed further strengthening so that judicial actors could more strongly respond on jurisprudence and justiciability of economic rights for women.

1. Role and power of judiciary through comparative approaches from various countries.
2. Clarity on the underlying rationale of the Articles of CEDAW and their application.
3. Best practices on incorporation of the principle of substantive equality and its approaches to women's human rights in domestic laws and judicial decisions from within and beyond Southeast Asia.
4. Comparative approaches of courts to specific issues relating to women's human rights, such as violence against women, employment rights, sexual harassment, domestic violence, land rights etc.
5. Principles relating to right to employment and its ambit of application in relation to women under international law.
6. Established parameters of right to life and opportunities of creating linkages in substantive argumentation of economic, social and cultural rights for women, e.g. Rights to health and environmental protection have often been claimed in courts through arguments on right to life and dignity.
7. Clarity on right to abortion and its application through best practices in terms of incorporation of international standards in domestic laws.
8. Means of upholding right to participate in all decision-making levels such as legislature and judiciary.(Specifically in the case of Indonesia)
9. Best practices in formulation, enactment and implementation of domestic violence laws
10. Court systems in each country that allow for an indepth understanding on the development of jurisprudence and challenges in implementation of international law.

A full report is available [here](#).

1.4 Build a new cohort of activists working on CEDAW and create linkages with networks working on rights of marginalised groups

Strategies to support rights of women sex workers, women who use drugs and women living with HIV/AIDS

Women sex workers, women who use drugs, and positive women often live at the fringes of society based on societal understandings of acceptable behavior and moralities. Such understandings often get formalized as norms which in turn serve to maintain status quo in denying women sex workers and women who use drugs the enjoyment of and access to fundamental rights and freedoms. While the governments of Ukraine, Lithuania, Russia, Kazakhstan, Kyrgyzstan and Tajikistan have recognized the right to equality under various clauses of their respective constitutions, at the international level, they have also expressed commitments to gender equality by ratifying the CEDAW. Despite such initiatives women continue to experience multiple forms of discrimination at the national level.

Through a regional forum **“Regional Workshop on Use of CEDAW: Advancing Rights of Women Sex Workers and Women Who Use Drugs”** held on 15-18 November 2014 in Istanbul, Turkey, we were able to create basic understanding of CEDAW including the opportunities, and strategies of engaging with it to advance greater protection of rights for this group of women. The forum also strengthened the networking among organizations from Russian speaking countries in Central and Eastern Europe aiming to use CEDAW in their work on or around the issues of sex work (including in relation to Article 6), and drug use. Sharing of good as well as bad trends in state and health policy in relation to this group is critical to organize at both regional and national levels of advocacy and awareness raising. Through the forum we were also able to begin developing strategic plans for integrating CEDAW as an ongoing advocacy initiative within organizational working plans, such as linking documentation projects and researches with a focus on monitoring CEDAW implementation, approaches to policy reform and litigation etc as well as following up with a Thematic Briefing addressing the CEDAW Committee in February 2015.

Strengthened clarity on young women’s issues in Southeast Asia

Our strategy on “Strengthening the voice of Young Women (as CEDAW Activists)”, the project had many successes.

- Stronger ability to advocate. Selection of challenging and controversial issues to advocate on – the topics chosen by young women as priorities require both technical knowledge to make substantive recommendations and ability to challenge stereotypes which are causing the discrimination and violation to young women’s rights. The issues include:
 - a. Right of young women in Timor to all levels of education even after maternity (returning policy). This topic in a majority Catholic country is very difficult to work on as there are many cultural reasons for the young mothers to be married, care for children or find work rather than prioritise completing their formal education but the young activists recognize education is a stepping stone for women to access and benefits from other opportunities in society.
 - b. Vietnamese young women chose to focus on the issue of intimate partner violence. In this conservative culture, discussing date rape and other such issues happening in intimate relationships is a growing concern. This issue allows the activists to also bring in issues of consent and self determination.
 - c. Laotian activists chose to work on a combination of young women’s right to health services, and right to sexual and reproductive education since many are becoming sexually active younger and need to know their right to sexual and reproductive health and the kind of services required to support these rights.
 - d. Malaysian group of young women chose to focus on sexual harassment at the workplace. The numbers of women entering the workforce in Malaysia is high in ages between 18-30 but taper off at 48% after age 35 or so because culturally women give up employment to care for children. Because there is no legal protection on sexual harassment at the workplace yet, coupled with weak labour protection or application of concepts related to bullying and harassment, then

employers are only enjoined to develop their own internal policies for sexual harassment. As such the plan is to raise more awareness on the need for legal protection but also to campaign for community recognition of the seriousness of sexual harassment.

- Development of strategies including discussions with larger civil society groups and legislators to bridge the gaps in understanding and to build an advocacy platform for working with government institutions on recommendations and solutions on their issues throughout 2014 and for 2015.
- Representation and increased understanding of young women activists in regional policy processes – participation in the ASEAN People’s Forum 2014.

As part of IWRAW Asia Pacific’s project : “Strengthening the voices of young women as gender equality advocates in Southeast Asia”, IWRAW Asia Pacific facilitated the participation of four young women from Laos, Malaysia, Timor-Leste and Vietnam respectively, to attend and experience the ASEAN Youth Forum and the ASEAN Civil Society Conference/ASEAN People’s Forum held in Yangon in March 2014.



Young women activists from Vietnam, Laos, Malaysia and Timor

The ASEAN Youth Forum was an opportunity for the young women to build relationships with their peers from across the ASEAN region, and share concerns about issues affecting the youth. The ASEAN People’s Forum, the largest to date, drawing over 3000 civil society actors from across the ASEAN region, demonstrated the rich diversity of civil society voices in the region, and allowed the young women to engage in discussions on a broad range of thematic and systemic issues. The young women participated in the debates during the drafting of both the ASEAN Youth Statement (Yangon Declaration) and the ASEAN People’s Forum Statement. These two regional forums exposed the young women to ASEAN mechanisms and processes, and deepened their knowledge and understanding of policy and decision-making at the ASEAN level.



Young activists at ASEAN Youth Forum 2014

- Successful initiatives by young women to use alternative media to promote their work and this project. The Malaysian group has initiated several awareness campaigns on the need for a stand-alone sexual harassment bill. This includes appearing on an alternative radio talk show named DurianASEAN (<http://durianasean.com/>).



DurianASEAN is a Southeast Asia-wide online media-house with radio & TV station devoted to the issues of 10 ASEAN countries. They undertake analysis of international & regional news, current affairs, politics, economics, socio-cultural, and civil society issues daily - with an eye for progress towards ASEAN Economic Community 2015 and how current developments will impact the daily lives of the 600 million people in the region.

- Participation of Young Women Activists in the Asia Pacific Beijing+20 Review Process in November 2014.
 - Demonstrated ability to link regional activism with state obligations to deliver policy outcomes and promises
 - The Malaysian young women activists, in reaction to the lack of political will by the Malaysian government as seen in the absence of Minister Hajjah Rohani Kassim from the Women's Ministry at the Beijing+20 review immediately used social media to inform Malaysians within their network. This drew the attention of some local Malaysian media. Subsequent to this, a question was posed in the Malaysian Parliament by the Member of Parliament from Batu Kawan (Penang) questioning the absence of the minister at this very important meeting. This is an effort of translating a regional experience into national activism and to trigger national awareness to the state's commitment to the Beijing Declaration and Platform for Action, which has one standalone goal that is directed at efficiency and capacity of gender machineries to act as the key government arm to monitor, analyse and lead implementation of gender equality policies domestically. Relevant websites: <http://www.theantdaily.com/Main/Poser-on-Rohani-s-absence-at-UN-women-s-rights-summit>
 - This is a where the young women are empowered to question the current modality in agenda setting. This example showcases the ability and aspiration of young women in claiming their own spaces and demanding their voices to be heard.

Excerpt from Juana Jaafar's personal report:

"My article in the UN Women youth diary calling for meaningful participation of young women at all levels of policymaking and implementation was received positively. I also raised this point during a special session between the Young Women's Caucus and Roberta Clarke, Regional Director of UN Women Asia Pacific; which she noted to follow up. Most importantly, my writing resulted in the Young Women's Caucus being offered a seat at the concluding press conference which UN Women coordinated through me" –

Supported a pool of young activist trainers for peer group trainings



What does patriarchy, feminism and human rights have to do with young women activists? Why should activists bother with the UN system? What is an effective advocacy campaign?

Young women sharing their thoughts on how to discuss gender

To address the questions above, IWRAP Asia Pacific with the support of the Research Centre for Gender, Family and Environment in Development (CGFED), a national level women's rights organization in Vietnam organised a **regional**

training of trainers in Hanoi from 16-19 May 2014. 17 young trainers from Vietnam Timor Malaysia and Laos were selected for this training.

The training addressed concepts including patriarchy and key principles of CEDAW to develop analytical skills to apply the CEDAW conceptual framework to issues affecting young women in their respective countries. We wanted to ensure that what was learnt in training rooms had an impact on the ground. To test if the tools and the skills that were shared could be utilised at the national-level workshops, participants engaged in various spontaneous activities that got them thinking on their feet, for instance participating in mock press conferences.

From the Regional Training of Trainers, partners and resource persons as well as IRAW AP staff, are starting to see more familiarity with working on women's rights concepts from evaluation and video testimonies of the training of trainers participants. Personalised and group videos are a good way to allow self-reflection for younger activists who have less familiarity with human rights subject matter.

1.5 Developing legal strategies focused on use of law as a tool for advocacy on women's equality

Supported litigation strategies by training lawyers

Macedonia Workshop on OPCEDAW

Building up the legal actors for CEDAW jurisprudence - At the global level, we worked on strengthening the interpretation of legal protections for sex workers in **Macedonia**, have conducted a **workshop from 31 May – 2 June 2014 at Skopje, Macedonia** as a capacity building initiative for HOPS and its partners on the use of OP CEDAW for claiming rights of sex workers.

The Initial Consultation on OP CEDAW for Macedonia was conducted from 31 May – 2 June 2014 by HOPS with support from IRAW Asia Pacific with 10 participants. The Consultation was in direct follow-up to the Concluding Observations issued by the CEDAW Committee at the 54th CEDAW Session. The 3 day consultation resulted in capacity building of 4 lawyers and 6 social/ outreach workers on the application and use of the 2 mechanisms under the Optional Protocol to CEDAW.

Lebanon National Workshop for Lawyers for Litigation on Women's Human Rights Using CEDAW

The Workshop was held from 24 – 25 January 2014 at Beirut, Lebanon as a capacity building initiative for lawyers under IRAW Asia Pacific's strategy on use of law and litigation. The Workshop was specifically used as a forum for advocating indepth analysis and evidence collection as basis for legal strategies to be adopted by lawyers to address violations of women's human rights. Lawyers due to their exclusive access to the courts as well as their position of privilege and trust with clients are often in the best position to document and collect nuanced statistics and qualitative data that may remain beyond the purview of civil society or the government.

One key strength was that the discussions at the Workshop identified key interfaces for lawyers with women at the grassroots and the judicial system which could provide untapped information and data to evaluate the impact of laws on society and adequacies or lacunae that required further attention.

Another area of achievement was the agreement of the group to initiative two types of strategies to support their longterm litigation initiatives:

- Systematic documentation and periodic analysis of client interviews
- Court Watch Initiatives to monitor application of the law in substance and procedure by the judiciary and its impact on the lives of women claimants of rights.

Preparations for Southeast Asia

In Southeast Asia we are preparing for lawyers trainings in Thailand Cambodia and Timor Leste in 2015. The National Workshops for Lawyers will be held to address the existing challenges and build capacities of lawyers in framing arguments in cases on women's human rights using CEDAW's approach to equality and non discrimination. More importantly it will initiate strategic litigation approaches in view of potential use of the Optional Protocol to CEDAW as a means of ensuring state accountability and access to justice for women.

Supporting stronger CEDAW jurisprudential advocacy

A judicial sector colloquium was held in September 2014 to allow for a discussion space with the aim of examining the substance and culture of law and judicial processes relating to women's equal enjoyment of economic, social and cultural rights, including the relationship between formal judicial systems with informal mechanisms of dispute resolution for ESC rights violations. One of the major topics discussed by the judiciary was Justiciability - in as much as it concerns recognition of women's human rights, remains a challenge within domestic jurisdictions as from the contributions of the various judges, have shared that they and the legal communities of SEA countries face many difficulties in advancing this concept. In its on-going efforts towards addressing access to justice for women as an entire component of state obligation under CEDAW, the Committee notes "Women are also discriminated in the administration of justice and application of the law as a result of lack of understanding on the part of the police, prosecutors, lawyers and judges of the sensitivities surrounding certain violations of women's rights or even of their justiciability." The engagement helped to open doors with various judicial actors and their offices - allowing for further engagement which is important in a holistic litigation strategy.

1.6 Building knowledge of women's rights NGOs to strengthen advocacy, at CEDAW review sessions through the From Global to Local programme, through submission of shadow reports, and through Concluding Observations strategies

Built capacity of women's groups on application of CEDAW as a legal framework and tool for advocacy

From Global to Local Training – the impact from this programme can be seen in the impact section

- Throughout January – July 2014 we continued to implement the From Global to Local Training programme to provide women activists at the national level familiarity and skills to directly engage with the international framework for driving policy change such as through UN mechanisms like CEDAW and to build understanding of women's groups on how to use the CEDAW review to mobilise support and raise concerns about the continued existence of gender based discrimination and inequality. We **trained 74 activists** in the From Global to Local programme – these activists from Macedonia, Pakistan, Angola and Hungary were able to engage directly with the CEDAW Committee through **24 lunch briefings, 50 shadow reports** submitted.
- The **57th CEDAW session** was held from 10 - 28 February 2014. The CEDAW Committee reviewed 7 countries: Bahrain Cameroon Qatar Kazakhstan Iraq Sierra Leone and Finland. The 'From Global to Local Programme' that runs parallel to the Session included NGO representatives from all these reporting countries except Qatar. All these NGO groups submitted shadow reports and got engaged in concerted advocacy initiatives with the Committee members thereby influencing the constructive dialogue between the Committee and State Parties as well as resulting in favourable Concluding Observations. The From Global to Local Training and Mentoring in Geneva was held over 2 weeks from 7 February - 21 February 2014.
- The **58th CEDAW session** was held from 30 June- 18 July 2014. The CEDAW Committee reviewed 8 countries: Central African Republic, Georgia, India, Lithuania, Mauritania, Peru, Syria and Swaziland. "From Global to Local" was held over two weeks, from 27 June- 12 July 2014. IWRAW Asia Pacific trained and facilitated the participation of over 20 women from these countries. All the NGO

representatives involved submitted shadow reports and continued to engage in advocacy initiatives with the CEDAW Committee to influence the outcome of the reporting process for their countries.

- The **59th CEDAW session** was held from 20th October – 7th November 2014. The CEDAW Committee reviewed 8 countries: Belgium, Brunei Darussalam, China, China (Hong Kong), China (Macau), Ghana, Guinea, Poland, Solomon Islands, and Venezuela. “From Global to Local” was held over two weeks, from 17th October – 1st November 2014. IWRAP Asia Pacific trained and facilitated the participation of over 20 women from these countries. All the NGO representatives involved submitted shadow reports and continued to engage in advocacy initiatives with the CEDAW Committee to influence the outcome of the reporting process for their countries.



Activists from Solomon Islands organising at the international level to resolve some critical issues for women in their country



State Delegation from Poland answers questions from the Committee at the CEDAW review

Supporting development of shadow reports to CEDAW

Timor Leste Shadow Report Training

From 7-10 May 2014 IWRAP Asia Pacific in collaboration with Rede Feto organised the CEDAW Shadow Report Training for participants from non-governmental organisations in Timor Leste from the 8th to 10th of May 2014. The general objectives for this workshop are to reaffirm and strengthen participants’ knowledge of CEDAW concepts and mechanisms, emphasising the process of writing and presenting a Shadow Report to the CEDAW Committee and how to use the shadow reporting process as a tool for advocacy within the country. There were about 25 participants from various organisations attending the training including those from the rural provinces. Many of them were keen to engage actively in the CEDAW processes. The key output is a comprehensive report from the NGO coalitions based on current monitoring of CEDAW recommendations from its review in 2010 where issues of right to education, and right to health are critical priorities. A draft will be completed by end of 2014 to be validated by March 2015.

Mauritania Shadow Report Training

From 23-27 April 2014 this training was held with Association Nationale Des Aveugles de Mauritanie (ANAM) to help build the capacity of NGOs that work on developing a shadow report specifically focusing the rights of women

in Mauritania, which will be reviewed by the CEDAW Committee in July 2014. This training is part of IRAW AP's long term strategy in building the capacity of national level activists and groups in engaging effectively with/on CEDAW. Amal Hadi, of New Women Foundation Egypt acted as our resource person/trainer. The partner in Mauritania is a disability NGO working on empowering especially young disabled people, with a special focus on the blind and with interest to advance the rights of disabled women through CEDAW. 15 women participated in the process of writing the report. The group of 15 women contributed their issues to the [main shadow report of the women's coalition](#) which was submitted to CEDAW for the review at the 58th CEDAW Session in July 2014.

Georgia Shadow Report Training

From 16-18 march 2014, the CEDAW Shadow Report writing workshop in Georgia was conducted with 16 women. The workshop intended to mobilise CSOs and activists working on harm reduction in general, and drug use and sex work in specific within Georgia to seek accountability from the State through the use of global advocacy fora for the violation of rights of women who use drugs. Additionally it sought to identify, highlight and present to the CEDAW Committee the protection gaps and structural barriers which negatively impact women who use drugs and women who live with HIV/AIDS as marginalized and vulnerable groups, thereby expanding spaces for advocacy and discourse on multiple discrimination and its impacts under the CEDAW framework. The Georgia [shadow report on harm reduction](#) was submitted to CEDAW at the 58th session.

Bhutan CEDAW Preparation and Shadow Report Training

IRAW Asia Pacific, in collaboration with Tarayana Foundation organized the CEDAW Training for 20 participants from non-governmental organisations from Bhutan from the 4-7 November 2014. The training was a way to engage with the NGO groups before the review to support preparation of an NGO report. There are large numbers of NGOs especially service oriented ones, and a processed development of a joint report is important and an opportunity to raise awareness of CSO groups on CEDAW. This was understood by the main focal point Tarayana and they will be coordinating further processes on CEDAW.

Multi-country CEDAW Shadow Report Training

IRAW Asia Pacific, in collaboration with Masimanyane Women's Support Center organized a multi-country CEDAW Shadow Report Training for participants from non-governmental organisations in Cape Town, South Africa from the 21-24 November 2014. 18 participants from civil society and non-governmental organisations from Senegal, Liberia, Gambia, Namibia, Madagascar and Malawi attended this training. These countries were selected due to the fact that all these countries will be up for review by the CEDAW Committee in 2015.

This workshop reaffirmed and strengthened all the participants' knowledge of CEDAW concepts and mechanisms, emphasising the process of writing and presenting a Shadow Report to the CEDAW Committee and how to use the shadow reporting process as a tool for advocacy within the country. It is also important for the message to be translated that the shadow report process is one part of a the CEDAW cycle and NGOs/CSOs need to be committed to the holistic and systematic engagement in using CEDAW for the advancement and realisation of women's human rights. The key output from this meeting was achieved – all NGO groups from the 6 countries formulated their workplan for submitting their NGO shadow report and for plans to take forward their CEDAW strategy after the Review.

Built Engagements with States and NGOs on Concluding Observations Implementation

On December 4-7th 2014 IRAW Asia Pacific and UN Women held a **Government-NGO Dialogue** and the NGO Strategy Planning meeting to jointly strategise for more effective CEDAW implementation in **Tajikistan and Kazakhstan**.

The event was represented by two countries– bringing together some key government officials, women's human rights NGOs, women's groups as well as UN, International Organizations and donor organizations assisting and supporting government and NGO initiatives in both countries. This Government-NGO dialogue provided a platform

for government officials to exchange strategies, methodologies, data requirements and experiences in implementing the Convention and the follow-up to the Concluding Observations. The Dialogue contributed in a positive manner to strengthening the capacity of States to implement CEDAW, through building a comprehensive understanding of the requirements of the CEDAW Committee and their obligations under CEDAW. The Dialogue enabled States Parties to address challenges, work with NGOs and emphasized the urgent need to work towards the universal norm of gender equality in CEDAW in the interests of the whole society.

The participants of the Dialogue had an opportunity to explore the potential for further lobbying, advocacy and strategic alliance-building with other stakeholders in the region and effective and systematic engagement for collective action towards the promotion and protection of women's human rights. It is important to mention that the Government-NGO Dialogue and the NGO Strategy Planning Meeting made a strong joint input to the Beijing+20 Platform for Action as well as coincided with the "Global 16 Days of Activism against Gender Violence" ongoing in Tajikistan.

Outcome 2: Enhanced access to an expanding knowledge base and advocacy strategies on critical and emerging issues in women's human rights amongst global actors

Collaborated with women's rights groups to strengthen advocacy and knowledge on thematic and emerging issues

Rights of women sex workers, women who use drugs and women living with HIV/AIDS

In working with groups working on the rights of sex workers and women who use drugs we were able to develop a joint framework which articulates our common position on specific issues as an aid to advocate with various stakeholders including CEDAW Committee and the state, as well as other harm reduction groups. The **key elements of the framework** include:

Principles

- 1.1 Articulation of principles and standards in addressing discrimination and rights violations faced by women sex workers.
- 1.2 Based on CEE/CIS regional consultation

Terminologies and clarity on approaches

- 2.1 Sex worker and other identifiers (sex service provider; prostitutes; women in commercial sex, etc)
- 2.2 Sex work – work v. business
- 2.3 Decriminalisation and de-penalisation (Specific elements)
- 2.4 Regulation and legalisation
- 2.5 Understanding sex work and trafficking

Mapping the context and violations against women sex workers in CEE/CIS

- 3.1 Social, political and economic context
- 3.2 Legal context
- 3.3 Sex workers as non-homogenous group [race; ethnicity; class; status; categories (street walkers, etc)]

Part 4: Understanding discrimination and violations against women sex workers and related state obligations

- 4.1 Denial of access to justice

- 4.2 Institutional violence
- 4.3 Economic and social security
- 4.4 Human trafficking
- 4.5 Limited participation and representation in decision making and policy processes
- 4.6 Lack of access to adequate and timely healthcare
- 4.7 Stigmatisation
- 4.8 Rights in marriage and family life
- 4.9 Lack of privacy

Post 2015 Development Agenda and Women's Human Rights

A major critique of the development agenda, in its current form, is that it fails to reaffirm the basic position of human rights and states' accountability to respect, protect, promote and fulfill human rights. The human rights regime, its established standards and norms and monitoring mechanism, should be firmly placed at the heart of the SDGs, thus driving an agenda that is rooted in rights and the people to whom it claims to be committed.

In 2014, IWRAW AP continued to work on improving understanding of CEDAW as an instrument that adds concrete significance to the concepts of substantive equality, non-discrimination, and the relevance of treaty law to improving national level action plans geared towards social justice, women's equality and empowerment of marginalised groups in the development process. In 2014 we engaged through the Beijing +20 process and followed up with our engagement as part of the women's movement to provide input to the ongoing discussions on SDGs at various opportunities such as the 59th Session of the Commission on the Status of Women happening in March 2015. Our [statement on the Beijing +20 review](#) highlighted that the Beijing +20 and the SDG processes need to take into account the impact of unjust economic development and geopolitical shifts on the international human rights system. Progress in the critical areas of the Beijing Platform for Action and the MDGs are slow and in many instances has been undermined by political regression, increasing fundamentalism and increasing conflict. The current environment is seeing increasing migration, displacement, and xenophobia arising out of economic and political deprivation, climate change, and the twin crises of food and finance. Strategies should address not only states but also multinational corporations and powerful non-state actors. In 2014 we prepared and planned for a discussion on women's rights in the post 2015 agenda to raise stronger feminist perspectives in the SDG process. This document will be available on our website soon.

Strategy on Women's Rights in Conflict and Post Conflict

IWRAW Asia Pacific has prioritised women's rights in conflict since 2004. We worked with women's groups to lobby the CEDAW Committee to create a General Recommendation on Rights of Women in Conflict (GR 30) in 2012. In 2014 we explored further how to raise awareness and knowledge about this new tool. We worked with the Women's International League of Peace and Freedom to create a basic guide on the GR 30. We also became part of an Asia Pacific Women's Alliance for Peace and Security and joined its Coordination Group meeting and capacity building of network partners in September 2014.

Rights of Young Women in Policy Instruments

A stronger recognition of the rights of young women as a discrete areas for policy intervention was also recognized in the Beijing +20 process. This was through the advocacy of both the young women's caucus and groups working specifically on issues related to young women's priority rights issues as well as the larger women's coalition. 4 young

women from our project participated at the Beijing +20 review and engaged through the Young Women's Caucus and the main forum.

It was noted that some member States gave space to young women on their delegations and we encourage more governments to actively foster young women's involvement in national and multilateral fora. Key to future women's leaderships in all forms is the encouragement and substantive inclusion of young women into key political spaces. While member States have agreed to ensure the provision of universal access and to remove all barriers to comprehensive youth-friendly health services, they failed to guarantee the rights of all adolescents and young people to comprehensive sexuality education in and out of school and in all forms of education. While it was recognised that comprehensive sexuality education needs to be evidence-based, it did not recognise the need to be rights-based, non-discriminatory and gender sensitive, delivered in a manner consistent with the evolving capacities of children and adolescents, in order to equip adolescents and young people with the knowledge and skills to make informed choices about and control all aspects of their sexuality.

Created a bigger pool of trainers on CEDAW in Southeast Asia who can provide capacity building on issues related to women's economic social and cultural rights and rights in development in the ASEAN context.

For this purpose we held a **Regional Training of Trainers on "Women, Development and Access to Justice: The ASEAN Context"** from 9-13 July 2014 in Phnom Penh, Cambodia. This Regional Training of Trainers provided grounding on CEDAW and CESC as key frameworks to raise human rights standards, strengthen the domestic application of human rights norms in relation to women's rights and create change in laws and policies around women's rights. **23 activists** from Cambodia Timor Leste Malaysia Philippines Laos Indonesia and Vietnam were trained and the key outputs are the finalised training manual and a set of supplemental materials created by the participant trainers addressing ASEAN and its impact on specific areas of women's economic rights.



Trainers on CEDAW from ASEAN countries

Enhanced access to tools and resources

On communication tools and other resources, we created some tools to support women's groups in our network in using CEDAW and complementary frameworks to address the current context of development, the impact of private sector and the need to have tools for specific advocacy groups. These are available on request from IWRAW AP.

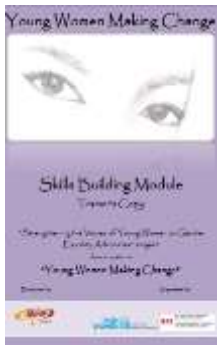
- The Business of Women's Human Rights – CEDAW and UN Guiding Principles on Business and Human Rights as a framework to strengthen accountability of business sectors for gender equality –[Position Paper](#)



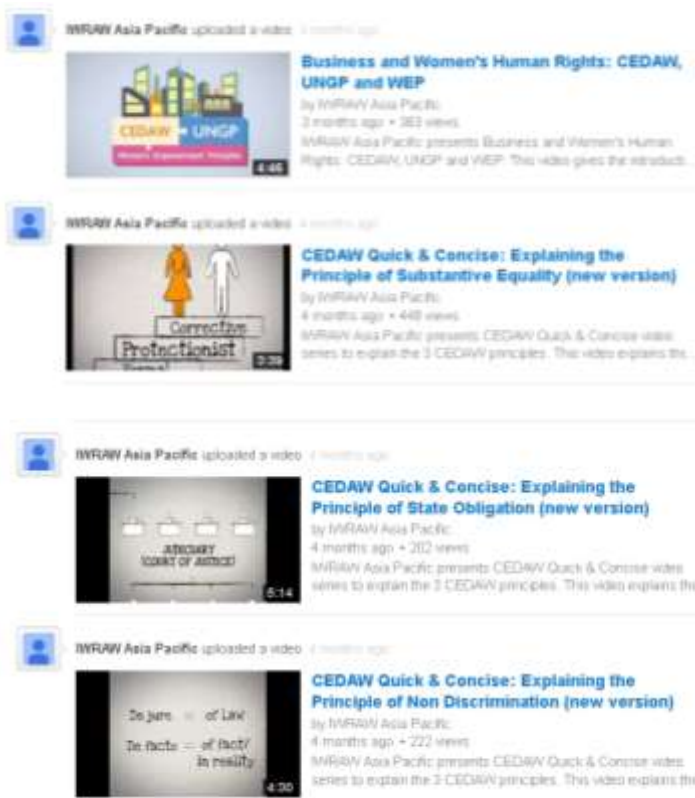
- The Business of Women's Human Rights – CEDAW and UN Guiding Principles on Business and Human Rights as a framework to strengthen accountability of business sectors for gender equality – [Primer](#)



- Manual for Trainers Skills Building Modules for Young Women Making Change



- Creation of online tools e.g. videos as supplemental aids for CEDAW trainers. Available on youtube at <https://www.youtube.com/channel/UCZVpLyVyfav3oyRd-uMbgmA>



- Dissemination of IWRAP Asia Pacific advocacy and progress on work through our online bulletin, [facebook](#) and [website](#)

Outcome 3: Global and regional policy and standard setting processes are supportive of women's human rights or use a gender equality approach

Advocacy at the Commission on Status of Women

- We participated in the **Commission on Status of Women Conference** as part of the NGO CSW Steering Group of Asia Pacific in the women's rights caucus meeting to impact the intergovernmental process of the CSW from 10-21 March 2014 at the United Nations in New York. The theme of the meeting was - *"Challenges and Achievements in the Implementation of the Millennium Development Goals (MDGs) for Women and Girls"*. This meeting was significant because its deliberations were a precursor to the Post 2015 agenda for development that will take place in 2015. We and other women's groups were able to put forward proposals and recommendations to the negotiated text called the Agreed Conclusions.



In terms of normative challenges, there were many at this meeting. Many women's groups worked hard to ensure a good framework for gender equality and were pleased that the intergovernmental process agreed to include this preambular paragraph to highlight the connection between women's human rights and development in the Agreed Conclusions⁴.

"The Commission reaffirms that the promotion and protection of, and respect for, the human rights and fundamental freedoms of women, including the right to development, which are universal, indivisible, interdependent and interrelated, should be mainstreamed into all policies and programmes aimed at the eradication of poverty, and also reaffirms the need to take measures to ensure that every person is entitled to participate in, contribute to and enjoy economic, social, cultural and political development and that equal attention and urgent consideration should be given to the promotion, protection and full realization of civil, political, economic, social and cultural rights."

The agreed conclusions also put gender equality at the centre of all global policy making on development.

The Commission reaffirms that gender equality, the empowerment of women and girls, their enjoyment of their human rights and the eradication of poverty are essential to economic and social development, including the achievement of all the Millennium Development Goals. The Commission notes the universal context of gender equality and recognizes that almost 15 years after the Millennium Development Goals were adopted, no country has achieved equality for women and girls and significant levels of inequality between women and men persist, although the Goals are important in efforts to eradicate poverty and of key importance to the international community. The Commission reaffirms the vital role of women as agents of development and recognizes that gender equality and the empowerment of women must be

⁴http://www.unwomen.org/~media/Headquarters/Attachments/Sections/CSW/2F58%2FC5W58-agreedconclusions-advanceduneditedversion.pdf&ei=bhb8U-qiCYSxuASKjoCABw&usg=AFQjCNEigSq5_0azw80IUzP3T1RIUzMqVw&bvm=bv.73612305,d.c2E

achieved in order to realize the unfinished business of the Goals and accelerate sustainable development beyond 2015.

Our Joint statement as the women's coalitions to the CSW is included.⁵ Our key demands include:

Take a Human Rights Approach

- Enhance recognition of State obligations to respect, protect, and fulfill human rights, and to commit to the principles of: progressive realization, maximum available resources, non-retrogression, minimum essential levels/minimum core obligations, and non-discrimination and equality.
- Create clear regulations to ensure economic interests and conditions do not undermine respect for human rights and sustainable development.

On gender equality – linking goals to women's complex realities

- Address both the public and private sphere of women's lives, including use of 'temporary special measures' to address a history of disadvantage – measure opportunity of outcomes not just opportunity, with a particular attention to women's unpaid work.
- Measures to promote women's empowerment in the labor market must look to enforcement of labor rights, the quality of employment and the volatility of earnings.
- Expand assessment of realization of women's reproductive rights and freedom from violence because of their linkage to maternal mortality and women's health.
- Develop tools to address the new forms of racism, nationalism, sexism and xenophobia arising in all countries and leading to new forms of retrenchments as a result of economic crisis and that threaten achievement of social and economic rights.
- Expand assessment tools for gender equality and empowerment to take into account the intersection of gender with other forms of disadvantage, such as race, class, ethnicity, and sexuality.

Advocacy at the Asia Pacific Conference on the Review of Beijing +20 , November 2014, Bangkok

In November 2014 policy initiatives on gender equality focused governments in the Asia Pacific region on the question of women's empowerment and rights. At the Asian and Pacific Conference on Gender Equality and Women's Empowerment: Beijing +20 Review hosted by the Economic and Social Commission Asia Pacific the gains in advancing the status of women and girls through the Beijing Declaration and Platform for Action on Gender Equality were reviewed, towards improving future outcomes and recommit to the centrality of gender equality and strengthen social institutions.

The [outcome ministerial statement](#) stated the commitment of the Asia Pacific states to ensure gender equality as outcomes of development, focusing on eliminating violence against women, ensuring good structures/mechanisms for financing gender equality programming, increasing women's political participation and leadership, addressing emerging environmental challenges and advancing peace and security for women and girls. However, at the end of the conference [CSO groups were still concerned about the erosion of proposed, progressive language and diminished commitments in a range of areas](#), especially removing reference to caste and caste-based discrimination and violence being strongly linked to women's social and economic situations, failed to mention that that sexual and reproductive health and rights should be rights-based, non-discriminatory and gender sensitive, and delivered in a manner consistent with the evolving capacities of children and adolescents, which had been agreed in the 2013 outcome document of the 6th Asia Pacific Population Conference, that discrimination based on Sexual Orientation and Gender Identity was excluded, that long-accepted international principles of "common but differentiated responsibilities of governments to address climate change" were left out from the Declaration while Asian countries in the region are most vulnerable to climate change to cope with its impacts, that recognition that women's inability to access land and inherit property exacerbates poverty among women, was excluded, that discussion around state accountability to women during conflict was limited to a narrow definition of conflict and that the Declaration failed to reaffirm the human rights of women to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health and to do so free of coercion discrimination and violence,

⁵ [Joint Statement to Promote a Global Development Strategy based on Human Rights submitted to the United Nations 58th Session of the Commission on the Status of Women \(CSW58\).](#)

which was agreed in the Beijing Platform for Action, as it failed to include any provision to guarantee women's human right to information about a full range of contraceptive methods and access to quality methods of their choice, with full respect for their rights to bodily integrity and autonomy, informed consent and the lack of financing mechanisms for gender equality.

Outcome 4: Increased private sector sensitivity towards benefits of gender equality approach

Developed a project with Oxfam Novib to address women's economic leadership in ASEAN including addressing the role of private sector in realizing gender equality

In July 2014 we successfully developed a project to strengthen women's economic leadership and empowerment in ASEAN by help our partner groups influence laws and policies in the ASEAN economic. The key strategy will be to increase the engagement of WROs in ASEAN region by using the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) review as an avenue to raise awareness of priority issues for women's economic leadership in ASEAN countries. We help an inception meeting to develop the project and agreement on the priority areas for advocacy⁶, including the role and impact of business/private sector on women's human rights and how our strategies could focus on the role of companies and obligations of the state to ensure women's economic rights are prioritised in the regional economic plans of ASEAN.

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1. ⁶Natural resource governance
 - a) Women's limited participation control and knowledge over such processes
 - b) Impact of infrastructure development (linked to natural resource governance, leading to change in choice of employment by women)
 2. Role and impact of Multinationals (MNCs) (principles and modality on engaging) – to examine regulatory framework and modalities engaging with MNCs, TNCs, IFIs
 3. Rights of Women Migrant Workers (unprotected/ unregulated categories of work – including domestic/unskilled workers; linked to lack of regulation, protection mechanism and monitoring; redress; push and pull factor) _ Human trafficking
 4. Contribution of women in informal sector (domestic workers) and unpaid work – triple burden (reproduction, house work & paid work) and predominance in unskilled sectors
 5. Strengthening ideas on Gender and value chain as a strategy for economic growth and poverty reduction that enhances women's economic rights
 6. Sexual Harassment at the workplace
 7. Gender wage gap and minimum wages (impacting choice of work, access to livelihood; SRHR; housing)
 8. Knowledge and access to resources – credit and lack of subsidies for women small farmers, lack of credit capital for women.
 9. Lack of recognition of ILO and Decent work standards in legislations in ASEAN – this issue is also linked to other issues
 10. Diverse groups are affected and their needs and socio-political contexts are different
 11. Lack of access to information and Unequal access to education for women and girls

IMPACT OF OUR WORK

Facilitated inclusion of women in human rights standard setting processes at the national regional and international level.

Throughout January –June 2014 we continued to implement the From Global to Local Training programme to provide women activists at the national level familiarity and skills to directly engage with the international framework for driving policy change such as through UN mechanisms like CEDAW and to build understanding of women's groups on how to use the CEDAW review to mobilise support and raise concerns about the continued existence of gender based discrimination and inequality.

- At the 57th – 59th CEDAW Session we trained **74 NGO activists** from **Bahrain, Cameroon, Finland, Iraq, Kazakhstan, Qatar, Sierra Leone, Central African Republic, Georgia, India, Lithuania, Mauritania, Peru, Swaziland, Syrian Arab Republic, Belgium, Brunei Darussalam, China, China (Hong Kong), China (Macau), Ghana, Guinea, Poland, Solomon Islands, and Venezuela (Bolivarian Republic of)** in the From Global to Local programme – these activists were able to engage directly with the CEDAW Committee. IRAW Asia Pacific supported 50 of these activists.
- **NGO alternative / shadow reports:** All these NGO groups submitted more than 50 shadow reports and got engaged in concerted advocacy initiatives with the Committee members thereby influencing the constructive dialogue between the Committee and State Parties as well as resulting in favourable Concluding Observations. The From Global to Local Training and Mentoring in Geneva was held over 2 weeks from 7 February - 21 February 2014.
- 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.
- **Bringing marginalised issues for international scrutiny** – This session saw IRAW Asia Pacific facilitating one group from the **harm reduction** organisations working on the rights of women drug users in Kazakhstan and Georgia, and another group from working on issues of **minority women in Kurdistan** region of Iraq and the issues of **women in labour unions in Bahrain, minority groups in China, sex worker communities from India and Lithuania ,indigenous groups from Peru, Dalit communities from India.**

CEDAW's impact on domestic law and policy reform

Various discriminatory laws and policies were highlighted at the 57 - 59th CEDAW Session in 2014 by the CEDAW Committee. These provide a strong basis for law and policy reform. These recommendations were made with advocacy from the NGO groups supported by IRAW Asia Pacific. Some highlights on identifying and amending discriminatory laws and policies include:

- Identifying **gaps in originating instruments(constitutions)**
 - Iraqi - The Committee identified that the Constitutional framework via the adoption of a new constitution in the State party in 2005 includes an inconsistency between articles 14 and 41. "That, the de facto suspension of article 41 notwithstanding, the political instability, sectarian tensions and rise in traditional and patriarchal attitudes in the State party may lead, in practice, to article 41 being implemented to the detriment of women's rights, given that that article provides for the introduction of different personal status laws according to religious doctrines in the State party; (Para 9 CEDAW/C/IRQ/CO/4-6).
 - Swaziland –section 28 (2) of the Constitution states that the provision of the facilities and opportunities necessary to enhance the welfare of women to enable them to realize their full

potential and advancement is subject to availability of resources. The Committee clarified that it is a general understanding that all laws and policies are made subject to resources but it needs to prioritise usage of these resources for women to ensure access to justice and equality for women without falling on the provision to justify why the policies for gender equality cannot be implemented.

- China – The Committee took the opportunity to raise the question of the legal system - Chinese laws are often based on general principals and the reason given to the lack of domestication of CEDAW through the legal system is because it is usually done through action plans. Thus there may be difficulty in claiming rights conferred by CEDAW since there are no instruments which guarantee rights. So what are the accompanying assessment plans and how are goals measured? The Committee asked for the Chinese government to consider how the content and spirit of article 1 is to be fully reflected in their legislation and to enhance the operability of CEDAW. The recommendations also emphasized protection of marginalized people and addressing domestic violence



Activists preparing lobbying documents before the CEDAW review at our From Global to Local Programme

- Identified conflicting provisions to be resolved to ***ensure applicability and visibility of CEDAW***
 - Swaziland - There is a dearth of usage of CEDAW in interpreting law. Thus the Committee made focused interventions to move the state to domesticate CEDAW as a source of law. The Committee notes that the State party has a pluralistic legal system in which customary and statutory law are applicable side by side with Roman-Dutch law. The Committee is, however, concerned that some elements of customary and statutory law are not in compliance with the Convention. The Committee is particularly concerned that the State party has yet to establish a law review commission with a mandate to review and harmonize all laws with CEDAW. (Para 10 of Swaziland Concluding Observations)
 - Cameroon - whereby the Constitutional protection for the supremacy of international conventions over national legislation, foreseen in article 45 of the Constitution, is not efficiently implemented given the many discriminatory provisions contained in the legal system and its coexistence with common law, statutory law, customs and traditions (para 8 of Concluding Observations , CEDAW/C/CMR/CO/4-5)
 - Sierra Leone - The Committee urges the State party to take immediate steps to ensure the incorporation of the Convention into its domestic legal system in order to make its provisions directly applicable. It calls upon the State party, as a matter of priority, to incorporate into appropriate national legislation a definition of discrimination against women in conformity with article 1 of the Convention. The Committee further calls upon the State party to incorporate the principle of equality between women and men in line with article 2 of the Convention into the Constitution, which is currently being reviewed. Furthermore, the Committee urges the State party to honour its commitment to swiftly enacting the gender equality and women's empowerment bill. (para 9 of Concluding Observations , CEDAW/C/SLE/CO/6)
 - Kazakhstan - While noting that under article 4 (3) of the Constitution of the State party, the Convention and other international treaties ratified by the State party are directly applicable and take precedence over national law, the Committee is concerned about the lack of visibility and direct application of the Convention and awareness of its general recommendations, notwithstanding the efforts by the Supreme Court to contribute to a better understanding of the provisions of the Convention. The Committee is particularly concerned that there are no court cases involving sex- and gender-based discrimination, and at reports that the provisions of the Convention have been directly invoked or applied only in a few cases by national courts.(Para 8 and 9 of Concluding Observations, CEDAW/C/KAZ/CO/3-4)
 - Qatar is asked to clarify the status of the Convention in its domestic legal order and ensure the precedence of its provisions over national laws in cases of conflict. The Committee also recommends that the State party ensure that its national laws are applied and interpreted in conformity with the provisions of the Convention. (Para 12 of Concluding Observation CEDAW/C/QAT/CO/1)

- Focused recommendations to the states of India, Sierra Leone Brunei Bahrain Iraq Cameroon and Kazakstan on **women's access to justice** to enable realization of rights under CEDAW through the court system. In 2010-2013, IWRAP Asia Pacific worked to engage with the CEDAW Committee to draft the General Recommendation on access to justice. The final version will be confirmed by next year and the states are already being questioned on their obligations to ensure access to justice.
 - Para 13 of Concluding Observations for Sierra Leone
 - Para 44 of Concluding Observations to Bahrain
 - Para 48 and 49 of Concluding Observations to Iraq
 - Para 10 and 11 of Concluding Observations to Cameroon
 - Para 12 and 13 of Concluding Observation to Kazakhstan
 - Para 13 of Concluding Observations of India
- The Committee **identified discriminatory laws** and policies that had to be removed for:
 - Brunei – The Committee clarified many points of international law in relation to the new version of Syariah law in Brunei which contradicts various points of international human rights law. The new law enacts a Syariah law which infringes various principles as it will allow various forms of hudud punishments and evidentiary standards that will work against female victims or accused. E.g. The Committee has a problem understanding some of the recent developments; death penalty is a denial of a human right – Committee is concerned that new Sharia penal code contains provisions that allow the imposition of the death penalty and other practices that constitute torture and inhumane practices – this will adversely affect women in particular. Women disproportionately bear the brunt of punishment for crimes involving sex, and are at a higher risk of being found guilty of adultery and extra-marital affairs, due to discriminatory investigative policies.
 - Evidentiary rules under Syariah requiring 4 male witnesses for a crime of rape will be nearly impossible for victims to pursue a legal response.
 - Caning and other forms of punishment for crimes which are ‘sins’ under Islamic law, which will be criminalised under the new law.
 - Georgia – The Committee urged the state to relook at their policies related to treatment of women who use drugs to look at it from a therapeutic approach and move away from criminalisation, and to ensure that their rights are not affected. Their recommendation includes providing gender sensitive and evidence based drug treatment services to reduce harmful effects for women who use drugs, including harm reduction programmes for women in detention. (Para 30 of Georgia Concluding Observations)
 - Iraq – The draft Jaafari personal status law, which is to be discussed and possibly adopted by the Council of Representatives, and contains discriminatory provisions against women, such as setting the minimum age of marriage for girls at 9 years, in violation of the Convention; (para 18b of Concluding Observations, CEDAW/C/IRQ/CO/4-6) This provided a strong basis for advocacy by women's groups when they returned to Iraq to campaign against this extremely discriminatory and harmful law.
 - Iraq - During the review of the Iraqi government, the Committee had asked in its constructive dialogue for the government to clarify its position on the need for male guardian's consent for women to obtain their passport and issued their recommendation to ban the implementation of discriminatory provisions against women contained in directives of the Ministry of the Interior in order to ensure compliance with decision No. 7/1/3/2711 (2004) of the General Secretariat of the Council of Ministers, which rescinds restrictions to women's freedom of movement. (para 18d of Concluding Observations, CEDAW/C/IRQ/CO/4-6)
 - Bahrain - The Committee calls upon the State party to give high priority to its law reform process and to modify or repeal, without delay and within a clear time frame, discriminatory legislation, including discriminatory provisions in its Penal Code and Nationality Law, as well as in family matters. (Para 14 of Concluding Observations, CEDAW/C/BHR/CO/3)
 - Qatar – The Committee identified several discriminatory provisions in laws to be reformed, such as the minimum age of marriage for girls in the Family Law, the non-permissibility for women to transmit their Qatari citizenship to their children under the Nationality Law, the Human Resources Law and the Criminal Code, which are contrary to the Convention and other international human rights instruments. (Para 15 and 16 of Concluding Observation CEDAW/C/QAT/CO/1)

Supporting Women's inputs into the creation of new interpretations through the General Recommendations

- The Committee is working on integrated normative approaches and report that they are working with the Human Rights Committee on [strengthening their joint jurisprudential approaches to abortion and minimum age of marriage](#). IWRAP Asia Pacific will be monitoring this and coordinating inputs from our network on this issue.
- The Committee is also working with other special procedures such as the Special Rapporteur on Violence Against Women to discuss at its 59th CEDAW Session [the international framework for VAW](#). IWRAP Asia Pacific and the CEDAW Committee itself has taken [previous position on the issue of the need for a specific Convention on VAW](#) that “CEDAW is of the view that the option of a new, stand-alone legally binding instrument on violence against women would not be an effective means of strengthening international legal protections for women and girls”. IWRAP Asia Pacific along with

other Asia Pacific groups held a Consultation in November 2013 and agreed that it would be more strategic to avoid multiple mechanisms and that there were adequate frameworks and legal obligations to address VAW, and what was lacking was resources and political will to implement.

- On 7 July 2014, the Committee held a half day discussion to commence the Committee's process of elaborating a "General Recommendation on girls'/women's right to education". The purpose of the general recommendation is to provide appropriate and authoritative guidance to States parties to the Convention on the measures to be adopted with a view to ensuring full compliance with their obligations under article 10 of the Convention to respect, protect and fulfil the right of women and girls to education. [IWRAW AP's statement](#) focused on some specific aspects of CEDAW obligation to Article 10 on women and girls right to education including education as an enabler that opens up opportunities and choices, Comprehensive sexuality education, academic freedom, principle of progressive realization, the need to strengthen justiciability of right to education, education and employment, cultural and other barriers to girl's right to education and CEDAW as a mechanism to hold states accountable to global development goals and targets, and what suitable indicators would be used to track implementation of State Obligation on right to education.

Bringing marginalised issues to the fore

In 2014 we were able to provide targeted support to 25 women's NGOs representing 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** to facilitate **better strategic linkage, partnership and normative agreement between mainstream women's rights groups and marginalised, thematic and/or sectoral groups**. Recognising the difficulty faced by marginalised rights groups our programme provided platforms for sharing, exchange and joint strategizing. We enhanced strategic link of national rights advocacy and international standard setting and interpretation, especially in raising the voices of marginalised women and recognition of their rights especially those working on HIV AIDS, harm reduction, sex work, rural women, LGBT rights, minority populations and trafficked women. It helped the women activists see the relevance of their work, even though it focused on specific rights/violations such as domestic violence, to the larger lobbying and mobilisation for change which recognises a culture of adherence to women's human rights. These are extremely relevant approaches for countries which are facing which is facing both internal and external pressures to reform and at the same time to preserve the status quo which is not supportive of equality. In these climates, women's rights will tend to be marginalised, and the CEDAW Review represents a useful spotlight on critical issues and specific grave violations that need to be recognised and addressed.

Providing greater reach to the CEDAW as a treaty body to impact country level and community level discussion on women's human rights

Through a [webcasting](#) strategy we provided public access to the CEDAW review to enable more women to join the review online thus disseminating the impact of the review globally. The CEDAW review is broadcast online on the internet to allow CSOs who cannot attend the review in person to listen to the questioning and answers delivered by our governments on results and actions taken for gender equality. This method allows for greater sharing on NGO information as well as information and pledges given by the state to which NGOs can use to discuss further followups with the governments after the review.



Our support to the OHCHR and the Committee - webcasting the review online to reach women across the world.

Impacting at the ASEAN level

- Facilitating CSO inputs into ASEAN and regional level processes
 - As part of IRAW Asia Pacific's project : "Strengthening the voices of young women as gender equality advocates in Southeast Asia", IRAW Asia Pacific facilitated the participation of **four young women from Laos, Malaysia, Timor-Leste and Vietnam** respectively, to attend and experience the ASEAN Youth Forum and the ASEAN Civil Society Conference/ASEAN People's Forum held in Yangon in March 2014. The young women activists experience are reflected above as well.
 - As **Women's Caucus we submitted a statement** to the ASEAN at the ASEAN People's Forum on The Role of Women in Building the ASEAN Community Southeast Asia on 24th March 2014⁷ The statement proposed a holistic view of the role and status of women in ASEAN and urged the governments of ASEAN when deliberating on the review of the Blueprint on the ASEAN Political and Security Community, the ASEAN Economic Community and the ASEAN Socio Cultural Community not to ghetto-ise the issues of women in the last pillar which will impact the amount of political force and physical resources to address the issue. The protection and promotion and realization of rights of women, children, indigenous peoples, migrants and others, should also be acted upon in the Political pillar as well, synchronized well with other 2 pillars Economic and Socio Cultural.
 - Participating in the Beijing +20 Review in November 2014 - Collectively, the 8 young women activists working with IRAW AP increased the number and representation of young women participation in the CSO Forum and Asia Pacific Beijing+20 Review Process.
 - Notably, the group was able to lobby the Young Women Caucus who were at the Beijing +20 and impact its outcome statement, which included the issue of the Vietnamese group on the emerging new issue of 'dating violence' which was addressing the issue as both a form of intimate partner violence as well as the communal stigma related to young women's sexuality.

"Expand the definition of violence against women to include the specific vulnerabilities faced by young women and the girl child, with an emphasis on legal protection, to account for the emerging and multifaceted forms of violence, including early and forced marriage, online and cyberspace violence, dating violence, violence in educational institutions, harmful traditional practices, violence as a product of religious fundamentalisms, as well as in conflict and post-conflict situations. Ensure the meaningful engagement with the diversity of young people, including male participation, at all levels, in addressing the issues of violence. " <http://www.samsaranews.com/2014/11/statement-of-world-ywca-in-apcso-forum.html>

- In participating with the broader civil society networks we observe that the potential to engage and impact the agenda of ASEAN by women's groups through the SEA Women's Caucus continues to strengthen. Our statements and engagements as Women's Caucus continue to demand more gender responsiveness from the ASEAN processes. In the last Chairman's statement at the 24th ASEAN Summit in May 2014 the ASEAN system made strong remarks in relation to their approach and focus on issues of violence against women.
 - Para 48 . of the ASEAN Chair's Statement

" Noting our commitment to eliminate violence against women and children, we welcomed the launch of the ASEAN best practices in eliminating violence against women and violence against children. We supported the concrete initiatives and joint collaboration between the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) and stakeholders on projects and activities aimed at implementing the Declaration on the Elimination of Violence Against Women and Elimination of Violence Against Children in ASEAN. We welcomed the concrete initiatives for collaboration between ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) and Civil Society Organizations (CSOs) particularly in implementing the Declaration on the Elimination of Violence Against Women and Elimination of Violence Against Children in ASEAN through Dialogue with NGOs and CSOs. We also urged for inclusion of initiatives that would further enhance the role of women and children in formulating the ASEAN Community's post 2015 Vision.

- In support of the Women's Caucus we facilitated 4 ASEAN activists from Philippines Cambodia Indonesia and Malaysia and from the 2 representatives from Women's Caucus to participate at the ASEAN People's Forum in March 2014 to ensure gender perspective in the joint CSO statement and strategies to engage with ASEAN throughout the year.

⁷ http://womenscaucusean.files.wordpress.com/2014/03/wc_joint-statement-acsc-2014.pdf



Young women activists participating in the ASEAN Youth Forum

- In support of young women's activism in ASEAN, IWRAW Asia Pacific facilitated the participation of four young women from Laos, Malaysia, Timor-Leste and Vietnam respectively, to attend and experience the ASEAN Youth Forum and the ASEAN Civil Society Conference/ASEAN People's Forum held in Yangon in March 2014. Issues raised in the Outcome Statement (Yangon Declaration) to address the ASEAN Summit by youth activists focused on youth with disabilities, youth migrant workers, indigenous youth, youth of diverse sexual orientation, gender identities, and gender expression, young people living in poverty and/or conflict, adolescent girls and youth living with HIV.
- It further successfully recognized the normative and substantive commitments of the ASEAN states to women and girls rights citing development in ASEAN through "an inclusive, rights-based focus in conjunction with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC), both of which have been ratified by ASEAN member states". Some of these inclusions in the outcome statement of the ASEAN Youth Forum were from the inputs of IWRAW AP and the young activists. (See Annex for the full Outcome Statement of the APF.) Extracts of the inclusions of young people's rights and need to focus on their issues in the Outcome Statement

- "We fully support the amplification of the voices of young people, their empowerment and the increase of their capacity to ensure that ASEAN is youth-driven as well as people-centred. "

- "The roles of affected women and young people are also often overlooked despite the disproportionate impact on their lives."

- "Women, children, young people, people with disabilities and LGBTIQ and persons of diverse sexual orientation, gender identities and expressions, including intersex persons, continue to be neglected by ASEAN Member States in shaping its future."

National level

- **Creating cohesion and momentum in county level advocacy using CEDAW** - In Timor Leste our partners are part of the Women Congress which is a government-civil society initiative to promote gender equality in Timor. The achievement from this initiative is that the two issues- reentry policy and labor code identified by Rede Feto for the CCF project are also included in the list of 7 priority issues of Women Congress. This has created an opportunity for wider engagement of civil society around the issues.

Contributed to building spaces for policy engagement for women's organisations and activists with the ASEAN mechanisms for advancement of women's human rights (AICHR and ACWC)

- **Continued institutional recognition and collaboration** with the ASEAN Women's and Children Commission
 - In 2014, the ACWC will develop an ASEAN level progress report on women's advancement and gender equality based on their 2012-2016 work plan which women's groups including Women's Caucus are providing input and directly participating. Since 2012 the ASEAN Commission on

Women and Children (ACWC) engaged on a mechanism to ensure the participation and inputs of the Women's Caucus on ASEAN and other women's rights groups will be established.⁸

- **Spaces for linking national institutions for gender equality, national human rights institutions and ASEAN bodies**
 - Through the **Judicial Colloquium** in September 2014 and the **Regional dialogue with representatives from Southeast Asia (SEA) National Human Rights Institutions (NHRIs) and the ASEAN Intergovernmental Commission on Human Rights (AICHR) in December we continued to work in a sustained fashion to a) link the various national and ASEAN institutions and b) build up institutional capacity to** identify discuss and address critical areas of access to justice for women's human rights in Southeast Asia which was the focus of both these engagements with ASEAN and national bodies of SEA. Opportunities for judicial actors, NHRI and ASEAN bodies to link their work and take the time to reflect on how to close gaps in gender equality is critical to strengthening capacity of these actors in using their mandates to implement the core goals of CEDAW. Non discrimination, substantive equality and the other elements of the women's human rights framework need to be included into legal frameworks, made to function and monitored constantly to ensure it delivers the result of gender equality and justice for women.
- **Spaces for young women in the ASEAN Civil Society Processes**
 - Under the project Strengthening the Activism of Young Women (using CEDAW), the 4 young women from Laos Vietnam Timor and Malaysia participated in the debates during the drafting of both the ASEAN Youth Statement (Yangon Declaration) and the ASEAN People's Forum Statement. They gained confidence and were included in the Drafting Committee of the NGO Outcome Statement of the ASEAN People's Forum - Phonemany from Laos and Ngan from Vietnam made inputs into the final outcome statement which was endorsed by the 3500 civil society delegates at the end of the ASEAN People's Forum. Nomination of Ngan from Vietnam as one of three youth representatives from Vietnam to address the ASEAN forum. Khairra gave various inputs for recommendations from the floor of the workshops she attended.
- **Spaces for mobilizing women's rights organisations to impact the ASEAN agenda** toward greater women's economic rights through our Women's Economic Leadership and Empowerment project.
 - In the inception meeting in August 2014 we identified and linked 9 partner groups to the project and will continue to do this. The workplan was finalized at the end of 2014 and the next step will be to work with partners to finalise the design of the capacity building and advocacy components for the project to ensure it meets with partners needs and addresses gaps that exist in the CSO environment in terms of knowledge, tools and interfaces which need to be built with peer groups and other institutions so that the women's groups can interact at policy levels in ASEAN.

Increase the demand for accountability of governments and regional bodies like ASEAN by women's organisations, including with regard to budget commitments and agreements on CEDAW and human rights instruments in general.

- Recognising that women will be placed in extremely vulnerability due to the culture of the country and the extremely strict newly devised Penal Code based on extreme version of Syariah, the Women's Caucus developed a statement/position paper to call the Brunei government to remove the new Syariah penal code. The code includes within it strict Islamic forms of punishments for crimes such as removing of hands for theft, and capital punishments for crimes like 'abortion' and adultery, and the creation of new crimes such as missing Friday prayers.
(http://womenscaucusonasean.files.wordpress.com/2014/05/wc_concern_brunei-penal-code_final.pdf)
The normative framework of ASEAN was also a key focus area as the statement referenced Brunei's commitments under ASEAN Article no. 39 which explicitly calls "...cooperation to fulfill commitments to the promotion and protection of human rights and fundamental freedom in accordance with ASEAN Charter".

⁸ <http://asiapacific.unwomen.org/en/news-and-events/stories/2012/7/acwc-to-find-mechanism-to-engage-women-caucus-in-its-5-year-workplan>

- ASEAN level affirmation of use of the CEDAW framework to ground its policies on gender equality
 - As part of International Women's Day on March 8 2014, the ASEAN Secretary General clarifies that CEDAW is at the centre of ASEAN policies on "... achieving gender equality, empowering women politically, economically, socially, and culturally .. an issue in which both men and women of ASEAN need to champion more persistently and consistently. All ten ASEAN Member States have ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). ASEAN Member States have throughout the years progressed considerably in applying the CEDAW framework to the development and implementation of laws, policies, and programmes. To date, noticeable efforts have been registered throughout the region with new laws enacted and existing laws amended to protect women against domestic violence, sexual harassment, anti-trafficking and other forms of violence. (http://www.asean.org/news/asean-secretariat-news/item/asean-secretariat-joins-women-of-the-world-in-celebrating-international-women-s-day?category_id=27)
 - The Women's Caucus has initiated a statement on the Declaration on the Elimination of Violence Against Women being drafted by the ACWC .The statement clarifies key concerns and gaps in the current draft which has been shared with the ACWC and civil society groups as a point for common advocacy. <http://womenscaucusonasean.wordpress.com/2014/02/05/a-look-at-asean-declaration-on-violence-against-women-and-violence-against-children/>

Long term impact of CEDAW

Through our observations based on continued monitoring of long term impact of CEDAW at national level and through reports made by our partners, positive changes to de jure and de facto environment for women's equality and non-discrimination through **law and policy reform** were made in 2014

- [Kazakhstan is working towards stronger legislation to combat Bride Kidnapping](#), a phenomena of the Central Asian countries. This was a [key recommendation of women's groups during the CEDAW review in February 2014](#) .The Committee draws the problem that the Criminal Code provides for a distinction regarding acts of violence against women that are amenable to settlement when the alleged perpetrator reconciles with the victim and undertakes to "make good for the harm" and other offences that are subject to prosecution. The Committee is also concerned that the prosecution of acts of violence can be undertaken only when a victim lodges a complaint. These are aspects of a case of bride kidnapping where a women is abducted, raped and forced to marry her abductor. In march 2014 parliamentarians pushing for this new law have stated that they "... believe that in a country that has proclaimed an adherence to the rule of law, following traditions that lead to violence and coercion is unacceptable to say the least" and these changes in the response of lawmakers is positive.
- In February 2014 Women in Iraq used the [opportunity to lobby the CEDAW Committee](#) against the draft Jaffari Law which allowed 9 year old girls to be married by their guardians. They continued to use the opportunity to raise their concern against the law when they returned to Iraq and [built a larger mobilisation of civil society groups against the law](#). Even so, the law was passed but there continues to be local and international attention on this extremely violative law.
- In July 2014 [CEDAW Committee provided a holistic and hard hitting set of recommendations to India](#) to address the situation of access to justice for women in light of communal violence/conflict and the states obligation to address and provide redress for conflict, as well as to combat violence against women.
- In [2011 South Africa was reviewed by the CEDAW Committee](#) and called for greater impetus for law reform to address discrimination from rules of customary laws on marriage and succession including a unified family code in conformity with the Convention, in which unequal inheritance rights, property and land rights and polygamy are addressed, with the aim of abolishing them, including the option of civil provisions available for all women. In July 2014 a [decision of the magistrate court in South Africa](#) gave a Muslim

woman the right to stay in and disallowed her eviction from her marital home, despite the customary law not providing her any rights in that regard.

- In Vietnam there is currently good laws and policies on the provision of abortion as part of the health system but in recent times, due to son preference, the 2 child policy of Vietnam from 40 years ago, and the conservative culture many women use abortion as a preferred form of contraception. CEDAW advocates for women's right to have access to and choice of contraception and right to abortion at a minimum in 3 cases (cases of rape, incest or when the life and health of the mother is at risk). There are recent reports that there are some [recent cases of backsliding](#) as more and more religious groups advocate for reducing access to abortion. [Recent cases of government crackdown's against Internet freedoms](#) and journalists may hamper discussion and debate on laws and programmes on women's human rights, as well as monitoring to ensure accountability.
- In October of 2014 the new President of Indonesia was decided and this signalled potential change for greater accountability for human rights. In Indonesia with the new Jokowi cabinet, there is a [50% increase in the number of female cabinet ministers](#) (8 out of 26 ministers are women) with two women holding the top post in 2 important ministries of Foreign Affairs and Development and Cultural affairs. News of discriminatory and harmful practices that inform state policies were raised in November 2014, highlighting cases of [virginity testing for female police officers](#). The [requirements for applying for the police force](#) were also found to be discriminatory as they had to be unmarried, below 22 years and virgins to qualify. This severely and irrationally limits the number of female police officers which are needed for the many Women and Child Units which are primary enforcement units on violence and trafficking, [which the state themselves agree is too few](#) in the state report (page. 19 Item 49) of the previous CEDAW review. Indonesian civil society groups also [commented](#) that the state representatives attending the Asian and Pacific Conference on Gender Equality and Women's Empowerment: Beijing +20 Review were negotiating for standards and agreed language lower and different from commitments and guarantees made by the state of Indonesia under CEDAW including arguing to limit women's right to inherit land, and sexual and reproductive rights, despite its own host of domestic laws which protect women's right to equality⁹. As there was success in obtaining commitment of multiple agencies (MOWE, MOE, MOH) in the previous Gender Machinery Workshop hosted by the Ministry for Women's Empowerment in December 2013, where the MOWE agreed to work with the related agencies to continue to emphasise the illegality of FGM and to combat its practice especially through the state service structure, a revisit on the commitment to end FGM practices and strengthen women's sexual and reproductive rights may be a priority for 2015.
- In February and July 2014 two communications under the OPCEDAW relating to the obligation of the state of Philippines were decided. The [first case RPB v Philippines](#) was about a minor disabled victim of rape. In her case the Committee found that the state had violated her rights and did not use the concept of intersectional discrimination to inform their decision. The courts did not take into account her status as a disabled (mute) victim suffering trauma from the event, and their stereotyped expectation of her behaviour as a victim (late in reporting, did not exhibit force). One of the key recommendations to Philippines was to revisit their laws on rape to ensure that it did not require force to prove the crime. The case of [MS v Philippines was a case of sexual harassment which was found inadmissible](#) by the majority of the Committee. Because the case was filed late, and the majority found that the decision of the Supreme Court did not clearly demonstrate gender stereotype impacted their finding to dismiss her case because it could not be proven that she was forced to resign because of the sexual harassment. These OPCEDAW cases and the earlier one of Karen Vertido demonstrate the need to tackle stereotypes that appear in the interpretation of law and social justice through the courts system.
- In Myanmar through September - November 2014 various protests were made over the proposed Laws On Protection Of Race And Religion which effectively ban interfaith marriages and several other forms of control which violate human rights. Besides restricting the right of women to freely marry a partner of their

⁹ Law Number 23/2000 on Child Protection - President Instruction Number 9/2000 on Gender Mainstreaming - Law Number 23/2004 tentang Elimination of Domestic Violence - Law Number 31/ 2002 on Political Party - Law Number 12/ 2003 on General Election - Law Number 12/ 2006 on Population Administration - Law Number 13/ 2006 on Witness and Victim Protection - Law Number 21/ 2007 on Human Trafficking - Law Number 7/2012 on Social Conflict Handling - Law Number 6/2014 on Village - Regulation of Four Ministerials : Ministry of Finance, Ministry of Home Affairs, National Agency on National Development Plan and Ministry of Women Empowerment and Child Protection Number 105/ 2008 on Gender Budget Perspective - Presidential Regulation Number 18/2014 on Protection and Empowerment of Women and Children in the Conflict Area.

choice, it is also reported that the four laws (Religion Conversion Law, Interfaith Marriage Law, Population Control Law, and the Monogamy Law) also include de jure discriminatory aspects e.g. in its inheritance and property laws which allow property to only pass through to males in the family. There are also [comments from NGOs](#) that the current draft law discriminates against women because under this version, women in Myanmar will face difficulty in divorce because of the rules on sharing property(especially between people of different faiths). Myanmar's laws on violence are outdated and from the colonial era and there is discussion on a [draft law on violence against women](#) to address contentious issues such as marital rape and traditional practices that discriminate against women – for example, only male inheritance in some ethnic groups. The limits of the current official response to the problem of societal impunity for violence against women are that there are no effective legal protection to prevent violence at home or sexual harassment in the workplace, or to allow women to seek restraining orders on violent men. Advocacy to change the patriarchal culture to address gender based violence is hampered by the low number of women lawmakers to challenge patriarchal norms and ideas which inform the laws. [Women in the affected community of the Dawei Special Economic Zone](#) have raised concerns where foreign investment projects are building a deep sea port report loss of income since the project began, due to land confiscation, destruction of farmlands and restricted access to the coast. Dawei Farmers Union and the Tavoyan Women's Union are seeking state intervention to address the clear vulnerability of women related to the project, as there has been no attempt by the project developers to identify or address these problems. The group very clearly articulates that Myanmar/Burmese government is obligated under the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) to ensure that rural women can participate in and benefit from development projects, but has implemented no mechanisms to ensure this and to review existing laws related to rural development, to ensure the protection of rural women's rights as well as stopping the project to ensure that corrective actions can be taken. The awareness of CEDAW at community levels and in the advocacy practices of local groups is very heartening – it is hoped that the state of Myanmar will look into an RPF approach to ensuring the rights of communities affected by these projects.

- On Dec 27 2014, the Lao National Assembly [debated the draft Law on Violence against Women and Children](#). The draft law has significant positive elements including distinguishing domestic violence and violence done by strangers. The debate was reported to be particularly rigorous, which illustrates a good understanding of the impact of violence on victim survivors and the need to have effective redress and remedies. Draft article 5 disallows the use of culture/custom in mitigating/sanctioning violence, and to disallow bride kidnapping which occurs in some rural cultures. Assembly members also added that the law should look at polygamous relationships as a form of violence against the other spouse.
- In November 2014 the Government of Cambodia [established a Technical Working Group on Gender and Gender-Based Violence, consisting of key line ministries](#), civil society organizations and development partners. This multi-sectorial body was initiated the formulation of the 2nd NAPVAW and will guide it's the policy implementation. Shifting away from legislative strategies only, the policy emphasises establishing One-Stop Service Centres to ensure coordination and access to legal protection, law enforcement, health care, legal aid and counselling services. One key area is to enhance the referrals between services and create minimum standards to build quality and monitoring to demonstrate the result of the strategies are leading to reducing violence and other harms/risks faced by women e.g. developing clinical guidelines setting out a package of healthcare for survivors, including emergency contraception, Post-Exposure Prophylaxis (to prevent HIV) and treatment of injuries post sexual violence.
- With Timor Leste, In December 2014, the Secretary of State on Promotion of Equality (SEPI) has been working with the [Ministry of Public Works](#). They held a gender awareness training as part of their integrated approach to gender policy in Timor-Leste helmed by the Secretary of State on Promotion of Equality. SEPI's priority is on gender equality and it aims to respond to the Strategic Development Plan of 2011-2030. The public works ministry is responsible for rolling out many infrastructure projects in Timor which have great impact on women's access to basic services, and of other enablers to benefit from greater development in the country.
- In December 2014, partners in Lebanon, [KAFA lobbied successfully for new legislation on domestic violence](#) which has many elements that are progressive (such as the title domestic violence instead of violence

against women to clarify that abuse in the domestic sphere is a criminal act) but is limited in effect as it does not address marital rape. The subject of a much needed law on domestic violence was discussed by NGOs and the CEDAW Committee in the 2008 review of Lebanon.

- In 2014, a woman filed a suit against her prospective employer for discriminating against her in the recruiting process based on her gender. This was a [landmark case](#).

CONCLUSIONS AND LESSONS

These are some lessons and core questions about rights we have surfaced from the work in 2014.

1. **Critical to refocus political will and resources on CEDAW as the 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. The trend of delinking human rights from developments is a key challenge which CEDAW is well positioned to address as it is a highlight ratified instrument of human rights specifically addressing the universal rights of women

2. **Sustained inclusive and participative practices/processes at UN and national level to support advocacy of women's groups**

- The role of NGOs continues to be questioned in the treaty body process, and in domestic accountability and monitoring – there are many SEA countries with NGO laws and laws which make it difficult for organisations to raise funds from external sources. The treaty body itself has been a great ally to NGO showing their willingness to engage in information provided. Strengthening the environment for women's human rights advocacy and considerations for security of those who undertake such work needs to be an important consideration of any international advocacy. There is need to support NGOs to perform CEDAW monitoring as a basis for their sustained and informed advocacy, and using the legal obligations of the treaty.
- **Importance of NGO input into international gender policy processes such as CEDAW** - Again we had the experience from the 57th- 59th CEDAW Sessions that it is especially critical for the NGOs working on marginalised contexts to engage with the CEDAW reporting process. It is important that they bring in to the Committee nuanced knowledge and analysis on specific category of discrimination against women or against a group of women, but they are also aware of and can provide information to the Committee on overall/holistic realization of human rights by women. This is critical as the Committee from its experience of 30 years do acknowledge that NGOs and groups addressing a range of issues and contexts of women's human rights are not able to participate at the CEDAW review session, and at the same time, the Committee would like to have an independent analysis of the situation on ground for women in the context of CEDAW implementation.
- Continued to **include and facilitate country level NGOs in the CEDAW review process**. We supported more than 50 NGO submissions to CEDAW. Direct engagement by country level groups is critical as they are the key beneficiaries of the output of the review –states will receive the Concluding Observations of the Committee which has been enriched by NGO input and thus propose recommendations which have included perspectives and information from NGOs. NGOs at country level also have to experience the process and recognize the validity of the international scrutiny mechanism and international human rights standards which can enhance their domestic advocacy.

3. Challenges in working through the **ASEAN system**

- In 2015 Malaysia will chair the ASEAN. NGO groups are gearing up for a limited participative space because of the usual engagement of Malaysia.
- There is a need to strengthen the linkages between ASEAN as a level for monitoring and raising accountability on gender equality and to connect this to the CEDAW review as Timor, Laos, Vietnam and Brunei are up for reporting later in 2014-2016. There are opportunities to address the specific regional character of ASEAN and how it may hamper CEDAW implementation and how there may be opportunities to address trans boundary women's rights issues in ASEAN.
- The inter-governmental nature of the human rights bodies of ASEAN means that both national level engagement and regional level engagement remain essential as points of engagement for women's human rights advocacy.
- Real and progressive consultations – As the Women's Caucus follows and even attempts to be one step ahead of the work of ASEAN, sometimes the pace of the work forces consultations to be too fast and too soon. These consultations are also heavily reliant on the internet and telephones, which however efficient still cannot match face to face conversations. Balance should be observed to ensure that behind every decision and content is the participation of communities but also to ensure that the mainstream majority which is not gender sensitive also recognizes the feminist agenda.
- Working on ASEAN agenda encompasses more than the rights bodies like AICHR and ACWC. Women's Caucus needs to be very familiar and updated on the socio-economic ramifications of various bilateral and multilateral agreements to ensure that impact from AEC and other such documents on women's realities will be more positive rather than negative.
- A major challenge is in the lack of information sharing to CSOs and public which limits engagement and meaningful participation
- The process for reviewing and developing the next phase of the ASEAN regional integration Blueprints (APSC, AEC, ASCC) lack coordination and harmonization. As women's economic rights are crosscutting there is need to build capacity of WROs in understanding all these instruments of regional policy and after which to engage with the different ASEAN bodies tasked to review and implement the final blueprints.
- Specifically to address the possible changes to the ASEAN Economic Community Blueprint there is a need to learn the internal deadlines and opportunities for WROs to feed their recommendations on WEL to impact the final version of the instrument.
- There are many concerns against this mode of growth and development that ASEAN is adopting. It is heading towards a more liberal direction, which does not bring linear and inclusive growth and sustainability because:
 - There are no official process of inclusion of Community Based Organisations while the economic blueprint was being developed, thus there is no surprise that this document only addressed the 'professional' and 'formal' workers, fail to mention farmers, peasants and fishers.
 - The key areas under ASEAN community growth are infrastructure development and energy mega projects which pose huge threat to displace people from their livelihood
 - De- regulation and privatization as a trend in order to boost trade
 - Local level mechanisms supporting transparency and people's participation are few

4. On advocacy on the **3 priority issues of women's economic leadership**

- IWRAW AP and partners need to have opportunity to study and discuss the issues surrounding these 3 priority areas to build capacity to engage at a policy level.
- Task forces/working groups need to ground the strategies for each priority issue
- Tools for communicating and sharing updates and strategic news will be important for coordination purposes.
- Advocacy on WEL's connection to space and role of NGOs in monitoring state accountability- There was recognition that women's economic rights which are impacted by ASEAN policies and larger trade policies require WROs to have the capacity to engage in open and constructive policy advocacy with

the state. This requires WROs to also engage on civic rights and governance issues which are politically polarizing.

5. Challenges of working on the role of business actors and impacting the 2015 development agenda processes

- Due to the fact that the draft Sustainable Development Goals are fashioned in a way that privileges companies and the private sector, and is not designed to address structures at the global and national level that produce and reinforce social inequalities and gender imbalances, it is difficult to use these as entry-points for policy discussion with stakeholders. Our advocacy goals and recommendations have to be framed in a way that seeks to plug gaps in an unwieldy system.
- There are few discussions tools and opportunities for civil society groups at all levels to meet and share on how to generate alternatives to the current development agenda.
- The Beijing +20 Process is also limited in terms of changing the policies on gender equality as instruments that arise from this process are very restrictive and not worded in rights based principles.